

**Executive Summary – Enforcement Matter – Case No. 47536**  
**The Dow Chemical Company**  
**RN100225945**  
**Docket No. 2013-2215-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Dow Texas Operations Freeport, 2301 North Brazosport Boulevard, Freeport, Brazoria County

**Type of Operation:**

Petrochemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No.: 2014-0158-PWS-E and 2013-0736-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 20, 2014

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$49,726

**Amount Deferred for Expedited Settlement:** \$9,945

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

**Total Paid to General Revenue:** \$19,891

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

Payment Plan: N/A

**SEP Conditional Offset:** \$19,890

Name of SEP: Houston-Galveston Area Council

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2011

***Investigation Information***

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

**Complaint Information:** N/A

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**Docket No. 2013-2215-AIR-E**

**Date(s) of Investigation:** February 4, 2013, July 16, 2013, July 29, 2013, September 16, 2013, and December 3, 2013

**Date(s) of NOE(s):** July 25, 2013, August 6, 2013, October 21, 2013, October 23, 2013, and March 4, 2014

***Violation Information***

1. Failed to comply with maximum allowable hourly emissions rates. Specifically, during the performance stack test conducted on July 12, 2012, the Respondent exceeded the 0.24 pound per hour ("lb/hr") emissions rate for hydrogen chloride ("HCl"), the 0.07 lb/hr emissions rate for chlorine ("Cl<sub>2</sub>"), and the 20 parts per million at three percent oxygen ("ppm @ 3% O<sub>2</sub>") concentration limit for combined HCl and Cl<sub>2</sub> for EPN A32STHROX, resulting in the unauthorized release of 1,458.48 lbs of HCl and 2,986.80 lbs of Cl<sub>2</sub> [30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS § 63.1362(a), Federal Operating Permit ("FOP") No. O2206, Special Terms & Conditions ("STC") No. 13, and New Source Review ("NSR") Permit No. 770, Special Conditions ("SC") Nos. 1 and 11C].

2. Failed to comply with maximum allowable hourly emissions rates. Specifically, during the period from April 12, 2012 through January 25, 2013, the Respondent exceeded the 1,350.68 lbs/hr of carbon monoxide ("CO") emissions rate on April 12, 2012, June 15, 2012, October 5 and 17, 2012, November 15, 2012, and January 24 and 25, 2013 and exceeded the 65.95 lbs/hr of NO<sub>x</sub> emissions rate on January 25, 2013 for Emission Point Number ("EPN") B56CR96, resulting in the unauthorized release of 9,734.79 lbs of CO and 15.01 lbs of nitrogen oxides ("NO<sub>x</sub>") [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2697, STC No. 14, and NSR Permit Nos. 46306, PSDTX986, and N059, SC No. 1].

3. Failed to comply with maximum allowable hourly emissions rates. Specifically, during the performance stack test conducted on October 16, 2012, the Respondent exceeded the 0.73 lb/hr emissions rate for NO<sub>x</sub> for EPN OC5S01, resulting in the unauthorized release of 443.52 lbs of NO<sub>x</sub> [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2204, STC No. 15, and NSR Permit No. 19041, SC No. 1].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 50 percent opacity and released 15,565.20 lbs of CO, 2,158.59 lbs of NO<sub>x</sub>, 1,416.60 lbs of other volatile organic compounds, 1,641 lbs of hazardous air pollutants, 1,833 lbs of propylene, and 9,571 lbs of ethylene from the FS-1 Large Flare, EPN B60F3 and Light Hydrocarbons 7 ("LHC7") Process Area Vents, EPN B72L7RX1, during an avoidable emissions event (Incident No. 185324) that began on July 9, 2013 and lasted for 20 hours. The event occurred during a control system upgrade that required powering down of the controllers. A closed control valve on the steam header from Power 9

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caused a loss of steam to LHC7 that resulted in a total unit shutdown. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSD-TX-994M1, SC No. 1].

