

Executive Summary – Enforcement Matter – Case No. 44340
E.I. Du Pont de Nemours and Company
RN100542711
Docket No. 2012-1198-IWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

DuPont Sabine River Works, located on Farm-to-Market Road 1006, approximately three miles southwest of Orange, Orange County

Type of Operation:

Organic and inorganic chemical plant with authorization to treat discharge wastes

Other Significant Matters:

Additional Pending Enforcement Actions: Yes 2012-2344-AIR-E and 2012-0624-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: December 14, 2012

Comments Received: No

Penalty Information

Total Penalty Assessed: \$107,500

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$107,500

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

**Executive Summary – Enforcement Matter – Case No. 44340
E.I. Du Pont de Nemours and Company
RN100542711
Docket No. 2012-1198-IWD-E**

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: May 8, 2012
Date(s) of NOE(s): May 15, 2012

Violation Information

Failed to comply with permitted effluent limits for carbonaceous biochemical oxygen demand and total suspended solids [TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000475000, Outfall 201 Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondent to, within 90 days, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0000475000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

Litigation Information

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

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Jeremy Escobar, Enforcement Division, Enforcement Team 3, MC R-14, (361) 825-3422; Debra Barber, Enforcement Division, MC 219, (512) 239-0412
TCEQ SEP Coordinator: N/A
Respondent: John R. Laughlin, Site Manager, E.I. Du Pont de Nemours and Company, P.O. Box 1089, Orange, Texas 77631
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	21-May-2012	Screening	13-Jun-2012	EPA Due	15-Sep-2012
	PCW	2-Jul-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	E.I. Du Pont de Nemours and Company		
Reg. Ent. Ref. No.	RN100542711		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	44340	No. of Violations	2	
Docket No.	2012-1198-IWD-E	Order Type	Findings	
Media Program(s)	Water Quality	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Jeremy Escobar	
		EC's Team	Enforcement Team 3	
Admin. Penalty \$ Limit	Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$53,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **100.0%** Enhancement **Subtotals 2, 3, & 7** **\$53,750**

Notes: Enhancement for 11 months of self-reported effluent violations, 33 NOVs with dissimilar violations, 15 orders with a denial of liability and two orders without a denial of liability.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

Total EB Amounts \$501
Approx. Cost of Compliance \$10,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$107,500**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$107,500**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$107,500**

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 **\$107,500**

Screening Date 13-Jun-2012

Docket No. 2012-1198-IWD-E

PCW

Respondent E.I. Du Pont de Nemours and Company

Policy Revision 3 (September 2011)

Case ID No. 44340

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100542711

Media [Statute] Water Quality

Enf. Coordinator Jeremy Escobar

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>)	11	55%
	Other written NOVs	33	66%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	15	300%
	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	2	50%
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>)	0	0%
	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>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

Enhancement for 11 months of self-reported effluent violations, 33 NOVs with dissimilar violations, 15 orders with a denial of liability and two orders without a denial of liability.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

Screening Date 13-Jun-2012

Docket No. 2012-1198-IWD-E

PCW

Respondent E.I. Du Pont de Nemours and Company

Policy Revision 3 (September 2011)

Case ID No. 44340

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100542711

Media [Statute] Water Quality

Enf. Coordinator Jeremy Escobar

Violation Number 1

Rule Cite(s)

Tex. Water Code § 26.121(a), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000475000, Effluent Limitations and Monitoring Requirements No. 1 for Outfall 201

Violation Description

Failed to comply with permitted effluent limits, as documented in a record review conducted on May 8, 2012, and shown in the attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

A simplified model was used to evaluate carbonaceous biochemical oxygen demand to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids were also considered. As a result of these discharges, 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.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

91 Number of violation days

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

Violation Base Penalty \$3,750

One quarterly event is recommended for the months of December 2011, January 2012, and February 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$501

Violation Final Penalty Total \$7,500

This violation Final Assessed Penalty (adjusted for limits) \$7,500

Economic Benefit Worksheet

Respondent E.I. Du Pont de Nemours and Company
Case ID No. 44340
Reg. Ent. Reference No. RN100542711
Media Water Quality
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)	\$10,000	31-Dec-2011	31-Dec-2012	1.00	\$501	n/a	\$501

Notes for DELAYED costs

Estimated cost to evaluate the causes of the effluent violations and to implement necessary corrective actions to achieve compliance with permitted limits. The date required is the date of the first date of non-compliance and the final date is the expected date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$501

Screening Date 13-Jun-2012

Docket No. 2012-1198-IWD-E

PCW

Respondent E.I. Du Pont de Nemours and Company

Policy Revision 3 (September 2011)

Case ID No. 44340

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100542711

Media [Statute] Water Quality

Enf. Coordinator Jeremy Escobar

Violation Number 2

Rule Cite(s)

Tex. Water Code § 26.121(a), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000475000, Effluent Limitations and Monitoring Requirements No. 1 for Outfall 201

Violation Description

Failed to comply with permitted effluent limits, as documented in a record review conducted on May 8, 2012, and shown in the attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

A simplified model was used to evaluate carbonaceous biochemical oxygen demand to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids were also considered. As a result of these discharges, human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 2

61 Number of violation days

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

Violation Base Penalty \$50,000

Two monthly events are recommended for March and April 2012.

Good Faith Efforts to Comply

0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer

\$0

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$50,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$100,000

This violation Final Assessed Penalty (adjusted for limits) \$100,000

Economic Benefit Worksheet

Respondent E.I. Du Pont de Nemours and Company
Case ID No. 44340
Reg. Ent. Reference No. RN100542711
Media Water Quality
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
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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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See economic benefit for Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

E. I. Du Pont De Nemours and Company
 TPDES Permit No. WQ0000475000
 Docket No. 2012-1198-IWD-E; Case No. 44340

EFFLUENT VIOLATION TABLE				
Months	CBOD Daily Avg. Loading	CBOD Daily Max. Loading	TSS Daily Avg. Loading	TSS Daily Max. Loading
	Limit = 1,990 lb/day	Limit = 4,782 lb/day	Limit = 5,125 lb/day	Limit = 14,291 lb/day
December 2011	2,330	c	c	c
January 2012	3,082	c	5,230	c
February 2012	6,206	12,253	5,751	c
March 2012	10,658	18,890	7,716	15,140
April 2012	6,400	11,369	5,319	c

CBOD = carbonaceous biochemical oxygen demand
 Avg. = average
 lb/day = pounds per day

c = compliant
 Max. = maximum
 TSS = Total Suspended Solids

Compliance History Report

Customer/Respondent/Owner-Operator: CN600128284 E. I. du Pont de Nemours and Company Classification: AVERAGE Rating: 4.69

Regulated Entity: RN100542711 DUPONT SABINE RIVER WORKS Classification: AVERAGE Site Rating: 14.38

ID Number(s):	DESCRIPTION	ACCOUNT NUMBER	STATUS	PERMIT NUMBER
	AIR OPERATING PERMITS	ACCOUNT NUMBER		OC0007J
	AIR OPERATING PERMITS	PERMIT		1350
	AIR OPERATING PERMITS	PERMIT		1868
	AIR OPERATING PERMITS	PERMIT		1895
	AIR OPERATING PERMITS	PERMIT		1896
	AIR OPERATING PERMITS	PERMIT		1897
	AIR OPERATING PERMITS	PERMIT		1898
	AIR OPERATING PERMITS	PERMIT		1899
	AIR OPERATING PERMITS	PERMIT		1900
	AIR OPERATING PERMITS	PERMIT		1901
	AIR OPERATING PERMITS	PERMIT		1996
	AIR OPERATING PERMITS	PERMIT		2001
	AIR OPERATING PERMITS	PERMIT		2055
	AIR OPERATING PERMITS	PERMIT		2074
	AIR OPERATING PERMITS	PERMIT		2331
	AIR OPERATING PERMITS	PERMIT		1882
	POLLUTION PREVENTION PLANNING	ID NUMBER		P00193
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID		TXD008079642
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION #		30019
		(SWR)		
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT		50230
	AIR NEW SOURCE PERMITS	REGISTRATION		72030
	AIR NEW SOURCE PERMITS	PERMIT		9629
	AIR NEW SOURCE PERMITS	PERMIT		914
	AIR NEW SOURCE PERMITS	PERMIT		914A
	AIR NEW SOURCE PERMITS	PERMIT		1423
	AIR NEW SOURCE PERMITS	PERMIT		1423A
	AIR NEW SOURCE PERMITS	PERMIT		1423B
	AIR NEW SOURCE PERMITS	PERMIT		1423C
	AIR NEW SOURCE PERMITS	PERMIT		2004
	AIR NEW SOURCE PERMITS	PERMIT		2116
	AIR NEW SOURCE PERMITS	PERMIT		2490
	AIR NEW SOURCE PERMITS	PERMIT		5745
	AIR NEW SOURCE PERMITS	PERMIT		7021
	AIR NEW SOURCE PERMITS	PERMIT		9176
	AIR NEW SOURCE PERMITS	REGISTRATION		10447
	AIR NEW SOURCE PERMITS	REGISTRATION		11434
	AIR NEW SOURCE PERMITS	REGISTRATION		12967
	AIR NEW SOURCE PERMITS	PERMIT		16327
	AIR NEW SOURCE PERMITS	PERMIT		17157
	AIR NEW SOURCE PERMITS	PERMIT		20204
	AIR NEW SOURCE PERMITS	PERMIT		21236
	AIR NEW SOURCE PERMITS	REGISTRATION		22977
	AIR NEW SOURCE PERMITS	REGISTRATION		23646
	AIR NEW SOURCE PERMITS	REGISTRATION		24252
	AIR NEW SOURCE PERMITS	REGISTRATION		25167
	AIR NEW SOURCE PERMITS	REGISTRATION		26158
	AIR NEW SOURCE PERMITS	REGISTRATION		26325
	AIR NEW SOURCE PERMITS	REGISTRATION		26410
	AIR NEW SOURCE PERMITS	REGISTRATION		28148
	AIR NEW SOURCE PERMITS	REGISTRATION		32733
	AIR NEW SOURCE PERMITS	REGISTRATION		36046
	AIR NEW SOURCE PERMITS	REGISTRATION		37488
	AIR NEW SOURCE PERMITS	REGISTRATION		41263
	AIR NEW SOURCE PERMITS	REGISTRATION		42054
	AIR NEW SOURCE PERMITS	REGISTRATION		44528
	AIR NEW SOURCE PERMITS	REGISTRATION		46790
	AIR NEW SOURCE PERMITS	REGISTRATION		47671
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		OC0007J
	AIR NEW SOURCE PERMITS	REGISTRATION		71863
	AIR NEW SOURCE PERMITS	REGISTRATION		75999

