

Executive Summary – Enforcement Matter – Case No. 46908
Huntsman Petrochemical LLC
RN100219252
Docket No. 2013-0996-AIR-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:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County

Type of Operation:

Petrochemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 25, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$25,000

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$12,500

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$12,500

Name of SEP: Southeast Texas Regional Planning Commission

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: \$18,750

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 11, 2013

Date(s) of NOE(s): May 7, 2013

Executive Summary – Enforcement Matter – Case No. 46908
Huntsman Petrochemical LLC
RN100219252
Docket No. 2013-0996-AIR-E

Violation Information

Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit No. 20160, Special Conditions No. 1, and Federal Operating Permit No. O3056, Special Terms and Conditions No. 17].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Respondent has implemented the following corrective measures:

- a. On February 12, 2013, revised the operating procedures and training for the depropanizer tower to include specific instructions;
- b. On March 1, 2013, implemented interim solution for the lack of vaporization controls on the vent/flare drum; and
- c. On May 6, 2013, reviewed current process hazards analyses (“PHA”) and practices to ensure the PHA teams are looking across process and nodal boundary limits for consequences in cause/consequence scenario development.

Technical Requirements:

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

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Katie Hargrove, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2569; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

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

Respondent: Daniel J. Kemp, Director of Manufacturing, Huntsman Petrochemical LLC, P.O. Box 847, Port Neches, Texas 77651

Respondent's Attorney: N/A

Attachment A
Docket Number: 2013-0996-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Huntsman Petrochemical LLC
Penalty Amount:	Twenty-Five Thousand Dollars (\$25,000)
SEP Amount:	Twelve Thousand Five Hundred Dollars (\$12,500)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission - Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station
Location of SEP:	Jefferson County

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

1. Project Description

a. Project

Respondent shall contribute the SEP offset amount to the Third-Party Administrator named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Administrator and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643

9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Administrator and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency ("EPA") guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories. For example, the Third-Party Administrator must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display ("LEADS") system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Administrator. The Third-Party Administrator may use contractors to perform the monitoring project, subject to special conditions concerning costs.

The project will be administered in accordance with federal, state, and local environmental laws and regulations. Respondent certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

b. Environmental Benefit

Particulate matter, sulfides, nitrogen oxides, volatile organic carbon compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient

Huntsman Petrochemical LLC
Agreed Order - Attachment A

air monitoring systems. The data is shared with the TCEQ, industry, and the public at http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl.

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

c. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director of Transportation & Environmental Resources
Attention: SEP
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Administrator. Respondent shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in No. 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

Huntsman Petrochemical LLC
Agreed Order - Attachment A

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

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

Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in No. 3 above.

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

DATES	Assigned	13-May-2013	Screening	16-May-2013	EPA Due	1-Feb-2014
	PCW	16-May-2013				

RESPONDENT/FACILITY INFORMATION	
Respondent	Huntsman Petrochemical LLC
Reg. Ent. Ref. No.	RN100219252
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION		No. of Violations	1
Enf./Case ID No.	46908	Order Type	Findings
Docket No.	2013-0996-AIR-E	Government/Non-Profit	No
Media Program(s)	Air	Enf. Coordinator	Katie Hargrove
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$25,000
---	-------------------	----------

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	\$25,000
---------------------------	--------------------	--------------------------------	----------

Notes: Enhancement for three NOVs with same or similar violations, two NOVs with dissimilar violations, 14 agreed orders with denial of liability, and four agreed orders without denial of liability. Reduction for seven Notices of Intent to conduct an audit and three Disclosures of Violations.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$6,250
--	-------------------	---------

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

Total EB Amounts \$45
Approx. Cost of Compliance \$1,500
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$43,750
-----------------------------	-----------------------	----------

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$43,750
-----------------------------	----------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$25,000
-----------------------------------	-------------------------------	----------

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	\$25,000
------------------------	----------

Screening Date 16-May-2013

Docket No. 2013-0996-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 3 (September 2011)

Case ID No. 46908

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Katie Hargrove

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>)	3	15%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
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>)	7	-7%
	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>)	3	-6%
<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) 386%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three NOVs with same or similar violations, two NOVs with dissimilar violations, 14 agreed orders with denial of liability, and four agreed orders without denial of liability. Reduction for seven Notices of Intent to conduct an audit and three Disclosures of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 386%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 16-May-2013
Respondent Huntsman Petrochemical LLC
Case ID No. 46908
Reg. Ent. Reference No. RN100219252
Media [Statute] Air
Enf. Coordinator Katie Hargrove

Docket No. 2013-0996-AIR-E

PCW

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

Violation Number

1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review Permit No. 20160, Special Conditions No. 1, and Federal Operating Permit No. O3056, Special Terms and Conditions No.17

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 37,216.56 pounds of volatile organic compounds from the Steam Generator Area Fugitives (Emission Point No. SGFUG) during an emissions event (Incident No. 174161) that began on September 27, 2012 and lasted 24 hours. The incident occurred because a frayed wire shorted during preparation to replace liquid fuel injectors on the steam generators. This resulted in the bulk of the emissions coming from the Pressure Relief Valve lifting on Pressurized Liquid Fuel Sphere F-F5 168. Since the emissions event could have been avoided by better operation and/or maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin Code § 101.222.