5. Failed to prevent unauthorized emissions. Specifically, the Respondent released 16,025 lbs of ethylene from the Polyethylene 4 Unit Reactor R-201 Vent Valve SSV-203, during an avoidable emissions event (Incident No. 190559) that began on November 3, 2013 and lasted for 94 hours and 30 minutes. The event occurred due to failure of an o-ring within the solenoid valve. This reduced the instrument air pressure on the valve actuator and allowed the valve to crack open, resulting in a release. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2215, STC No. 11, and NSR Permit No. 834, SC No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent has implemented the following corrective measures:

- a. On December 11, 2012, conducted a successful stack test that demonstrated compliance with the permitted hourly emissions rate for NO<sub>x</sub> for EPN OC5S01;
- b. On March 26, 2013, conducted a successful stack test that demonstrated compliance with the permitted hourly emissions rates for HCl and Cl<sub>2</sub> and the 20 parts per million at ppm @ 3% O<sub>2</sub> concentration limit for HCl and Cl<sub>2</sub> combined for EPN A32STHROX;
- c. On July 9, 2013, completed a control system upgrade to allow for future upgrades without powering down the controllers to prevent recurrence of emissions events due to the same or similar causes as Incident No. 185324;
- d. On November 8, 2013, replaced the solenoid valve for the Polyethylene 4 Unit Reactor;
- e. On November 15, 2013, submitted a permit amendment application for NSR Permit Nos. 46306, PSDTX986, and N059 to increase the permitted CO and NO<sub>x</sub> emissions for EPN B56CR96; and

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f. On March 6, 2014, implemented a procedure to replace solenoid valves on a 60-month frequency to prevent recurrence of emissions events due to the same or similar causes as Incident No. 190559.

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)
2. The Order will also require the Respondent to:
  - a. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application for NSR Permit Nos. 46306, PSDTX986, and N059 within 30 days after the date of such requests, or by any other deadline specified in writing; and
  - b. Within 365 days, submit written certification that either a permit amendment has been obtained or that operation has ceased until such time that appropriate authorization is obtained.

***Litigation Information***

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

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456  
**TCEQ SEP Coordinator:** Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565  
**Respondent:** Fran Quinlan Falcon, Environmental Leveraged Delivery Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541  
Jarod Davis, Regulatory Affairs Manager, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541  
**Respondent's Attorney:** N/A

**Attachment A**

**Docket Number: 2013-2215-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>The Dow Chemical Company</b>
<b>Penalty Amount:</b>	<b>Thirty-Nine Thousand Seven Hundred Eighty-One Dollars (\$39,781)</b>
<b>SEP Offset Amount:</b>	<b>Nineteen Thousand Eight Hundred Ninety Dollars (\$19,890)</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Administrator SEP</b>
<b>Third-Party Administrator:</b>	<b>Houston-Galveston Area Council-AERCO ("AERCO")</b>
<b>Project Name:</b>	<b><i>Clean Vehicles Partnership Project</i></b>
<b><u>Location of SEP:</u> Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties</b>	

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

**1. Project Description**

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston-Galveston Area Council-AERCO ("AERCO")** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency ("EPA") emissions standards ("Old Buses") with new, lower emission buses that meet the most recent EPA emissions standards ("New Buses") or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities ("SEP Administrators") that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the

The Dow Chemical Company  
Agreed Order - Attachment A

replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for purchase of New Buses or conversion or retrofit equipment and contract labor for installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards. Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months. All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

c. Minimum Expenditure

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

The Dow Chemical Company  
Agreed Order - Attachment A

## **2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO  
P.O. Box 22777  
Houston, Texas 77227-2777

## **3. Records and Reporting**

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

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

## **4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

The Dow Chemical Company  
Agreed Order - Attachment A

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

<b>TCEQ DATES</b>	<b>Assigned</b>	28-Oct-2013	<b>Screening</b>	18-Nov-2013	<b>EPA Due</b>	15-Jul-2014
	<b>PCW</b>	24-Mar-2014				