AIR NEW SOURCE PERMITS	PERMIT	49076
AIR NEW SOURCE PERMITS	AFS NUM	4836100002
AIR NEW SOURCE PERMITS	REGISTRATION	70647
AIR NEW SOURCE PERMITS	REGISTRATION	70650
AIR NEW SOURCE PERMITS	REGISTRATION	71054
AIR NEW SOURCE PERMITS	REGISTRATION	71338
AIR NEW SOURCE PERMITS	REGISTRATION	53130
AIR NEW SOURCE PERMITS	REGISTRATION	56781
AIR NEW SOURCE PERMITS	REGISTRATION	53324
AIR NEW SOURCE PERMITS	REGISTRATION	55710
AIR NEW SOURCE PERMITS	REGISTRATION	71829
AIR NEW SOURCE PERMITS	REGISTRATION	72443
AIR NEW SOURCE PERMITS	REGISTRATION	53572
AIR NEW SOURCE PERMITS	REGISTRATION	56055
AIR NEW SOURCE PERMITS	REGISTRATION	73921
AIR NEW SOURCE PERMITS	REGISTRATION	73779
AIR NEW SOURCE PERMITS	REGISTRATION	76581
AIR NEW SOURCE PERMITS	REGISTRATION	76955
AIR NEW SOURCE PERMITS	REGISTRATION	76580
AIR NEW SOURCE PERMITS	REGISTRATION	76726
AIR NEW SOURCE PERMITS	REGISTRATION	76690
AIR NEW SOURCE PERMITS	REGISTRATION	78770
AIR NEW SOURCE PERMITS	REGISTRATION	78820
AIR NEW SOURCE PERMITS	REGISTRATION	79048
AIR NEW SOURCE PERMITS	REGISTRATION	78445
AIR NEW SOURCE PERMITS	REGISTRATION	79512
AIR NEW SOURCE PERMITS	REGISTRATION	80163
AIR NEW SOURCE PERMITS	REGISTRATION	80331
AIR NEW SOURCE PERMITS	REGISTRATION	79817
AIR NEW SOURCE PERMITS	REGISTRATION	80113
AIR NEW SOURCE PERMITS	REGISTRATION	80740
AIR NEW SOURCE PERMITS	REGISTRATION	80742
AIR NEW SOURCE PERMITS	REGISTRATION	80739
AIR NEW SOURCE PERMITS	REGISTRATION	80738
AIR NEW SOURCE PERMITS	REGISTRATION	80736
AIR NEW SOURCE PERMITS	REGISTRATION	80712
AIR NEW SOURCE PERMITS	REGISTRATION	80930
AIR NEW SOURCE PERMITS	REGISTRATION	81074
AIR NEW SOURCE PERMITS	REGISTRATION	80705
AIR NEW SOURCE PERMITS	REGISTRATION	80706
AIR NEW SOURCE PERMITS	REGISTRATION	80707
AIR NEW SOURCE PERMITS	REGISTRATION	80711
AIR NEW SOURCE PERMITS	REGISTRATION	80743
AIR NEW SOURCE PERMITS	REGISTRATION	81410
AIR NEW SOURCE PERMITS	REGISTRATION	81411
AIR NEW SOURCE PERMITS	REGISTRATION	81431
AIR NEW SOURCE PERMITS	REGISTRATION	81430
AIR NEW SOURCE PERMITS	REGISTRATION	81292
AIR NEW SOURCE PERMITS	REGISTRATION	81828
AIR NEW SOURCE PERMITS	REGISTRATION	81587
AIR NEW SOURCE PERMITS	REGISTRATION	82031
AIR NEW SOURCE PERMITS	REGISTRATION	83760
AIR NEW SOURCE PERMITS	REGISTRATION	84794
AIR NEW SOURCE PERMITS	REGISTRATION	85529
AIR NEW SOURCE PERMITS	REGISTRATION	90758
AIR NEW SOURCE PERMITS	REGISTRATION	86825
AIR NEW SOURCE PERMITS	REGISTRATION	84928
AIR NEW SOURCE PERMITS	REGISTRATION	91170
AIR NEW SOURCE PERMITS	REGISTRATION	90117
AIR NEW SOURCE PERMITS	REGISTRATION	87511
AIR NEW SOURCE PERMITS	REGISTRATION	91404
AIR NEW SOURCE PERMITS	REGISTRATION	91398
AIR NEW SOURCE PERMITS	REGISTRATION	91433
AIR NEW SOURCE PERMITS	REGISTRATION	92418
AIR NEW SOURCE PERMITS	REGISTRATION	93838
AIR NEW SOURCE PERMITS	REGISTRATION	93700
AIR NEW SOURCE PERMITS	REGISTRATION	95104

AIR NEW SOURCE PERMITS	REGISTRATION	95774
AIR NEW SOURCE PERMITS	REGISTRATION	99037
AIR NEW SOURCE PERMITS	REGISTRATION	98962
AIR NEW SOURCE PERMITS	REGISTRATION	98635
AIR NEW SOURCE PERMITS	REGISTRATION	100489
AIR NEW SOURCE PERMITS	REGISTRATION	100137
AIR NEW SOURCE PERMITS	REGISTRATION	100124
AIR NEW SOURCE PERMITS	REGISTRATION	101050
AIR NEW SOURCE PERMITS	REGISTRATION	101051
AIR NEW SOURCE PERMITS	REGISTRATION	101160
AIR NEW SOURCE PERMITS	REGISTRATION	99542
AIR NEW SOURCE PERMITS	REGISTRATION	99960
AIR NEW SOURCE PERMITS	REGISTRATION	101075
AIR NEW SOURCE PERMITS	REGISTRATION	99940
AIR NEW SOURCE PERMITS	REGISTRATION	101065
AIR NEW SOURCE PERMITS	REGISTRATION	101055
AIR NEW SOURCE PERMITS	REGISTRATION	97864
AIR NEW SOURCE PERMITS	REGISTRATION	101137
AIR NEW SOURCE PERMITS	REGISTRATION	98907
AIR NEW SOURCE PERMITS	REGISTRATION	96918
AIR NEW SOURCE PERMITS	REGISTRATION	98665
AIR NEW SOURCE PERMITS	REGISTRATION	98924
AIR NEW SOURCE PERMITS	REGISTRATION	98937
AIR NEW SOURCE PERMITS	REGISTRATION	101083
AIR NEW SOURCE PERMITS	REGISTRATION	104095
AIR NEW SOURCE PERMITS	REGISTRATION	104097
AIR NEW SOURCE PERMITS	REGISTRATION	104083
AIR NEW SOURCE PERMITS	REGISTRATION	102793
AIR NEW SOURCE PERMITS	REGISTRATION	101938
AIR NEW SOURCE PERMITS	REGISTRATION	104103
AIR NEW SOURCE PERMITS	REGISTRATION	104088
AIR NEW SOURCE PERMITS	REGISTRATION	104054
AIR NEW SOURCE PERMITS	REGISTRATION	102106
AIR NEW SOURCE PERMITS	REGISTRATION	104059
AIR NEW SOURCE PERMITS	REGISTRATION	104086
AIR NEW SOURCE PERMITS	REGISTRATION	102344
AIR NEW SOURCE PERMITS	REGISTRATION	104091
AIR NEW SOURCE PERMITS	REGISTRATION	102561
AIR NEW SOURCE PERMITS	REGISTRATION	104048
AIR NEW SOURCE PERMITS	REGISTRATION	104052
AIR NEW SOURCE PERMITS	REGISTRATION	104050
AIR NEW SOURCE PERMITS	REGISTRATION	104723
AIR NEW SOURCE PERMITS	REGISTRATION	104090
AIR NEW SOURCE PERMITS	REGISTRATION	104057
AIR NEW SOURCE PERMITS	REGISTRATION	102624
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1810114
STORMWATER	PERMIT	TXR05L392
STORMWATER	PERMIT	TXR15TO94
WATER RIGHTS	ID NUMBER	4664
WASTEWATER	PERMIT	WQ0000475000
WASTEWATER	EPA ID	TX0006327
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30019
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	OC0007J