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

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

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$6,250

Extraordinary

Ordinary

N/A

Notes

Before NOV	NOV to EDPRP/Settlement Offer
x	
	(mark with x)

The Respondent completed corrective actions by May 6, 2013 before the Notice of Enforcement on May 7, 2013.

Violation Subtotal \$18,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$45

Violation Final Penalty Total \$43,750

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent: Huntsman Petrochemical LLC
Case ID No.: 46908
Reg. Ent. Reference No.: RN100219252
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	N/A	\$0
Record Keeping System			0.00	\$0	N/A	\$0
Training/Sampling			0.00	\$0	N/A	\$0
Remediation/Disposal			0.00	\$0	N/A	\$0
Permit Costs			0.00	\$0	N/A	\$0
Other (as needed)	\$1,500	27-Sep-2012	6-May-2013	0.61	\$45	N/A

Notes for DELAYED costs

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

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$45

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN603603093, RN100219252, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator:	CN603603093, Huntsman Petrochemical LLC	Classification:	SATISFACTORY	Rating:	10.45
Regulated Entity:	RN100219252, HUNTSMAN PORT NECHES	Classification:	SATISFACTORY	Rating:	23.47
Complexity Points:	39	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	6001 HIGHWAY 366 PORT NECHES, TX 77651-6304, JEFFERSON COUNTY				
TCEQ Region:	REGION 10 - BEAUMONT				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0052V
AIR OPERATING PERMITS PERMIT 2286
AIR OPERATING PERMITS PERMIT 2288
POLLUTION PREVENTION PLANNING ID NUMBER P00679
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 79935
AIR NEW SOURCE PERMITS PERMIT 29516
AIR NEW SOURCE PERMITS REGISTRATION 52715
AIR NEW SOURCE PERMITS REGISTRATION 54565
AIR NEW SOURCE PERMITS REGISTRATION 44434
AIR NEW SOURCE PERMITS REGISTRATION 45094
AIR NEW SOURCE PERMITS REGISTRATION 46791
AIR NEW SOURCE PERMITS REGISTRATION 47066
AIR NEW SOURCE PERMITS REGISTRATION 47577
AIR NEW SOURCE PERMITS REGISTRATION 48178
AIR NEW SOURCE PERMITS PERMIT 49247
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0052V
AIR NEW SOURCE PERMITS PERMIT 5807A
AIR NEW SOURCE PERMITS PERMIT 5972A
AIR NEW SOURCE PERMITS PERMIT 16909
AIR NEW SOURCE PERMITS PERMIT 20134
AIR NEW SOURCE PERMITS REGISTRATION 23568
AIR NEW SOURCE PERMITS PERMIT 36646
AIR NEW SOURCE PERMITS REGISTRATION 39725
AIR NEW SOURCE PERMITS REGISTRATION 40527
AIR NEW SOURCE PERMITS REGISTRATION 41301
AIR NEW SOURCE PERMITS REGISTRATION 42103
AIR NEW SOURCE PERMITS REGISTRATION 42154
AIR NEW SOURCE PERMITS REGISTRATION 75597
AIR NEW SOURCE PERMITS REGISTRATION 75748
AIR NEW SOURCE PERMITS REGISTRATION 55753
AIR NEW SOURCE PERMITS REGISTRATION 56737
AIR NEW SOURCE PERMITS REGISTRATION 56243
AIR NEW SOURCE PERMITS REGISTRATION 70781
AIR NEW SOURCE PERMITS REGISTRATION 70726
AIR NEW SOURCE PERMITS REGISTRATION 56077
AIR NEW SOURCE PERMITS REGISTRATION 70011
AIR NEW SOURCE PERMITS REGISTRATION 53979