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	The Dow Chemical Company		
<b>Reg. Ent. Ref. No.</b>	RN100225945		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	47536	<b>No. of Violations</b>	5
<b>Docket No.</b>	2013-2215-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Amancio R. Gutierrez
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$41,250**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** **36.0%** Enhancement **Subtotals 2, 3, & 7** **\$14,850**

**Notes** Enhancement for 16 NOVs with same or similar violations, 12 NOVs with dissimilar violations, 10 orders containing a denial of liability, seven orders without a denial of liability, and one consent decree without a denial of liability. Reduction for 294 notices of intent to conduct an audit and 92 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** **-\$6,374**

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

Total EB Amounts **\$1,731**  
 Approx. Cost of Compliance **\$22,100**  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$49,726**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

**Notes**

**Final Penalty Amount** **\$49,726**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$49,726**

**DEFERRAL** **20.0%** Reduction **Adjustment** **-\$9,945**

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

**Notes**

Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$39,781**

Screening Date 18-Nov-2013

Docket No. 2013-2215-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 47536

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	16	80%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	10	200%
	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	7	175%
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	1	35%
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> )	294	-294%
	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> )	92	-184%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 36%

>> 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 16 NOVs with same or similar violations, 12 NOVs with dissimilar violations, 10 orders containing a denial of liability, seven orders without a denial of liability, and one consent decree without a denial of liability. Reduction for 294 notices of intent to conduct an audit and 92 disclosures of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 36%

>> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 36%

Screening Date 18-Nov-2013

Docket No. 2013-2215-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 47536

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(2), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 Code of Federal Regulation § 63.1362(a), Federal Operating Permit ("FOP") No. O2206, Special Terms & Conditions ("STC") No. 13, and New Source Review ("NSR") Permit No. 770, Special Conditions ("SC") Nos. 1 and 11C

Violation Description

Failed to comply with maximum allowable hourly emissions rates. Specifically, during the performance stack test conducted on July 12, 2012, the Respondent exceeded the 0.24 pound per hour ("lb/hr") emissions rate for hydrogen chloride ("HCl"), the 0.07 lb/hr emissions rate for chlorine ("Cl2"), and the 20 parts per million at three percent oxygen ("ppm @ 3% O2") concentration limit for HCl and Cl2 combined for Emission Point Number ("EPN") A32STHROX, resulting in the unauthorized release of 1,458.48 lbs of HCl and 2,986.80 lbs of Cl2.

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

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3

257 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$11,250

Three quarterly events are recommended from the July 12, 2012 stack test to the March 26, 2013 compliance date.

Good Faith Efforts to Comply

25.0% Reduction

\$2,812

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

Notes

The Respondent completed corrective measures on March 26, 2013, before the July 25, 2013 NOE.

Violation Subtotal \$8,438

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$176

Violation Final Penalty Total \$12,488

This violation Final Assessed Penalty (adjusted for limits) \$12,488

# Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$5,000	12-Jul-2012	26-Mar-2013	0.70	\$176	n/a	\$176

Notes for DELAYED costs

Estimated cost to conduct a follow-up stack test with passing results. The Date Required is the date of the initial stack test and the Final Date is the date that corrective actions were completed.

### Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

\$5,000

**TOTAL**

\$176

Screening Date 18-Nov-2013

Docket No. 2013-2215-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 47536

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2697, STC No. 14, and NSR Permit Nos. 46306, PSDTX986, and N059, SC No. 1

Violation Description

Failed to comply with maximum allowable hourly emissions rates. Specifically, during the period from April 12, 2012 through January 25, 2013, the Respondent exceeded the 1,350.68 lbs/hr carbon monoxide ("CO") emissions rate on April 12, 2012, June 15, 2012, October 5 and 17, 2012, November 15, 2012, and January 24 and 25, 2013 and exceeded the 65.95 lbs/hr nitrogen oxides ("NOx") emissions rate on January 25, 2013 for EPN B56CR96, resulting in the unauthorized release of 9,734.79 lbs of CO and 15.01 lbs of NOx.