Location: Farm-to-Market Road 1006, approximately three miles southwest of the City of Orange in Orange County, Texas

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 21, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 20, 2007 to August 20, 2012

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

Name: Jeremy Escobar Phone: (361) 825-3422

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? NO
3. If YES, who is the current owner/operator? N/A
4. If YES, who was/were the prior owner(s)/operator(s)?
 N/A
 INVISTA S.a r.l., OWNER OPERATOR, 3/2/2004 to 7/1/2009
5. If YES, when did the change(s) in owner or operator occur?
 N/A
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: 04/28/2008

ADMINORDER 2007-0760-AIR-E

Classification: Moderate

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

Rqmt Prov: 914, SC 7 PERMIT
 O-02074, SC 15 OP

Description: Failed to sample cooling tower water according to the requirements of the TCEQ Sampling Procedures Manual Appendix P.

Classification: Minor

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

Description: Failed to represent 176 flanges and 88 valves in the permit application for Air Permit No. 914.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1H OP

Description: Failed to monitor 88 valves, and 15 pumps.

Classification: Minor

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

Description: Failed to conduct quarterly opacity observations.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 914 SC 9E PERMIT
 O-02074 SC 15 OP
 O-02074 SC 1A OP

Description: Failed to equip eight OEL's with a cap, blind flange, plug, or a second valve during the certification period of September 1, 2005 through February 28, 2006, and failed to equip 29 OEL's with a cap, blind flange, plug, or a second valve during the certification period of April 11, 2006 through October 10, 2006.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02074 SC 1A OP

Description: Failed to monitor carbon canisters on five different occasions.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 914 SC 4C PERMIT
O-02074 SC 1A OP
Description: Failed to prevent visible emissions at the flare (EPN No. PK-16) for greater than five minutes in any two consecutive hours on two separate occasions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
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 D 382.085(b)
Rqmt Prov: O-01896 SC 1A OP
Description: Failed to identify and mark two pieces of equipment in benzene service during the certification period of September 1, 2005 to February 28, 2006.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-01896 SC 1A OP
Description: Failed to maintain 24 drums containing waste material in a properly sealed position.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-02074 SC 1A OP
Description: Failed to determine the annual benzene waste quantity at the point of waste generation and to keep records for those points for the reporting period of April 11, 2006 through October 10, 2006.
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-01896 SC 1A OP
Description: Failed to maintain the fluoride content feed rate below the feed rate of 19 lbs/hr.
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 report a reportable emissions event within 24 hours of discovery.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 9176 SC 1 PERMIT
Spec. Cond. 8 OP
Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 20204 SC 1 PERMIT
Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.
Effective Date: 07/21/2008 ADMINORDER 2008-0037-AIR-E
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 THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 20204, Special Condition 1 PERMIT
O-02055, General Terms and Conditions OP
O-02055, Special Condition 8 OP
Description: Failure to maintain an emission rate below the allowable emission limit.

Effective Date: 08/29/2008

ADMINORDER 2007-1755-PWS-E

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: November 2004 - 4 days with a low CT for more than 4.0 consecutive hours. Treatment Technique Violation.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: December 2005 - 4 days with a low concentration time for more than 4 consecutive hours.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: January 2006 - 3 days with a low concentration time for more than 4 consecutive hours.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: February 2006 - 1 day with a low concentration time for more than 4 consecutive hours.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(i)
30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: May 2006 - 1 day with combined filter effluent turbidity readings above 1.0 NTU.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: May 2006 - 32.7% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)

Description: May 2006 - 1 day when concentration time data were not collected.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: December 2006 - 52.2% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: January 2007 - 32.5% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Effective Date: 10/23/2008

ADMINORDER 2008-0499-AIR-E

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: 9176, Special Condition 1 PERMIT
O-02001, General Terms and Conditions OP
O-02001, Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

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: O-02001, General Terms and Conditions OP
O-02001, Special Condition 8 OP
Permit 9176, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 10/23/2008

ADMINORDER 2004-1135-MLM-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failing to use an approved EPA method to determine the concentration of substances in the cooling water of the Adiponitrile ("ADN") Unit, as documented during an investigation on May 21, 2003.

Classification: Moderate

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

Rqmt Prov: 914 Special Condition 15.I. PA

Description: failing to repair 72 components (valves) in VOC service during the April 23, 2003 to May 27, 2003 shutdown, as documented during a June 8, 2003 investigation. Specifically, from April 14, 1998 through April 23, 2003 approximately 100 components had been placed on the shutdown list, however, 72 components were not repaired during the shutdown. The investigator estimates that these valves released 2.02 tons of emissions.

Classification: Moderate

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

Rqmt Prov: Effluent Limitations and Monitoring R 1 PERMIT
Effluent Limitations PERMIT

Description: failing to comply with effluent limits for outfalls 101A and 201A, as documented on March 20, 2002 and January 10, 2003 during records reviews. See Effluent Limit Violation Table ("Attachment G") for details concerning the violations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 914, SC 1 PERMIT
914, SC 2 PERMIT
914, SC 4 PERMIT

Description: failing to maintain an emissions rate below the authorized emission rate for an emissions event that occurred on October 20, 2003, as documented by an investigation on October 20, 2003. Specifically, the Plant released 3,259 pounds of NOx, 16,946 pounds of CO, 7,686 pounds of ethylene, 962 pounds of 1, 3 butadiene, 471 pounds of benzene, 41 pounds of butane, 75 pounds of pentane, 43 pounds of propane, 187 pounds of propylene, 14 pounds of propadiene, 38 pounds of butylenes, 78 pounds of

Classification: Moderate

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

Description: Failing to prevent unauthorized emissions released at the D-Unit.

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: MAERT PERMIT

Description: failing to comply with an emissions limitation as documented by an investigation occurring from April 16, 2004 through April 30, 2004. Since the emissions events were avoidable or not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222. See Table 5 ("Attachment F") for details concerning the emission events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failing to include all required information on the final report of an emissions event as documented by an investigation occurring from April 16, 2004 through April 30, 2004. Specifically, the authorized emission limits, individually listed compounds and facility identification number ("FIN") were not included in the final report for an unauthorized emission event that occurred on October 20, 2002.

Additionally, there was a failure to notify the TCEQ within 24 hours of the event.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1302/ General Condition MAERT PERMIT
1790/General Condition MAERT PERMIT
9629 PERMIT

Description: Failing to maintain emission rate below the permitted limit as documented by an investigation occurring from April 16, 2004 through April 30, 2004. Since the emissions events were avoidable or not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222. See Table 5 ("Attachment F") for details concerning the emission rate.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failing to include all required information on the final reports of emissions events as documented by an investigation occurring from April 16, 2004 through April 30, 2004. Specifically, the authorized emission limits and facility identification number ("FIN") were not included in the final report for an unauthorized emission event that occurred on November 4, 2002, December 20, 2002 and December 30, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: exceeding the Maximum Contaminant Level of 0.060 milligrams per liter based on a running annual average for haloacetic acids (HAA5) during the First Quarter 2004 as documented by an investigation on March 10, 2004. Specifically, the level for the first quarter 2004 was 0.684 milligrams per liter with a running average of 0.171 milligrams per liter for 2004.

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: 9176 and 20204/MAERT PERMIT

Description: failing to comply with an emissions limitation by allowing 11 unauthorized emissions events as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Since the emissions event was avoidable or not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222. See Table 1 ("Attachment B") for details concerning the 11 emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: failing to properly notify the TCEQ regional office of reportable emissions events as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. See Table 2 ("Attachment C") for details concerning the reportable emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.207(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failing to maintain an emission rate below the allowable plant wide oxides of nitrogen ("NOx") limit as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Specifically, the established NOx emissions plant wide limit on the GE PG711 83 MW Turbine, EPN PG-14, is 180.100 pounds/hour. On May 23, 2003, from 07:15-08:15 hours, a reportable emissions event occurred at the Cogeneration Area which resulted in the release of 532.590 pounds of nitrogen oxide ("NO") and 266.140 pounds

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: 914/MAERT PERMIT

Description: failing to comply with an emissions limitation on June 25, 2003 from 12:28 to 12:37 hours when a Plant wide incident caused an electrical upset resulting in equipment shutdowns which caused several reportable emissions events including the release of 49,050 pounds of propylene from the Propylene Feed Header, Emissions Point Number ("EPN") DA01401, as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Since the emissions event was avoidable, Du Pont failed to meet the

Classification: Minor

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

Description: failing to notify the TCEQ regional office of two reportable emissions events within 24 hours as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. See Table 2 ("Attachment C") for details concerning the reportable emissions events.