AIR OPERATING PERMITS PERMIT 1320
AIR OPERATING PERMITS PERMIT 2287
AIR OPERATING PERMITS PERMIT 3056
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 40711
AIR NEW SOURCE PERMITS AFS NUM 4824500006
AIR NEW SOURCE PERMITS REGISTRATION 51736
AIR NEW SOURCE PERMITS REGISTRATION 54551
AIR NEW SOURCE PERMITS REGISTRATION 44034
AIR NEW SOURCE PERMITS REGISTRATION 45090
AIR NEW SOURCE PERMITS REGISTRATION 45277
AIR NEW SOURCE PERMITS REGISTRATION 47065
AIR NEW SOURCE PERMITS REGISTRATION 47555
AIR NEW SOURCE PERMITS REGISTRATION 47887
AIR NEW SOURCE PERMITS REGISTRATION 48176
AIR NEW SOURCE PERMITS REGISTRATION 49493
AIR NEW SOURCE PERMITS PERMIT 647B
AIR NEW SOURCE PERMITS PERMIT 5952A
AIR NEW SOURCE PERMITS REGISTRATION 7761
AIR NEW SOURCE PERMITS PERMIT 19823
AIR NEW SOURCE PERMITS PERMIT 20160
AIR NEW SOURCE PERMITS REGISTRATION 31443
AIR NEW SOURCE PERMITS REGISTRATION 36453
AIR NEW SOURCE PERMITS REGISTRATION 40103
AIR NEW SOURCE PERMITS REGISTRATION 41444
AIR NEW SOURCE PERMITS REGISTRATION 41757
AIR NEW SOURCE PERMITS REGISTRATION 42153
AIR NEW SOURCE PERMITS REGISTRATION 75754
AIR NEW SOURCE PERMITS REGISTRATION 76018
AIR NEW SOURCE PERMITS PERMIT 83816
AIR NEW SOURCE PERMITS REGISTRATION 70024
AIR NEW SOURCE PERMITS PERMIT 56390
AIR NEW SOURCE PERMITS REGISTRATION 70571
AIR NEW SOURCE PERMITS REGISTRATION 71506
AIR NEW SOURCE PERMITS REGISTRATION 53551
AIR NEW SOURCE PERMITS REGISTRATION 56073
AIR NEW SOURCE PERMITS REGISTRATION 54219
AIR NEW SOURCE PERMITS REGISTRATION 72310

AIR NEW SOURCE PERMITS REGISTRATION 54231
AIR NEW SOURCE PERMITS REGISTRATION 54234
AIR NEW SOURCE PERMITS REGISTRATION 52077

AIR NEW SOURCE PERMITS REGISTRATION 54570
AIR NEW SOURCE PERMITS REGISTRATION 71751
AIR NEW SOURCE PERMITS REGISTRATION 50360

AIR NEW SOURCE PERMITS REGISTRATION 73927
AIR NEW SOURCE PERMITS REGISTRATION 73663
AIR NEW SOURCE PERMITS REGISTRATION 73956
AIR NEW SOURCE PERMITS REGISTRATION 74362
AIR NEW SOURCE PERMITS REGISTRATION 74838
AIR NEW SOURCE PERMITS REGISTRATION 75202
AIR NEW SOURCE PERMITS REGISTRATION 76732
AIR NEW SOURCE PERMITS REGISTRATION 77327
AIR NEW SOURCE PERMITS REGISTRATION 78974
AIR NEW SOURCE PERMITS REGISTRATION 79529
AIR NEW SOURCE PERMITS REGISTRATION 80390
AIR NEW SOURCE PERMITS REGISTRATION 80702
AIR NEW SOURCE PERMITS REGISTRATION 81415
AIR NEW SOURCE PERMITS REGISTRATION 82488
AIR NEW SOURCE PERMITS REGISTRATION 82922
AIR NEW SOURCE PERMITS REGISTRATION 84374
AIR NEW SOURCE PERMITS REGISTRATION 91161
AIR NEW SOURCE PERMITS REGISTRATION 87062
AIR NEW SOURCE PERMITS REGISTRATION 92256
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX780
AIR NEW SOURCE PERMITS REGISTRATION 91725
AIR NEW SOURCE PERMITS REGISTRATION 94579
AIR NEW SOURCE PERMITS REGISTRATION 99426
AIR NEW SOURCE PERMITS REGISTRATION 105794
AIR NEW SOURCE PERMITS PERMIT 106169
AIR NEW SOURCE PERMITS REGISTRATION 110757
AIR NEW SOURCE PERMITS REGISTRATION 110787
AIR NEW SOURCE PERMITS REGISTRATION 104816
AIR NEW SOURCE PERMITS REGISTRATION 110808
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50055
INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TX0000201202
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30029
AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0052V