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

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3

7 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$11,250

Three quarterly events are recommended based on the quarters that the exceedances occurred.

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 \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,500

Violation Final Penalty Total \$15,300

This violation Final Assessed Penalty (adjusted for limits) \$15,300

## Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No 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	12-Apr-2012	12-Apr-2015	3.00	\$1,500	n/a	\$1,500

Notes for DELAYED costs

Estimated cost to obtain a permit amendment for NSR Permit Nos. 46306, PSDTX986, and N059 to increase the permitted CO and NOx emissions for EPN B56CR96. The Date Required is the date of the first exceedance and the Final Date is the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$1,500

**Screening Date** 18-Nov-2013  
**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media [Statute]** Air  
**Enf. Coordinator** Amancio R. Gutierrez  
**Violation Number** 3

**Docket No.** 2013-2215-AIR-E

**PCW**

Policy Revision 3 (September 2011)  
 PCW Revision August 3, 2011

**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), FOP No. 02204, STC No. 15, and NSR Permit No. 19041, SC No. 1

**Violation Description**

Failed to comply with maximum allowable hourly emissions rates. Specifically, during the performance stack test conducted on October 16, 2012, the Respondent exceeded the 0.73 lb/hr emissions rate for NOx for EPN OC5S01, resulting in the unauthorized release of 443.52 lbs of NOx.

**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

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

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events 1

56 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 from the October 16, 2012 stack test to the December 11, 2012 compliance date.

**Good Faith Efforts to Comply**

25.0% Reduction

\$937

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

Notes

The Respondent completed corrective measures on December 11, 2012, before the October 21, 2013 NOE.

**Violation Subtotal** \$2,813

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$38

**Violation Final Penalty Total** \$4,163

**This violation Final Assessed Penalty (adjusted for limits)** \$4,163

# Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$5,000	16-Oct-2012	11-Dec-2012	0.15	\$38	n/a	\$38

Notes for DELAYED costs

Estimated cost to conduct a follow-up stack test with passing results. The Date Required is the date of the initial stack test and the Final Date is the date that corrective actions were completed.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$38

Screening Date 18-Nov-2013

Docket No. 2013-2215-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 47536

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(a), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSD-TX-994M1, SC No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 50 percent opacity and released 15,565.20 lbs of CO, 2,158.59 lbs of NOx, 1,416.60 lbs of other volatile organic compounds, 1,641 lbs of hazardous air pollutants, 1,833 lbs of propylene, and 9,571 lbs of ethylene from the FS-1 Large Flare, EPN B60F3 and Light Hydrocarbons 7 ("LHC7") Process Area Vents, EPN B72L7RX1, during an avoidable emissions event (Incident No. 185324) that began on July 9, 2013 and lasted for 20 hours. The event occurred during a control system upgrade that required powering down of the controllers. A closed control valve on the steam header from Power 9 caused a loss of steam to LHC7 that resulted in a total unit shutdown. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		30.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Based on the Air Quality Analysis of the air dispersion modeling that was provided by the Respondent, human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$1,875

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

Notes The Respondent completed corrective measures on July 9, 2013 before the October 23, 2013 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$8,325

This violation Final Assessed Penalty (adjusted for limits) \$8,325

## Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media** Air  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$1,000	9-Jul-2013	9-Jul-2013	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to complete a control system upgrade to allow for future upgrades without powering down the controllers to prevent recurrence of emissions events due to the same or similar causes as Incident No. 185324. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	<b>TOTAL</b>	\$0
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Screening Date 18-Nov-2013