Classification: Moderate

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

Rqmt Prov: 914, Special Condition 1 PERMIT

Description: failing to maintain an emission rate below the MAERT limits as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Since the emissions event was avoidable, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222. See Table 3 ("Attachment D") for details concerning the emission rate.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(3)(ii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1302, Special Condition 2 PERMIT

Description: failing to properly operate a flare as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Specifically, on June 25, 2003, from 12:15 to 12:30 hours, an emissions event occurred that resulted in the ADN Operating Flare, EPN PP-3, smoking for a duration of 15 minutes which is more than the five minutes allowed in any consecutive two hour period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 1, 2, and 4 PERMIT

Description: failing maintain an emissions rate below the allowable emission limit as documented by an investigation on June 16, 17, 18, 21, 22 and 25, 2004. Specifically, on June 25, 2003, from 12:15 to 13:45 hours, the Plant released 7,789 pounds of carbon monoxide ("CO"), 1,359.45 pounds of NO and 1 pound NOx from the Ethylene Operating Flare CB-801 for a duration of 1 hour 30 minutes. Additionally, the Respondent reported that the Ethylene Operating Flare CB-801 smoked for approximately 1 hour 30

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failing to submit complete information regarding reportable emission events that occurred between November 28 and November 29, 2003.

Classification: Moderate

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

Rqmt Prov: 1302, General Condition 8 PERMIT

Description: failing to comply with permitted emissions limits. Specifically, during the improperly reported event that began on November 28, 2003, the authorized emissions limits for nitrogen oxides ("NOx") from the Operating Flare (EPN PP-3) were 20 pounds per hour, and the flare emitted 35.7 pounds per hour of NOx over a period of 19 hours. Since the emissions event was not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

Description: failing to maintain an emission rate below the allowable emission limits as documented by an investigation occurring from February 2, 2005 through February 11, 2005. Specifically, on September 29, 2004, unauthorized emissions occurred during a reportable emissions event at the Building 572 High Pressure Separator Stack and Reactor Dump Stack. Simultaneously during a one minute period starting at 09:27 hours, 1,890 pounds of volatile organic compounds ("VOC") and 210 pounds of VOC were emitted

Classification: Moderate

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

Rqmt Prov: Permit No. 9176, Emission Standards 1 PERMIT

Description: failing to prevent unauthorized emissions as documented by an investigation on July 25, 2005. Specifically, on July 26, 2004, during a reportable emissions event at the Blender Fines Collector Vent EPN PLUM-C, unauthorized emissions of 340 pounds of ethylene and 42 pounds of particulate matter ("PM") resulted during a 17 hour 3 minute period. Since the emissions event was not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

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

Description: failing to properly notify the TCEQ regional office of a reportable emissions event with 24 hours as documented by an investigation on July 25, 2005. The emissions event of July 26, 2004 began at 13:27 hours but was not reported until July 29, 2004 at 14:45 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failing to comply with the final record requirements for an emissions event as documented by an investigation on July 25, 2005. The final report for the April 8, 2005 emissions event did not identify or quantify the amount of CO released, the NOx emissions were not speciated and the authorized limits were not properly reported for EPN PP-3.

Classification: Moderate

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

Rqmt Prov: 1302, GC 8 PERMIT

Description: failing to maintain an emission rate limit as documented by an investigation on July 25, 2005. Specifically, on April 8, 2004 during a two hour emissions event 840.06 pounds of NOx and 307 pounds of hydrogen cyanide were released in excess of permit limits from EPN PP-3. Since the emissions event was not properly reported, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

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

Rqmt Prov: Permit No. 20204, Special Condition 1 PERMIT

Description: failing prevent unauthorized emissions as documented by an investigation on July 25, 2005. Specifically, on March 29, 2005, during an emissions event at the G-Unit, unauthorized emissions of 502.3 pounds of ethylene and 195.7 pounds of vinyl acetate were released from the Number 4 Recycle Compressor Fire Protection Dump, EPN PL-5H, during a three minute period. Since the emissions event was avoidable, Du Pont failed to meet the demonstrations as found in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
Rqmt Prov: Effluent Limitations and Monitoring PERMIT

Description: failing to comply with the permit limit for pH range excursions for more than 60 minutes at outfall 001 as documented on March 20, 2002 and January 10, 2003 during records reviews.

Effective Date: 04/20/2009 ADMINORDER 2008-1315-IWD-E

Classification: Moderate

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

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Effective Date: 05/18/2009 ADMINORDER 2008-0971-AIR-E

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: 914, Special Condition 1 PERMIT
O-02074, General Terms and Conditions OP
O-02074, Special Condition 15 OP

Description: Failure to maintain an emission rate below the allowable emission limit. Incident 102860.

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: 9176, Special Condition 1 PERMIT
O-02001, General Terms and Conditions OP
O-02001, Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limit. Incident 103221.

Classification: Minor

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 OP
Special Condition 8 PERMIT

Description: Failure to notify the agency within 24 hours of the discovery of an emissions event. Specifically, the reportable event report for the February 2, 2008, emissions event was not submitted 24 hours after the discovery of the event.

Effective Date: 06/01/2009

ADMINORDER 2008-1923-PWS-E

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)

Description: Failed to provide an air gap connection to waste for the FTW connection at the Facility.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(13)

Description: Failed to identify the chlorine dioxide line every five feet either by the use of a label or by various colors of paint.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(e)(2)(C)

Description: Failed to post a sign at the raw water intakes warning that a restricted zone has been established and that all recreational activities and trespassing is prohibited within the area.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(A)

Description: Failed to install a backflow prevention assembly or an air gap at all locations where an actual or potential contamination hazard exist.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(A)

Description: Failed to provide disinfection equipment with a capacity of at least 50% greater than the highest expected disinfectant dosage.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failed to maintain an up-to-date plant operations manual for operator review and reference.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(8)

Description: Failed to maintain the Facility's clearwell in strict accordance with current AWWA standards.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(4)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to maintain the residual disinfectant concentration in the water of at least 0.2 milligrams per liter ("mg/L") free chlorine throughout the distribution system at all times.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failed to provide an up-to-date map of the distribution system.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(D)

Description: Failed to properly locate the filter so that common walls do not exist between the filter and aerators, mixing, and sedimentation basins or clearwells.

Effective Date: 06/15/2009

ADMINORDER 2008-1817-AIR-E

Classification: Major

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: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 2F OP

Description: Failure to submit an initial report within 24 hours for TCEQ Incident No. 110539.

Effective Date: 07/09/2009

ADMINORDER 2008-1167-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 Permit No. 9629, SC 12 PERMIT
O-02331 General Terms and Conditions OP
O-02331 Special Condition 6 OP

Description: Failed to operate the Cogeneration Train, emission point number ("EPN") PG-14, at or below the nitrogen oxide ("NOx") concentration limit of 96 parts per million ("ppm") four times between September 25 and November 11, 2006.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.140(c)(1)
30 TAC Chapter 117, SubChapter B 117.140(e)
30 TAC Chapter 117, SubChapter B 117.340(c)(1)
30 TAC Chapter 117, SubChapter B 117.340(f)(1)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(B)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.46b(f)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 9629 Special Condition 3 PERMIT
O-02331 General Terms and Conditions OP
O-02331 Special Condition 1A OP
O-02331 Special Condition 1D OP
O-02331 Special Condition 4B OP
O-02331 Special Condition 4F OP
O-02331 Special Condition 6 OP

Description: Failed to conduct a Relative Accuracy Test ("RAT") and a 7-day Calibration Drift ("CD") test on a NOx analyzer in the Cogeneration Unit, which resulted in the inability to certify that the continuous emissions monitoring system ("CEMS") was operating properly.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.140(d)
30 TAC Chapter 117, SubChapter B 117.140(e)
30 TAC Chapter 117, SubChapter B 117.340(e)
30 TAC Chapter 117, SubChapter B 117.340(f)(1)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(B)(iii)
30 TAC Chapter 117, SubChapter G 117.8120(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.46b(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.46b(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 9629 Special Condition 3 PERMIT
O-02331 General Terms and Conditions OP
O-02331 Special Condition 1A OP
O-02331 Special Condition 1D OP
O-02331 Special Condition 4B OP
O-02331 Special Condition 4F OP
O-02331 Special Condition 6 OP

Description: Failed to conduct a RAT and a 7-day CD test on a carbon monoxide ("CO") analyzer in the Cogeneration Unit, which resulted in the inability to certify that the CEMS was operating properly.