AIR NEW SOURCE PERMITS REGISTRATION 73665
AIR NEW SOURCE PERMITS REGISTRATION 72907
AIR NEW SOURCE PERMITS REGISTRATION 74236
AIR NEW SOURCE PERMITS REGISTRATION 74296
AIR NEW SOURCE PERMITS REGISTRATION 75203
AIR NEW SOURCE PERMITS REGISTRATION 74849
AIR NEW SOURCE PERMITS REGISTRATION 77129
AIR NEW SOURCE PERMITS REGISTRATION 79296
AIR NEW SOURCE PERMITS REGISTRATION 79800
AIR NEW SOURCE PERMITS REGISTRATION 80149
AIR NEW SOURCE PERMITS REGISTRATION 79939
AIR NEW SOURCE PERMITS REGISTRATION 81531
AIR NEW SOURCE PERMITS REGISTRATION 83113
AIR NEW SOURCE PERMITS REGISTRATION 84694
AIR NEW SOURCE PERMITS REGISTRATION 84519
AIR NEW SOURCE PERMITS REGISTRATION 84617
AIR NEW SOURCE PERMITS REGISTRATION 87829
AIR NEW SOURCE PERMITS REGISTRATION 88268
AIR NEW SOURCE PERMITS REGISTRATION 91597
AIR NEW SOURCE PERMITS REGISTRATION 91994
AIR NEW SOURCE PERMITS REGISTRATION 93667
AIR NEW SOURCE PERMITS REGISTRATION 94912
AIR NEW SOURCE PERMITS REGISTRATION 101768
AIR NEW SOURCE PERMITS REGISTRATION 104814
AIR NEW SOURCE PERMITS REGISTRATION 108844
AIR NEW SOURCE PERMITS REGISTRATION 109215
AIR NEW SOURCE PERMITS REGISTRATION 110809
AIR NEW SOURCE PERMITS REGISTRATION 104976
AIR NEW SOURCE PERMITS REGISTRATION 110813
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50363
INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008076846
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
(SWR) 30029

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

Date Compliance History Report Prepared: July 15, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 15, 2008 to July 15, 2013

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Katile Hargrove

Phone: (512) 239-2569

Site and Owner/Operator History:

- 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** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 08/15/2008 ADMINORDER 2007-2006-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:O-1320 General Terms and Conditions OP
O-1320 Special Condition 13A OP
P-5972A Special Condition 1 PERMIT
Description: Failure to maintain an emission rate below the allowable emission limits.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:O-1322 General Terms and Conditions OP
O-1322 Special Condition 2F OP
Description: Failure to properly report an emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:O-1322 General Terms and Conditions OP
O-1322 Special Conditions 17A OP
P-20160 Special Condition 1 PERMIT
Description: Failure to maintain an emission rate below the allowable emission limits.
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:FOP-O-1322 Special Condition 17 OP
Permit 20160 Special condition 1 PERMIT
Description: Failure to maintain emissions below the allowable emission limit. A10
- 2 Effective Date: 01/30/2009 ADMINORDER 2008-0664-AIR-E (1660 Order-Agreed Order With Denial)
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:FOP-O-02288 Special Condition 16 OP
Permit 19823 Special Condition 1 PERMIT
Description: Failure to maintain emissions below the allowable emission limits during Emissions Event Incident 95744.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:FOP O-02288 General Terms and Conditions OP
FOP O-02288 Special Condition 2F OP
Description: Failure to properly report an emissions event (Incident No. 97957). EIC C,3 MIN 3,C
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Rqmt Prov:FOP O-02288 General Terms and Conditions OP
FOP O-02288, Special Condition 16 OP
NSR Permit 19823, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions (Incident No. 97957). EIC A,8,c,2,A,II MOD 2,D
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Description: Failure to properly report an emissions event (Incident No. 95168).
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:19823, Special Condition 1 PERMIT
O-02288, General Terms and Conditions OP
O-02288, Special Condition 16A OP
O-02288, Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 95168).
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)
5C THSC Chapter 382 382.085(b)

Description: Failure to report emissions in accordance with the requirements of 30 TAC 101.201(b)(1). This includes reporting violations for Incident Nos. 95743 and 95744.
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
NSR Permit 5952A, Special Condition 1 PERMIT
Special Condition 13A OP
Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 97057).
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:20160, Special Condition 1 PERMIT
FOP O-1322, Special Condition 17 OP

Description: Failure to prevent unauthorized emissions (Incident No. 95743).

3 Effective Date: 05/03/2009 ADMINORDER 2008-1586-AIR-E (1660 Order-Agreed Order With Denial)

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

Rqmt Prov:Special Condition 1 PERMIT
Special Conditions 13 OP

Description: Failure to prevent unauthorized emissions (Incident No. 104823).
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP O-01320 General Terms and Conditions OP
FOP O-01320, Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 98892).

Classification: Moderate

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

Rqmt Prov:Special Condition 13 OP
Special Condition 18 PERMIT

Description: Failed to conduct monthly VOC monitoring on wastewater conveyance EPN: RSEGLYWWFUG.