Docket No. 2013-2215-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 47536

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2215, STC No. 11, and NSR Permit No. 834, SC No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 16,025 lbs of ethylene from the Polyethylene 4 Unit Reactor R-201 Vent Valve SSV-203 during an avoidable emissions event (Incident No. 190559) that began on November 3, 2013 and lasted for 94 hours and 30 minutes. The event occurred due to failure of an o-ring within the solenoid valve. This reduced the instrument air pressure on the valve actuator and allowed the valve to crack open, resulting in a release. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		x		30.0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 4

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

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

10.0% Reduction \$750

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

Notes The Respondent completed corrective measures on March 6, 2014, after the March 4, 2014 NOE.

Violation Subtotal \$6,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$17

Violation Final Penalty Total \$9,450

This violation Final Assessed Penalty (adjusted for limits) \$9,450

## Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 47536  
**Reg. Ent. Reference No.** RN100225945  
**Media** Air  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment	\$100	3-Nov-2013	8-Nov-2013	0.01	\$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)	\$1,000	3-Nov-2013	6-Mar-2014	0.34	\$17	n/a	\$17

Notes for DELAYED costs

Estimated cost to replace the solenoid valve and implement a procedure to replace solenoid valves on a 60-month frequency to prevent recurrence of emissions events due to the same or similar causes as Incident No. 190559. The Date Required is the date the emissions event began and the Final Dates are the dates 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

\$1,100

**TOTAL**

\$17



# Compliance History Report

**PUBLISHED** Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

<b>Customer, Respondent, or Owner/Operator:</b>	CN600356976, The Dow Chemical Company	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	2.26
<b>Regulated Entity:</b>	RN100225945, DOW TEXAS OPERATIONS FREEPORT	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	6.99
<b>Complexity Points:</b>	112	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	05 - Chemical Manufacturing				
<b>Location:</b>	2301 N BRAZOSPORT BLVD FREEPORT, TX 77541-3203, BRAZORIA COUNTY				
<b>TCEQ Region:</b>	REGION 12 - HOUSTON				

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER BL0082R  
**AIR OPERATING PERMITS** PERMIT 2202  
**AIR OPERATING PERMITS** PERMIT 2204  
**AIR OPERATING PERMITS** PERMIT 2207  
**AIR OPERATING PERMITS** PERMIT 2209  
**AIR OPERATING PERMITS** PERMIT 2211  
**AIR OPERATING PERMITS** PERMIT 2213  
**AIR OPERATING PERMITS** PERMIT 2215  
**AIR OPERATING PERMITS** PERMIT 2217  
**AIR OPERATING PERMITS** PERMIT 2219  
**AIR OPERATING PERMITS** PERMIT 2221  
**AIR OPERATING PERMITS** PERMIT 2313  
**AIR OPERATING PERMITS** PERMIT 3005

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXD008092793  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50161

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200530  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200232  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200027

**WASTEWATER** EPA ID TX0006483

**AIR NEW SOURCE PERMITS** PERMIT 941  
**AIR NEW SOURCE PERMITS** PERMIT 3947  
**AIR NEW SOURCE PERMITS** REGISTRATION 12173  
**AIR NEW SOURCE PERMITS** PERMIT 20195  
**AIR NEW SOURCE PERMITS** PERMIT 20432  
**AIR NEW SOURCE PERMITS** PERMIT 20687  
**AIR NEW SOURCE PERMITS** PERMIT 20776  
**AIR NEW SOURCE PERMITS** PERMIT 20909  
**AIR NEW SOURCE PERMITS** PERMIT 22071  
**AIR NEW SOURCE PERMITS** PERMIT 22743  
**AIR NEW SOURCE PERMITS** REGISTRATION 22853  
**AIR NEW SOURCE PERMITS** REGISTRATION 22810  
**AIR NEW SOURCE PERMITS** REGISTRATION 22862  
**AIR NEW SOURCE PERMITS** REGISTRATION 23075  
**AIR NEW SOURCE PERMITS** REGISTRATION 23519  
**AIR NEW SOURCE PERMITS** REGISTRATION 23388  
**AIR NEW SOURCE PERMITS** REGISTRATION 24053  
**AIR NEW SOURCE PERMITS** REGISTRATION 24030