Classification: Moderate

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

Rqmt Prov: 9176, Special Condition 1 PERMIT
O-02001, General Terms and Conditions OP

Description: Failed to prevent unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02001 General Terms and Conditions OP
O-02001 Special Condition 2G OP

Description: Failed to submit a final record for an emissions event (Incident No. 105482) within two weeks after the end of the event. The initial report was submitted timely, but the emissions amounts and duration subsequently changed, and a final record with the corrected information was not submitted by April 17, 2008 (two weeks after the event that ended on April 3, 2008). On June 1, 2008, the correct amount and duration of emissions was submitted via electronic mail.

Effective Date: 10/04/2009 ADMINORDER 2009-0285-AIR-E

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: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 15 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

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: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02001 Special Condition 2F OP

Description: Failure to submit an initial report within 24 hours for T CEQ Incident No. 116375.

Effective Date: 10/31/2009 ADMINORDER 2009-0600-AIR-E

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: 20204, Special Condition 1 PERMIT
O-02055, General Terms and Conditions OP
O-02055, Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

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: 20204 Special Condition 1 PERMIT
 FOP O-02055 General Terms and Conditions OP
 FOP O-02055 Special Condition 8 OP
 Description: Failure to maintain an emission rate below the allowable emission limits.
 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: 914, Special Condition 1 PERMIT
 O-02074, General Terms and Conditions OP
 O-02074, Special Condition 15 OP
 Description: Failure to maintain an emission rate below the allowable emission limits.
 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: 914, Special Condition 1 PERMIT
 O-02074, General Terms and Conditions OP
 O-02074, Special Condition 15 OP
 Description: Failure to maintain an emission rate below the allowable emission limits.
 Effective Date: 02/07/2010 ADMINORDER 2009-1011-AIR-E
 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: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 8 OP
 Description: Failure to maintain an emission rate below the allowable emission limits (Incident 121831).
 Specifically, the emissions event was caused by the Suction Separator, Purge Compressor 1st, 2nd,
 3rd, and 4th Stage Blowdowns, and Wax Tank Vent being left open to atmosphere during a maintenance
 activity on the C Unit Flare Header Guard Valve.
 Effective Date: 07/11/2010 ADMINORDER 2009-1958-AIR-E
 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: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 15 OP
 Description: Failure to maintain an emission rate below the allowable emission limits.
 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: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 15 OP
 Description: Failure to maintain an emission rate below the allowable emission limits.
 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: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 15 OP

Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

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: GENERAL CONDITIONS OP
SC 1 PERMIT
SC 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Effective Date: 03/19/2011 ADMINORDER 2010-0839-MLM-E

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: GENERAL CONDITIONS OP
SC 1 PERMIT
SC 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

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)
30 TAC Chapter 335, SubChapter H 335.221(a)(15)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Condition X(B)(1)(j) PERMIT
SC 17 OP
SC 1A OP

Description: Failure to comply with the carbon monoxide emission limit of 14.6 lb/hr at the Incinerator as reported in the deviation reports for September 1, 2008, until February 28, 2009, and March 1, 2009, until August 31, 2009.

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: GENERAL TERMS AND CONDITIONS OP
SC 1 PERMIT
SC 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Effective Date: 08/13/2011 ADMINORDER 2011-0208-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: SC 1 PERMIT
SC 1A OP

Description: Failure to maintain an emission rate below the allowable emission limits for Incident 146789.

Classification: Minor

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

Description: Failure to satisfy the final reporting requirements for a reportable emissions event for Incident 145301.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT
SC 1A OP

Description: Failure to maintain an emission rate below the allowable emission limit for Incident 145301.

Classification: Minor

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

Description: Failed to timely submit the final record for a maintenance activity (Incident No. 155487). Specifically, the maintenance activity began on June 10, 2011 and ended on June 11, 2011, and the final record was submitted on July 19, 2011, more than two weeks after the end of the maintenance activity

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT
SC 1A OP

Description: Failed to prevent unauthorized emissions during a maintenance activity (Incident No. 155487). Specifically, during a scheduled maintenance activity that began on June 10, 2011, and lasted approximately 16 hours and 20 minutes, the Respondent released approximately 4,024.75 pounds ("lbs") of volatile organic compounds and 4,958.96 lbs of particulate matter from the Regenerative Thermal Oxidizer's Baghouse Vent [Emission Point No. PL-10] located in the D Unit.

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

N/A

C. Chronic excessive emissions events.

N/A

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

- 1 05/16/2012 (1003193)
- 2 03/19/2012 (1003509)
- 3 05/25/2012 (1006347)
- 4 04/20/2012 (1010070)
- 5 06/15/2012 (1013697)
- 6 07/06/2012 (1014731)
- 7 05/18/2012 (1016464)
- 8 08/15/2012 (1022820)
- 9 06/23/2012 (1024186)
- 10 08/30/2007 (567177)
- 11 10/12/2007 (567973)
- 12 09/07/2007 (572061)
- 13 08/28/2007 (573506)
- 14 10/24/2007 (594503)
- 15 10/03/2007 (595357)
- 16 11/20/2007 (596110)
- 17 01/11/2008 (598658)
- 18 12/18/2007 (598952)
- 19 10/10/2007 (607567)
- 20 09/25/2007 (607568)
- 21 10/23/2007 (607569)
- 22 01/17/2008 (610417)
- 23 03/06/2012 (612803)
- 24 03/03/2008 (613811)
- 25 03/14/2008 (613893)
- 26 03/03/2008 (615669)
- 27 03/26/2008 (618723)
- 28 12/07/2007 (619563)

29	12/07/2007	(619564)
30	06/03/2008	(639225)
31	05/07/2008	(639558)
32	05/05/2008	(640667)
33	09/01/2007	(645773)
34	05/07/2008	(646161)
35	05/16/2008	(646399)
36	07/11/2008	(646408)
37	05/15/2008	(657011)
38	05/14/2008	(657311)
39	03/20/2008	(672084)
40	04/17/2008	(672085)
41	03/14/2008	(672086)
42	04/09/2008	(672087)
43	07/09/2008	(680161)
44	08/01/2008	(680399)
45	08/13/2008	(681995)
46	07/22/2008	(683031)
47	08/02/2008	(683872)
48	06/24/2008	(690014)
49	06/03/2008	(690015)
50	10/12/2008	(699737)
51	10/07/2008	(699790)
52	11/18/2008	(700751)
53	10/08/2008	(701116)
54	12/04/2008	(702017)
55	11/25/2008	(706867)
56	12/22/2008	(707184)
57	01/21/2009	(709214)
58	08/21/2008	(710791)
59	10/24/2008	(710792)
60	10/02/2008	(710793)
61	10/02/2008	(710794)
62	01/13/2009	(721568)
63	01/05/2009	(722099)
64	01/15/2009	(722163)
65	01/26/2009	(722360)
66	01/15/2009	(722545)
67	01/15/2009	(722549)
68	02/03/2009	(722556)
69	01/15/2009	(722659)
70	01/29/2009	(723620)
71	03/25/2009	(724903)
72	02/19/2009	(725164)
73	02/25/2009	(725736)
74	02/20/2009	(727160)
75	02/18/2009	(735803)
76	04/09/2009	(736595)

77	04/08/2009	(737447)
78	03/23/2009	(737577)
79	04/09/2009	(738127)
80	04/21/2009	(738332)
81	04/16/2009	(740516)
82	05/11/2009	(741609)
83	05/06/2009	(741871)
84	06/09/2009	(743371)
85	06/04/2009	(744517)
86	05/28/2009	(744747)
87	06/19/2009	(746088)
88	07/29/2009	(748798)
89	02/23/2009	(750317)
90	03/25/2009	(750318)
91	04/23/2009	(750319)
92	12/17/2008	(750320)
93	06/18/2009	(759210)
94	06/19/2009	(759256)
95	07/08/2009	(759430)
96	07/23/2009	(762808)
97	09/10/2009	(762825)
98	08/24/2009	(763327)
99	09/24/2009	(764051)
100	10/05/2009	(764127)
101	10/01/2009	(764835)
102	10/05/2009	(766739)
103	11/05/2009	(767406)
104	10/14/2009	(767507)
105	09/11/2009	(767515)
106	10/28/2009	(767996)
107	05/22/2009	(768403)
108	06/14/2009	(768404)
109	09/15/2009	(775525)
110	09/18/2009	(775871)
111	11/05/2009	(777293)
112	11/12/2009	(777295)
113	11/08/2009	(777517)
114	10/23/2009	(778934)
115	11/03/2009	(780849)
116	11/24/2009	(781552)
117	12/01/2009	(781997)
118	12/22/2009	(782901)
119	12/09/2009	(784937)
120	01/28/2010	(785297)
121	01/28/2010	(785879)
122	01/28/2010	(788384)
123	02/01/2010	(788600)
124	01/28/2010	(788974)