Classification: Moderate

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

Rqmt Prov:Special Condition 16 OP
Special Condition 9(A) PERMIT

Description: Failed to conduct monitoring of the CAS connected to tank T-A3-46.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to prevent unauthorized emissions (Incident 104871).

Classification: Moderate

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

Rqmt Prov:Special Condition 1 OP
Special Condition 13 PERMIT

Description: Failure to prevent unauthorized emissions (Incident 105823).

Classification: Minor

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

Rqmt Prov:General Terms and Conditions OP

Description: Failed to notify the TCEQ Regional Office within 24 hours of a reportable emissions event (Incident 104871).

Classification: Moderate

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

Rqmt Prov:FOP O-01320 General Terms and Conditions OP
FOP O-01320 Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 99672).

Classification: Minor

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

Rqmt Prov:FOP O-01320 General Terms and Conditions OP
FOP O-01320 Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 101672).

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failed to prevent unauthorized emissions during Incident No. 113001.

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failed to prevent unauthorized emissions during Incident No. 114925.

5 Effective Date: 08/31/2009 ADMINORDER 2009-0041-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 13 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 106170.

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 2(f) OP

Description: Failure to report emissions event incident 109142 in accordance with the requirements of 30 TAC 101.201(a)(1).

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 109142.

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 108945.

6 Effective Date: 03/20/2010 ADMINORDER 2009-0894-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.133(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Terms and Conditions OP

Description: Failed to submit a Title V permit renewal application at least six months prior to expiration of the permit. Specifically, the renewal application was submitted 70 days late.

Classification: Moderate

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

Rqmt Prov:Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit No. 20160, Special Condition 17 PERMIT
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and exceeded the 0.8 parts per million by weight ("ppmw") volatile organic compound ("VOC") concentration limit in the water returning to the cooling tower.

7 Effective Date: 10/25/2010 ADMINORDER 2010-0315-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 129506.

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

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 129771.

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

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 130183.

8 Effective Date: 05/08/2011 ADMINORDER 2010-1661-AIR-E (1660 Order-Agreed Order With Denial)

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

Rqmt Prov: Special Condition 1 PERMIT
General Terms and Conditions OP
Special Condition 16 OP

Description: Failed to prevent unauthorized emissions.

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during incident 138859.

9 Effective Date: 07/02/2011 ADMINORDER 2010-1422-AIR-E (1660 Order-Agreed Order With Denial)

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

Rqmt Prov: Special Condition 16 OP
Special Condition 26 PERMIT

Description: Failure to prevent unauthorized emissions.

10 Effective Date: 07/31/2011 ADMINORDER 2010-1929-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Special Terms & Conditions No. 10 OP
Description: Failure to maintain emissions below the allowable emission limits during incident 141894.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Special Condition 16 OP
Description: Failure to maintain emissions below the allowable emission limits during incident 142479.

11 Effective Date: 08/13/2011 ADMINORDER 2010-2023-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Special Terms and Conditions 15 OP
Description: Failure to maintain emissions below the allowable emission limits during incident 144030.

12 Effective Date: 08/27/2011 ADMINORDER 2011-0358-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:FOP No. O-01320, SC 15 OP
NSR Permit No. 5972A, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:FOP No. O-02288, SC 19 OP
NSR Permit 19823, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions.

13 Effective Date: 04/05/2012 ADMINORDER 2011-0918-AIR-E (1660 Order-Agreed Order With Denial)
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:Special Condition 1 PERMIT
Special Condition 19 OP
Special Terms and Conditions 1.A. OP
Description: Failure to maintain emissions below the allowable emission limits during incident 150087.
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:Special Condition 1 PERMIT

Special Condition 10 OP
Special Terms and Conditions 1.A. OP

Description: Failure to maintain emissions below the allowable emission limits during incident 150271.

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:Special Condition 1 PERMIT
Special Condition 19 OP
Special Terms and Conditions 1.A. OP

Description: Failure to maintain emissions below the allowable emission limits during incident 151578.