125	02/16/2010	(791368)
126	03/10/2010	(793096)
127	03/22/2010	(793111)
128	03/22/2010	(794834)
129	03/17/2010	(794859)
130	05/04/2010	(798103)
131	05/28/2010	(799325)
132	05/20/2010	(799736)
133	05/02/2010	(799813)
134	05/02/2010	(799891)
135	05/02/2010	(800228)
136	06/14/2010	(801386)
137	05/26/2010	(802185)
138	06/10/2010	(802838)
139	06/10/2010	(802848)
140	06/03/2010	(802860)
141	06/10/2010	(802863)
142	06/10/2010	(803027)
143	06/10/2010	(803033)
144	06/10/2010	(803036)
145	02/25/2010	(804793)
146	07/23/2009	(804794)
147	08/24/2009	(804795)
148	07/28/2009	(804796)
149	10/23/2009	(804797)
150	11/23/2009	(804798)
151	01/11/2010	(804799)
152	01/22/2010	(804800)
153	06/24/2010	(826701)
154	07/31/2010	(826906)
155	07/07/2010	(829616)
156	07/31/2010	(829678)
157	03/22/2010	(830932)
158	04/20/2010	(830933)
159	05/20/2010	(830934)
160	09/20/2010	(845991)
161	06/21/2010	(846284)
162	10/12/2010	(849506)
163	09/20/2010	(858076)
164	07/21/2010	(860879)
165	09/16/2010	(864081)
166	10/04/2010	(865152)
167	08/20/2010	(866847)
168	09/22/2010	(873917)
169	11/29/2010	(877136)
170	11/29/2010	(877387)
171	11/29/2010	(877809)
172	11/29/2010	(877923)

173	10/20/2010	(881518)
174	01/19/2011	(884655)
175	01/21/2011	(887844)
176	11/18/2010	(888044)
177	01/19/2011	(891097)
178	02/03/2011	(893116)
179	12/15/2010	(896259)
180	02/23/2011	(899236)
181	01/20/2011	(902320)
182	04/27/2011	(908688)
183	02/15/2011	(909102)
184	05/11/2011	(912705)
185	04/18/2011	(912901)
186	09/23/2011	(914298)
187	05/13/2011	(915078)
188	05/31/2011	(915887)
189	03/16/2011	(916357)
190	05/11/2011	(920115)
191	05/12/2011	(920338)
192	05/31/2011	(920748)
193	07/19/2011	(922140)
194	04/11/2011	(924832)
195	06/25/2011	(934105)
196	05/18/2011	(938043)
197	07/29/2011	(943444)
198	08/31/2011	(944761)
199	06/14/2011	(945411)
200	10/12/2011	(948798)
201	07/13/2011	(952639)
202	09/22/2011	(956748)
203	11/30/2011	(957738)
204	11/29/2011	(958427)
205	08/16/2011	(959321)
206	10/26/2011	(962475)
207	11/29/2011	(964044)
208	11/29/2011	(965080)
209	09/16/2011	(965354)
210	11/29/2011	(969098)
211	10/17/2011	(971394)
212	01/09/2012	(974177)
213	11/17/2011	(977553)
214	01/31/2012	(981940)
215	02/28/2012	(982204)
216	12/13/2011	(984321)
217	02/19/2012	(987680)
218	01/16/2012	(990621)
219	04/10/2012	(995927)
220	02/21/2012	(997982)

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

Date: 08/31/2007 (567177) CN600128284
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 THC Chapter 382, SubChapter D 382.085(b)
9176, Special Condition 3E PERMIT
O-02001, Special Condition 1A OP
O-02001, Special Condition 8 OP
Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service as reported in the Deviation Report for FOP O-02001 covering the reporting period of April 11, 2006, to October 10, 2006.

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 THC Chapter 382, SubChapter D 382.085(b)
O-02001, Special Condition 1A OP
Description: Failure to monitor a pressure relief device (PRD) within 24 hours after the PRD has failed as reported in the Deviation Report for FOP O-02001 covering the reporting period of April 11, 2006, to October 10, 2006.

Date: 09/01/2007 (645773) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)
Description: PUBLIC NOTICE

Date: 12/31/2007 (607569) CN600128284
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: 01/11/2008 (598658) CN600128284

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49076, Special Condition 5A PERMIT
5C THSC Chapter 382 382.085(b)
O-01901, General Terms and Conditions OP
O-01901, Special Condition 1A OP
O-01901, Special Condition 7 OP
Description: Failure to conduct daily opacity inspections of filters required by TCEQ Permit 49076 Special Condition 5 as reported in the Deviation Reports for FOP O-01901 covering the reporting periods of October 11, 2006, to April 10, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(a)
5C THSC Chapter 382 382.085(b)
O-02074, General Terms and Conditions OP
O-02074, Special Condition 1A OP
O-02074, Special Condition 1H OP
Description: Failure to conduct the initial monitoring of 1455 connectors located in the Ethylene Area as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, through April 10, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter E 113.3050
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)
40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.114(b)(1)
5C THSC Chapter 382 382.085(b)
914, Special Condition 10E PERMIT
O-02074, General Terms and Conditions OP
O-02074, Special Condition 15 OP

O-02074, Special Condition 1A OP
O-02074, Special Condition 1H OP
O-02074, Special Condition 1I OP

Description: Failure to install a cap, blind flange, plug or second valve on 28 open-ended lines in the Ethylene Unit as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
914, Special Condition 14B(2) PERMIT
O-02074, General Terms and Conditions OP
O-02074, Special Condition 15 OP
O-02074, Special Condition 1A OP

Description: Failure to perform Cylinder Gas Audits (CGA) at Cracking Header BA-99 (EPN PK-14) for the second, third, and fourth quarters of 2006, and the first quarter of 2007 as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(B)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(e)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(11)
5C THSC Chapter 382 382.085(b)
O-02074, General Terms and Conditions OP
O-02074, Special Condition 1A OP

Description: Failure to comply with the percent limit as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 2007.

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)
O-02074, General Terms and Conditions OP
O-02074, Special Condition 1A OP

Description: Failure to report a deviation in the submitted Deviation Report for the reporting periods of April 11, 2006, through October 10, 2006, and October 11, 2006, through April 10, 2007.

Date: 02/29/2008 (672084) CN600128284

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: 03/31/2008 (672085) CN600128284

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: 04/30/2008 (672086) CN600128284

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: 05/16/2008 (657011) CN600128284

Self Report? NO Classification: Moderate

Citation: PC1c PERMIT

Description: Failure by E. I. Dupont De Nemours and Company-Sabine River Works to respond to a Notice of Violation dated 05/26/2006.

Date: 05/19/2008 (646399) CN600128284

Self Report? NO Classification: Minor

Citation: 20204, Special Condition 3E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
O-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP
O-02055, Special Condition 8 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of July 15, 2006, through January 14, 2007; January 15, 2007, through July 14, 2007; and July 15, 2007, through January 14, 2008.

Self Report? NO Classification: Moderate

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)
O-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP

Description: Failure to monitor a relief valve within 24 hours after a release as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of July 15, 2006, through January 14, 2007, and January 15, 2007, through July, 14, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.130(d)(7)
30 TAC Chapter 117, SubChapter G 117.8140(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP

Description: Failure to perform quarterly Nitrogen Oxide (NOx) monitoring for D1 Recycle as reported in the Deviation Report for FOP O-02055 covering the reporting period of July 15, 2006, through January 14, 2007.

Self Report? NO Classification: Moderate

Citation: 20204, Special Condition 13 PERMIT
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-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP
O-02055, Special Condition 8 OP

Description: Failure to maintain the Regenerative Thermoxidizer (RTO) Exhaust temperature equal to or greater than 1500 degrees Fahrenheit when waste gas is directed to the RTO as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of January 15, 2007, through July 14, 2007 and July 15, 2007, through January 14, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
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-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP
O-02055, Special Condition 4B(v) OP

Description: Failure to maintain records of the last leak testing of each tank-truck as reported in the Deviation Report for FOP O-02055 covering the reporting period of January 15, 2007, through July 14, 2007.

Self Report? NO Classification: Minor

Citation: 20204, Special Condition 6D PERMIT
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-02055, General Terms and Conditions OP
O-02055, Special Condition 1A OP
O-02055, Special Condition 8 OP

Description: Failure to record the average hourly values for the analyzer on the C/D/G Flare as reported in the Deviation Report for FOP O-02055 covering the reporting period of January 15, 2007, through July 14, 2007.

Date: 07/11/2008 (646408) CN600128284

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 FOP O-02331 General Terms and Conditions OP
 Description: Failure to report all deviations in a semi-annual deviation report.
 Date: 08/01/2008 (680399) CN600128284
 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)
 9176 Special Condition 3E PERMIT
 O-02001 General Terms and Conditions OP
 O-02001 Special Condition 1A OP
 O-02001 Special Condition 8 OP
 Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on
 equipment in VOC service as reported in the Deviation Report for FOP O-02001
 covering the reporting period of April 11, 2007, to October 10, 2007.
 Date: 08/14/2008 (681995) CN600128284
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on
 equipment in VOC service as reported in the Deviation Reports for FOP O-01896
 covering the reporting periods of September 1, 2006, through February 28, 2007,
 and March 1, 2007, through August 31, 2007.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 Description: Failure to report all deviations in a semi-annual deviation report.
 Date: 09/30/2008 (710792) CN600128284
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2008 (710793) CN600128284
 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: 12/23/2008 (707184) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 15 OP
 Special Condition 1A OP
 Special Condition 4C PERMIT
 Description: Failure to prevent visible emissions at the Flare CB-801, EPN PK-16, as reported
 in the Deviation Reports for FOP O-02074 covering the reporting periods of April
 11, 2007, to October 10, 2007, and from October 11, 2007, to April 10, 2008.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.520
 30 TAC Chapter 113, SubChapter E 113.3050
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.114(b)(1)

5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 15 OP
 Special Condition 1A OP
 Special Condition 9E PERMIT

Description: Failure to install a cap, blind flange, plug or second valve on 11 open-ended lines in the Ethylene Unit as reported in the Deviation Reports for FOP O-02074 covering the reporting periods of April 11, 2007, to October 10, 2007, and from October 11, 2007, to April 10, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 14 OP

Description: Failure to conduct a opacity observation for the stack heater, EPN PK-4, as reported in the Deviation Report for FOP O-02074 covering the reporting period of April 11, 2007, to October 10, 2007.

Date: 02/20/2009 (727160) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.105(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 9629, Special Condition 7 PERMIT
 O-02331, General Terms and Conditions OP
 O-02331, Special Condition 6 OP

Description: Failure to maintain a Nitrogen Oxide (NOx) concentration below 42 parts per million by volume (ppmv) as reported in the deviation report for FOP O-02331 covering the reporting period of February 5, 2008, to August 4, 2008.

Date: 04/16/2009 (740516) CN600128284

Self Report? NO Classification: Moderate

Citation: 20204 Special Condition 1 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02055 General Terms and Conditions OP
 FOP O-02055 Special Condition 8 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02055 General Terms and Conditions OP
 FOP O-02055 Special Condition 2F OP

Description: Failure to submit an initial report within 24 hours for TCEQ Incident No. 120320.

Date: 04/22/2009 (738332) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1056(a)
 40 CFR Part 61, Subpart V 61.242-6
 50230 Section X(A)(2)(a) PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 19 OP
 O-01896, Special Condition 1A OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment as reported in the deviation report for FOP O-01896 covering the reporting period of September 1, 2007, through February 29, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(l)(1)(ii)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP
 O-01896, Special Condition 1E OP

Description: Failure to maintain the pH above the minimum established limit as reported in the deviation report for FOP O-01896 covering the reporting period of September 1, 2007, through February 29, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(m)(1)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP
 O-01896, Special Condition 1E OP

Description: Failure to maintain the pressure drop above the minimum established limit as reported in the deviation report for FOP O-01896 covering the reporting period of September 1, 2007, through February 29, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 50230 Special Condition X(B)(1)(j) OP
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 17 OP

Description: Failure to maintain an emission rate below the allowable emission limits as reported in the deviation report for FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP
 O-01896, Special Condition 6B(i) OP

Description: Failure to prevent VOC leaks during transfer operations as reported in the deviation report for FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP

Description: Failure to report a deviation in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(c)
 5C THSC Chapter 382 382.085(b)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP
 O-01896, Special Condition 1E OP

Description: Failure to comply with the feedstream analysis plan as reported in the deviation report for FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 O-01896, General Terms and Conditions OP
 O-01896, Special Condition 1A OP

Description: Failure to mark each piece of equipment as reported in the deviation report for

FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01896, General Terms and Conditions OP
O-01896, Special Condition 1A OP

Description: Failure to maintain a daily record of material loaded as reported in the deviation report for FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01896, General Terms and Conditions OP
O-01896, Special Condition 1A OP

Description: Failure to leak test all tank-truck tanks within one year in accordance with 30 TAC 115.234 as reported in the deviation report for FOP O-01896 covering the reporting period of February 29, 2008, to September 1, 2008.

Date: 06/22/2009 (746088) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1A OP
Special Condition 7E PERMIT
Special Condition 9 OP

Description: Failure to install a cap, blind flange, plug or second valve on open-ended lines as reported in the deviation report for FOP O-01895 covering the reporting period of June 23, 2007, to December 22, 2007.

Self Report? NO Classification: Minor

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

Description: Failure to conduct daily opacity inspections as reported in the deviation reports for FOP O-01901 covering the reporting periods of June 23, 2007, through December 22, 2007, and June 23, 2008, through December 22, 2008.

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)
General Terms and Conditions OP
Special Condition 1A OP
Special Condition 3E PERMIT
Special Condition 8 OP

Description: Failure to install a cap, blind flange, plug or second valve on open-ended lines as reported in the deviation reports for FOP O-02055 covering the reporting periods of January 15, 2008, to July 14, 2008, and July 15, 2008, to January 14, 2009.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1A OP

Description: Failure to maintain a daily record of the last leak testing of each tank-truck tank as required by 30 TAC 115.216.

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)
 30 TAC Chapter 122, SubChapter B 122.146(5)(C)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failure to report a deviation in a timely manner as reported in the deviation report for FOP O-01901 covering the reporting period of June 23, 2008, through December 22, 2008, and for FOP O-02055 covering the reporting period of July 15, 2007, through January 14, 2007, and July 15, 2007, through January 14, 2008.

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)
 General Terms and Conditions OP
 Special Condition 5 OP
 Special Condition 5 PERMIT

Description: Failure to inspect all filter vents for visible emissions once each day as required by Special Condition 5 of NSR 49076.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1A OP

Description: Failure to maintain flare operation logs in accordance with 30 TAC 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8140(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1A OP

Description: Failure to conduct periodic testing for stationary internal combustion engine (EPN PL-7B) in accordance with 30 TAC 117.8000(b).

Date: 07/29/2009 (748798) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1A OP

Description: Failure to make a first attempt at repair within five days for nine leaking components as reported in the deviation report for the reporting period of April 11, 2008, through October 10, 2008.

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)
 General Terms and Conditions OP
 Special Condition 1A OP
 Special Condition 3E PERMIT
 Special Condition 8 OP

Description: Failure to operate with a cap, blind flange, plug or a second valve installed on equipment in VOC service as reported in the Deviation Reports for FOP O-02001 covering the reporting period of October 11, 2008 through April 10, 2009.

Date: 11/23/2009 (781997) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 15 OP
 SC 1A OP
 SC 3A(i) OP

Description: SC 4C PERMIT
 Failure to maintain opacity limits. B18
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 SC 15 OP
 SC 1A OP

Description: Failure to maintain carbon monoxide emission limits. B18
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 15 OP
 SC 1A OP
 SC 9E OP

Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in VOC service. C10
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.520
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 SC 10E PERMIT
 SC 15 OP
 SC 1A OP
 SC 1F OP

Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in Benzene service. C10
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 15 OP
 SC 1A OP
 SC 7 PERMIT

Description: Failure to conduct monthly VOC monitoring.
 Date: 01/12/2010 (783397) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter S 106.433(7)(D)
 30 TAC Chapter 106, SubChapter S 106.433(9)
 30 TAC Chapter 116, SubChapter H 116.770(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 5 OP

Description: Failure to obtain a permit or meet the conditions of a permit by rule.
 Date: 01/29/2010 (785879) CN600128284
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(3)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 5A PERMIT
 SC 7 OP

Description: Failure to inspect all filter vents for visible emissions on a daily basis.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 6 OP

Description: Failure to obtain a permit or meet the conditions of a permit by rule.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 3E PERMIT
 SC 8 OP
 Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.
 Date: 05/20/2010 (799736) CN600128284
 Self Report? NO Classification: Minor
 Citation: M&RR 2 PERMIT
 Description: Failure by DuPont to comply with the test procedures for the analysis of pollutants as specified in 30 TAC 319.11- 319.12: the total chlorine residual measurements are not corrected for manganese interference.
 Self Report? NO Classification: Minor
 Citation: OR 7 PERMIT
 Description: Failure by DuPont to accurately report monitoring results on the approved TPDES self reporting form: effluent parameters with specified maximum analytical limits (MAL) were not properly reported.
 Self Report? NO Classification: Moderate
 Citation: M&RR 7 PERMIT
 Description: Failure by DuPont to submit noncompliance notification for effluent violation which deviates from the permitted effluent limitation by greater than 40%.
 Date: 05/28/2010 (799325) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 1E OP
 Description: Failure to maintain the maximum operating pressure at the Incinerator (EPN INC-001) as reported in the deviation reports for September 1, 2008, until February 28, 2009, and March 1, 2009, until August 31, 2009.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 1E OP
 Description: Failure to maintain the minimum operating temperature at the Incinerator Stack as reported in the deviation report for March 1, 2009, until August 31, 2009.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 1E OP
 Description: Failure to maintain the minimum operating temperature at the Kiln as reported in the deviation report for March 1, 2009, until August 31, 2009.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(2)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 1E OP
 Description: Failure to maintain a Carbon Monoxide Continuous Emission Monitoring System (CEMS) at the Incinerator Stack as reported in the deviation report for March 1, 2009, until August 31, 2009.
 Date: 06/25/2010 (826701) CN600128284
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 4E PERMIT
 SC 8 OP

Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in VOC service. C10

Self Report? NO Classification: Moderate

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

Description: Failure to conduct quarterly volatile organic compound (VOC) monitoring as noted in the SDR covering April 11, 2009, until October 10, 2009. B19g1

Self Report? NO Classification: Moderate

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)
 SC 7 OP

Description: Failure to monitor a relief valve within 24 hours of venting to atmosphere as noted in the SDR covering October 11, 2009 until April 10, 2010. B19g1

Date: 11/30/2010 (877923) CN600128284

Self Report? NO Classification: Moderate

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

Description: Failure to conduct volatile organic compound (VOC) monitoring on a quarterly basis. (Investigation 877136)

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 5 OP
 SC 5A PERMIT

Description: Failure to conduct a daily opacity check. (Investigation 877136)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 3E PERMIT

Description: Failure to maintain a cap, blind flange, plug, or second valve in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 3G PERMIT

Description: Failure to conduct quarterly VOC monitoring at the Critical Chilled Water System. (Investigation #877387)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 3E PERMIT

Description: Failure to conduct pressure testing of lines at the DG-Unit placed in VOC service.