14 Effective Date: 06/22/2012 ADMINORDER 2011-2099-AIR-E (Findings Order-Agreed Order Without Denial)

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:Special Condition 1 PERMIT
Special Condition 15 OP
Special Condition 19 OP

Description: Failed to prevent unauthorized emissions, as documented during a record review conducted from September 1 through September 6, 2011. Specifically, the Respondent released 1,155.09 pounds ("lbs") of volatile organic compounds ("VOC"), including 1,143.09 lbs of ethylene, 555.47 lbs of carbon monoxide, and 66.47 lbs of nitrogen oxides from the South Flare, the F6 Reabsorber Vent, and the F6 Regenerator Vent during an avoidable emissions event (Incident No. 155116) that began on May 31, 2011 and

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:Special Condition 1 PERMIT
Special Condition 10 OP

Description: Failed to prevent unauthorized emissions, as documented during a record review conducted from September 1 through September 6, 2011. Specifically, the Respondent released 53.14 lbs of ethylene oxide from the pump seal in reactor circulating pump P-E3-139 during an avoidable emissions event (Incident No. 155379) that began on June 3, 2011 and lasted for one hour. The event was the result of excessive heat build-up due to the pump being allowed to run without lubrication. Since the emissions

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 2(F) OP

Description: Failed to submit the initial notification for Incident No. 155379 within 24 hours of discovery of the event, as documented during a record review conducted from September 1 through September 6, 2011. Specifically, the initial notification was due on June 4, 2011 but was not submitted until June 7, 2011.

15 Effective Date: 11/22/2012 ADMINORDER 2012-0738-AIR-E (1660 Order-Agreed Order With Denial)

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:SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 17 OP

Description: Failed to prevent unauthorized emissions during an event on November 17, 2011 (Incident No. 161901). Specifically, the Respondent released 858 pounds ("lbs") of volatile organic compounds, 782 lbs of carbon monoxide, and 108 lbs of nitrogen oxides from the PO/MTBE Ground Flare (Emission Point No. POFLARE) during the five hour event. The event occurred due to excess suction on the second stage drum during manual operation.

16 Effective Date: 02/23/2013 ADMINORDER 2012-1230-AIR-E (1660 Order-Agreed Order With Denial)

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:SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 17 OP
SPECIAL CONDITION 18 PERMIT

Description: Failed to prevent unauthorized emissions.

17 Effective Date: 06/03/2013 ADMINORDER 2012-1361-AIR-E (1660 Order-Agreed Order With Denial)

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:Special Condition 1 PERMIT
Special Condition 15 OP

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 10 PERMIT
Special Condition 15 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:SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 17 OP

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

18 Effective Date: 06/03/2013 ADMINORDER 2012-0135-AIR-E (1660 Order-Agreed Order With Denial)

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:Special Condition 1 PERMIT
Special Condition 9 OP

Description: Failure to maintain emissions below the allowable emission limits during incident 158550.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 02, 2008	(684777)
Item 2	August 25, 2008	(683718)
Item 3	September 07, 2008	(686333)
Item 4	September 10, 2008	(702254)
Item 5	February 04, 2009	(721964)
Item 6	February 06, 2009	(726384)

Item 7	February 19, 2009	(722904)
Item 8	March 24, 2009	(736194)
Item 9	April 06, 2009	(738233)
Item 10	April 13, 2009	(740940)
Item 11	April 16, 2009	(742311)
Item 12	May 14, 2009	(742399)
Item 13	May 18, 2009	(746005)
Item 14	May 28, 2009	(742481)
Item 15	June 15, 2009	(744204)
Item 16	June 18, 2009	(745143)
Item 17	June 19, 2009	(745129)
Item 18	June 24, 2009	(737641)
Item 19	July 23, 2009	(759198)
Item 20	July 30, 2009	(761289)
Item 21	September 14, 2009	(775462)
Item 22	October 05, 2009	(766171)
Item 23	October 26, 2009	(776644)
Item 24	November 11, 2009	(780519)
Item 25	November 18, 2009	(781053)

Item 26	December 23, 2009	(785418)
Item 27	February 19, 2010	(791554)
Item 28	February 22, 2010	(791210)
Item 29	April 12, 2010	(794773)
Item 30	April 14, 2010	(799094)
Item 31	May 02, 2010	(794617)
Item 32	May 30, 2010	(801934)
Item 33	August 02, 2010	(828972)
Item 34	August 25, 2010	(850335)
Item 35	November 29, 2010	(879181)
Item 36	January 03, 2011	(886745)
Item 37	January 25, 2011	(891899)
Item 38	January 28, 2011	(892195)
Item 39	February 01, 2011	(884523)
Item 40	February 03, 2011	(893455)
Item 41	February 12, 2011	(895129)
Item 42	February 22, 2011	(899501)
Item 43	February 23, 2011	(895953)
Item 44	February 28, 2011	(899688)
Item 45	March 18, 2011	(900956)
Item 46	March 25, 2011	(905772)
Item 47	May 24, 2011	(921464)
Item 48	May 25, 2011	(908478)
Item 49	August 17, 2011	(948414)
Item 50	August 22, 2011	(948636)
Item 51	August 29, 2011	(950753)
Item 52	September 12, 2011	(951989)
Item 53	October 12, 2011	(956048)
Item 54	November 28, 2011	(969262)
Item 55	November 29, 2011	(968958)
Item 56	November 30, 2011	(968943)
Item 57	December 21, 2011	(969888)
Item 58	January 17, 2012	(974631)
Item 59	January 20, 2012	(970238)
Item 60	February 20, 2012	(977333)
Item 61	May 08, 2012	(1002079)
Item 62	May 14, 2012	(1001410)
Item 63	May 16, 2012	(1003201)
Item 64	May 17, 2012	(1003097)

Citation: 30 TAC Chapter 335, SubChapter E 335.112(a)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15(d)
Description: Failure to include inspector name, time of inspection, and/or observations made or remedial actions taken on Process Liquid Fuel Weekly and Utilities Area Daily Inspections.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)
Provision V.I.7. PERMIT

Description: Failure to maintain records of operability status of the automatic waste feed cut-off valve on the Automatic Waste Feed Cut-Off and Alarm Test Log Sheets.

3 Date: 12/11/2012 (1044071) CN603603093
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 12 PERMIT
SPECIAL CONDITION 15 OP
SPECIAL CONDITION 4 PERMIT
Description: Failure to maintain the incinerator firebox temperature at or above the permitted level.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 1(A) OP
SPECIAL CONDITION 13 PERMIT
SPECIAL CONDITION 15 OP
SPECIAL CONDITION 21(E) PERMIT
Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in Volatile Organic Compound (VOC) service.

4 Date: 01/25/2013 (1043995) CN603603093
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.126(7)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 10 OP
SPECIAL CONDITION 12(B) PERMIT
Description: Failure to properly monitor the pilot flame of a flare.
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)
GENERAL TERMS AND CONDITIONS OP
Description: Failure to operate with proper authorization.

5 Date: 05/31/2013 (1089106) CN603603093
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 9 OP
Description: Failure to submit a notification in a timely manner.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 9 OP
Description: Failure to maintain an emission rate below the allowable emission limit.

F. Environmental audits:

Notice of Intent Date: 11/07/2007 (708722)

Disclosure Date: 05/06/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345

Description: Failure to have a submerged fill for containers receiving pumped waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iv)

Description: Failed to initially and quarterly visually inspect unburied sewers managing BWON waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(2)

40 CFR Part 61, Subpart FF 61.356(f)(3)

Description: Failure to demonstrate that control devices achieved benzene removal requirements, allowed either engineering calculations or performance tests, and establish engineering calculations or performance tests record keeping requirements.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)

Description: Failure to establish performance monitoring requirements for vapor phase carbon canister systems where carbon is not regenerated on site.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(2)

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

Description: Failure to establish requirements for quantifying a waste's benzene quantity.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(4)

Description: Failure to establish procedures for annualizing benzene quantity in turnaround wastes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)

Description: Failure to routinely flow-weight average benzene concentration.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)(1)

Description: Failure to properly incorporate all phases in waste characterization.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)

Description: Failure to establish record keeping requirements for benzene quantifications.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(3)

Description: Failure to establish requirements to demonstrate that the treatment processes or wastewater treatment system has achieved benzene removal requirements and a failure to establish a certification regarding design performance equipment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(1)

Description: Failed to certify that equipment needed to comply with the BWON was installed, inspected, and tested.

Notice of Intent Date: 07/19/2008 (700547)

Disclosure Date: 12/29/2008

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 2.F

Description: Failure to maintain the pressure differential and to record vacuum readings every 15 minutes during loading operations.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 3.B

Description: Failure to calibrate the flare pilot flame in accordance with the manufacturer's recommendations for calibration.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 3.D

Description: Failure to comply with permitted gas flow rates.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802 SC5.E

Description: Failure to conduct visual, Audible, olfactory inspections while loading cyclohexane.

Viol. Classification: Minor

Rqmt Prov: PERMIT 79802 SC2.B

Description: Failure to accurately record start and end time data of loading emissions.

Notice of Intent Date: 03/25/2009 (743345)

No DOV Associated

Notice of Intent Date: 09/29/2009 (800608)

Disclosure Date: 02/02/2010

Viol. Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(3)

Description: Failure to affix to a leaking component, a weatherproof and readily visible tag, bearing an identification number and the date the leak was detected. This tag must remain in place until the leaking component is repaired.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(A)

30 TAC Chapter 115, SubChapter D 115.352(2)(B)

30 TAC Chapter 115, SubChapter D 115.352(2)(C)

30 TAC Chapter 115, SubChapter D 115.352(2)(C)(i)

30 TAC Chapter 115, SubChapter D 115.352(2)(C)(ii)

30 TAC Chapter 115, SubChapter D 115.352(2)(C)(iii)

30 TAC Chapter 115, SubChapter D 115.352(3)

40 CFR Part 60, Subpart VV 60.482-9

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(e)