(Investigation #877387)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to maintain a minimum of 300 British Thermal Units (BTUs) at the CDG Flare (EPN PL-22). (Investigation #877387)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 113, SubChapter C 113.890
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)(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 6C PERMIT

Description: Failure to control visible emissions from a gas flare. (Investigation #877387)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 4A PERMIT

Description: Failure to properly operate a vapor balance system. (Investigation #877387)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to report a deviation. (Investigation #877387)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 9E PERMIT

Description: Failure to maintain a line with a cap, blind flange, plug, or a second valve in VOC service. (Investigation #877923)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
SC 10E PERMIT
SC 1H OP

Description: Failure to maintain a line with a cap, blind flange, plug, or a second valve in benzene service. (Investigation #877923)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 9F, 9G PERMIT

Description: Failure to monitor VOC components on a quarterly basis in the Ethylene Unit. (Investigation #877923)

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 1A OP
SC 9E PERMIT

Description: Failure to conduct weekly olfactory, visual, and audible (OVA) inspections of dimethyl sulfide components at the Ethylene Unit. (Investigation #877923)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 11 PERMIT
SC 1A OP
Description: Failure to monitor dimethyl sulfide components on a quarterly basis in the Ethylene Unit.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 9F, 9G PERMIT
Description: Failure to monitor benzene components on a quarterly basis in the Ethylene Unit. (Investigation #877923)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
SC 1A OP
Description: Failure to conduct carbon bed monitoring on a daily basis. (Investigation #877923)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)
5C THSC Chapter 382 382.085(b)
SC 1A OP
Description: Failure to monitor difficult-to-monitor components at the Ethylene Unit. (Investigation #877923)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 9H PERMIT
Description: Failure to tag two leaking valves at the Ethylene Unit. (Investigation #877923)
Date: 12/13/2010 (920338) CN600128284

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(3)
Description: TCR MCL Violation 12/2010 - System exceeded a Maximum Contaminant Level (MCL) Violation.
Date: 02/11/2011 (920115) CN600128284

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(4)(B)
Description: GWR Triggered Source Monitoring Violation 11/2010 - Failure to collect any triggered source monitoring sample(s) following a coliform found result.
Date: 02/25/2011 (920338) CN600128284

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(4)(B)
Description: GWR Triggered Source Monitoring Violation 12/2010 - Failure to collect any triggered source monitoring sample(s) following a coliform found result for two wells.
Date: 05/13/2011 (915078) CN600128284

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)

5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to maintain a lid on a waste container.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to conduct daily monitoring.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to report a deviation.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.325
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 61, Subpart V 61.242-6
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to cap two open-ended lines.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(c)(2)
 5C THSC Chapter 382 382.085(b)
 SC 1E OP

Description: Failure to obtain waste approval prior to incineration.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(c)(2)
 5C THSC Chapter 382 382.085(b)
 SC 1E OP

Description: Failure to revise the feedstream analysis plan.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to report a deviation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to maintain permit representations of Hazardous Waste Permit 50230.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to report a deviation.
 Date: 06/28/2011 (934105) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP

Description: Failure to conduct quarterly monitoring.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 4E PERMIT
 SC 8 OP
 Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in VOC service.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 13(C)(3) PERMIT
 SC 1A OP
 SC 8 OP
 Description: Failure to use the proper calibration gas.
 Date: 11/29/2011 (957738) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)
 Description: Failure to meet the requirements of the filter-to-waste air gap exception.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to repair the SCADA system.
 Date: 11/30/2011 (965080) CN600128284
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 SC 10E PERMIT
 SC 1A OP
 Description: Failure to cap open-ended lines.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 9E PERMIT
 Description: Failure to cap open-ended lines.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to perform daily zero checks at the Cooling Tower (EPN PK-38).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to report a deviation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to maintain a VOC limit.
 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)
 SC 1A OP
 Description: Failure to maintain the representations of NSR Permit 914.

Date: 11/30/2011 (969098) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to report a deviation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart V 61.242-6
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to cap open-ended lines.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to maintain a flowmeter span.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(5)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to operate the HW Incinerator as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(iii)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to maintain a lid on a waste container.

Date: 11/30/2011 (964044) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 3E PERMIT

Description: Failure to maintain a cap, blind flange, plug, or second valve in VOC service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 6D PERMIT

Description: Failure to maintain records at the CDG Flare.

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 13 PERMIT
SC 1A OP

Description: Failure to maintain chamber temperature at the West Regenerative Thermal Oxidizer.

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)
SC 1A OP

Description: Failure to conduct timely monitoring of a pressure relief valve.

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 1A OP
 SC 6B PERMIT
 Description: Failure to maintain a continuous flame at the CDG Flare (EPN PL-22).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to conduct quarterly monitoring.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 SC 23(C) PERMIT
 Description: Failure to calibrate the LEL Detector with a gas equivalent to 25% of the LEL.
 Date: 12/31/2011 (990621) CN600128284

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: 01/10/2012 (974177) CN600128284

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 1A OP
 SC 5A PERMIT
 Description: Failure to record daily visible emissions readings on all filter vents.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(C)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to submit a Semiannual Deviation Report (SDR) in a timely manner.
 Date: 01/31/2012 (997982) CN600128284

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: 02/29/2012 (1003509) CN600128284

Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/06/2012 (612803) CN600128284

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
 30 TAC Chapter 335, SubChapter E 335.112(a)(8)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
 Description: E. I. Dupont SRW failed to maintain records of weekly inspections for a period of three years.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
 30 TAC Chapter 335, SubChapter E 335.112(a)(8)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)
 Description: EIDSRW failed to keep containers of hazardous waste closed when not adding waste.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(b)(3)

Description: The stormwater collection sump near NOR no. 34 contained an excessive amount of stormwater. This stormwater appeared to contain hazardous waste generated/stored at the site.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.153
40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.56

Description: EIDSRW failed to maintain safety equipment as required by TCEQ Permit no. 50230, Table 3.E., Equipment Equipment.

Date: 03/31/2012 (1010070) CN600128284

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: 04/30/2012 (1016464) CN600128284

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: 08/16/2012 (1022820) CN600128284

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)
SC 1A OP

Description: Failure to monitor valves in a timely manner.

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 1A OP
SC 6 PERMIT

Description: Failure to maintain the minimum temperature of the RTO. B19g1

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 11 OP
SC 13 OP

Description: Failure to conduct fugitive monitoring on components in the C Unit.

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)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP

Description: Failure to report a deviation.

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)
GC 1 PERMIT
SC 1A OP

Description: Failure to maintain permit representations (hours of operation and annual production rates) at the C Unit.

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)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP

Description: The facility failed to report a deviation.

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 1A OP
SC 4E PERMIT

Description: Failure to monitor an open-ended line and relief valve within 72 hours.

F. Environmental audits.

G. Type of environmental management systems (EMSs).

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
E.I. DU PONT DE NEMOURS AND
COMPANY
RN100542711**

§
§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2012-1198-IWD-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 E.I. Du Pont de Nemours and Company (“Respondent”) under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, presented this agreement to the Commission.

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

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates an organic and inorganic chemical plant with authorization to treat discharge wastes located on Farm-to-Market Road 1006, approximately three miles southwest of the City of Orange in Orange County, Texas (the “Facility”).

4. An administrative penalty in the amount of One Hundred Seven Thousand Five Hundred Dollars (\$107,500) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the One Hundred Seven Thousand Five Hundred Dollar (\$107,500) administrative penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of One Hundred Seven Thousand Five Hundred Dollars (\$107,500) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: E.I. Du Pont de Nemours and Company, Docket No. 2012-1198-IWD-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. It is further ordered that the Respondent shall, within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0000475000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. 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 fine 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:

Water Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the

Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

2/18/13

Date

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

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

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

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

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



Signature

9/21/2012

Date

JOHN R LAUGHLIN

Name (Printed or typed)
Authorized Representative of
E.I. Du Pont de Nemours and Company

SITE MANAGER

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.