Description: Failure to correctly identify reason for Delay of Repairs ("DOR") and failure to document accurate unit shut-down dates for repair of leaking components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(C)

30 TAC Chapter 115, SubChapter D 115.356(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(4)

Description: Failure to maintain records on components, process areas and calibration gas cylinders.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(g)

Description: Failure to visually inspected initially and quarterly thereafter each closed-vent system and control device. The visual inspection shall include inspection of ductwork and piping and connections to covers and control devices for evidence of visible defects such as holes in ductwork or piping and loose connections.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(2)

Description: The Respondent exceeded that 3% allowable of Difficult to Monitor ("DTM") valves within a new source process unit.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356

Description: Failure to comply with record keeping requirements of process units covered under NESHAPS FF.

Notice of Intent Date: 10/25/2010 (877292)

No DOV Associated

Notice of Intent Date: 02/06/2012 (1001498)

No DOV Associated

Notice of Intent Date: 01/18/2013 (1059546)

No DOV Associated

Notice of Intent Date: 01/15/2013 (1075985)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
HUNTSMAN PETROCHEMICAL LLC	§	
RN100219252	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2013-0996-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it he 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 a petrochemical plant located at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on January 11, 2013, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent released 37,216.56 pounds of volatile organic compounds from the Steam Generator Area Fugitives (Emission Point No. SGFUG) during an emissions event (Incident No. 174161) that began on September 27, 2012 and lasted 24 hours. The incident occurred because a frayed wire shorted during preparation to replace liquid fuel injectors on the steam generators. This resulted in the bulk of the emissions coming from the Pressure Relief Valve lifting on Pressurized Liquid Fuel Sphere F-F5-168. Since the emissions event could have been avoided by better operation and/or maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN CODE § 101.222.
4. The Respondent received notice of the violations on May 10, 2013.
5. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On February 12, 2013, revised the operating procedures and training for the depropanizer tower to include specific instructions;
 - b. On March 1, 2013, implemented interim solution for the lack of vaporization controls on the vent/flame drum; and
 - c. On May 6, 2013, reviewed current process hazards analyses ("PHA") and practices to ensure the PHA teams are looking across process and nodal boundary limits for consequences in cause/consequence scenario development.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit No. 20160, Special Conditions No. 1, and Federal Operating Permit No. O3056, Special Terms and Conditions No. 17.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for

violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

4. An administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) 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 Twelve Thousand Five Hundred Dollars (\$12,500) of the administrative penalty. Twelve Thousand Five Hundred Dollars (\$12,500) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

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 Twenty-Five Thousand Dollars (\$25,000) 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: Huntsman Petrochemical LLC, Docket No. 2013-0996-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 (Conclusions of Law) above, Twelve Thousand Five Hundred Dollars (\$12,500) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

4. 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.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order 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

[Signature]
For the Executive Director

12/16/13
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Huntsman Petrochemical LLC. I am authorized to agree to the attached Agreed Order on behalf of Huntsman Petrochemical LLC, 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, Huntsman Petrochemical LLC waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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

[Signature]
Signature

9/9/13
Date

Daniel J. Kemp

DIRECTOR OF MANUFACTURE
Title

Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical LLC

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



Attachment A
Docket Number: 2013-0996-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Huntsman Petrochemical LLC

Penalty Amount: Twenty-Five Thousand Dollars (\$25,000)

SEP Amount: Twelve Thousand Five Hundred Dollars (\$12,500)

Type of SEP: Contribution to a Third-Party Pre-Approved SEP

Third-Party Administrator: Southeast Texas Regional Planning Commission
- Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station

Location of SEP: Jefferson County

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

1. Project Description

a. Project

Respondent shall contribute the SEP offset amount to the Third-Party Administrator named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Administrator and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643

9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Administrator and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency ("EPA") guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories. For example, the Third-Party Administrator must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display ("LEADS") system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Administrator. The Third-Party Administrator may use contractors to perform the monitoring project, subject to special conditions concerning costs.

The project will be administered in accordance with federal, state, and local environmental laws and regulations. Respondent certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

b. Environmental Benefit

Particulate matter, sulfides, nitrogen oxides, volatile organic carbon compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient

Huntsman Petrochemical LLC
Agreed Order - Attachment A

air monitoring systems. The data is shared with the TCEQ, industry, and the public at http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl.

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

c. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director of Transportation & Environmental Resources
Attention: SEP
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Administrator. Respondent shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in No. 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

Huntsman Petrochemical LLC
Agreed Order - Attachment A

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

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

Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in No. 3 above.

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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