**AIR OPERATING PERMITS** PERMIT 1388  
**AIR OPERATING PERMITS** PERMIT 2203  
**AIR OPERATING PERMITS** PERMIT 2206  
**AIR OPERATING PERMITS** PERMIT 2208  
**AIR OPERATING PERMITS** PERMIT 2210  
**AIR OPERATING PERMITS** PERMIT 2212  
**AIR OPERATING PERMITS** PERMIT 2214  
**AIR OPERATING PERMITS** PERMIT 2216  
**AIR OPERATING PERMITS** PERMIT 2218  
**AIR OPERATING PERMITS** PERMIT 2220  
**AIR OPERATING PERMITS** PERMIT 2311  
**AIR OPERATING PERMITS** PERMIT 2697  
**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXD000803270  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 30106  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200535  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200531  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200534  
**WASTEWATER** PERMIT WQ0000007000

**WASTEWATER** EPA ID TX0006484  
**AIR NEW SOURCE PERMITS** PERMIT 3941  
**AIR NEW SOURCE PERMITS** REGISTRATION 11832  
**AIR NEW SOURCE PERMITS** PERMIT 19041  
**AIR NEW SOURCE PERMITS** PERMIT 20285  
**AIR NEW SOURCE PERMITS** PERMIT 20525  
**AIR NEW SOURCE PERMITS** PERMIT 20775  
**AIR NEW SOURCE PERMITS** PERMIT 20777  
**AIR NEW SOURCE PERMITS** PERMIT 22070  
**AIR NEW SOURCE PERMITS** PERMIT 22072  
**AIR NEW SOURCE PERMITS** REGISTRATION 22759  
**AIR NEW SOURCE PERMITS** REGISTRATION 22809  
**AIR NEW SOURCE PERMITS** REGISTRATION 22851  
**AIR NEW SOURCE PERMITS** REGISTRATION 22945  
**AIR NEW SOURCE PERMITS** REGISTRATION 23076  
**AIR NEW SOURCE PERMITS** REGISTRATION 23387  
**AIR NEW SOURCE PERMITS** REGISTRATION 23389  
**AIR NEW SOURCE PERMITS** REGISTRATION 24101  
**AIR NEW SOURCE PERMITS** PERMIT 26692

**AIR NEW SOURCE PERMITS** REGISTRATION 25702  
**AIR NEW SOURCE PERMITS** REGISTRATION 25124  
**AIR NEW SOURCE PERMITS** PERMIT 28363  
**AIR NEW SOURCE PERMITS** REGISTRATION 30018  
**AIR NEW SOURCE PERMITS** REGISTRATION 30503  
**AIR NEW SOURCE PERMITS** REGISTRATION 31992  
**AIR NEW SOURCE PERMITS** REGISTRATION 33328  
**AIR NEW SOURCE PERMITS** REGISTRATION 33593  
**AIR NEW SOURCE PERMITS** REGISTRATION 34111  
**AIR NEW SOURCE PERMITS** REGISTRATION 34368  
**AIR NEW SOURCE PERMITS** REGISTRATION 34541  
**AIR NEW SOURCE PERMITS** REGISTRATION 35012  
**AIR NEW SOURCE PERMITS** REGISTRATION 35203  
**AIR NEW SOURCE PERMITS** REGISTRATION 35413  
**AIR NEW SOURCE PERMITS** REGISTRATION 36002  
**AIR NEW SOURCE PERMITS** REGISTRATION 25205  
**AIR NEW SOURCE PERMITS** REGISTRATION 36523  
**AIR NEW SOURCE PERMITS** REGISTRATION 36634  
**AIR NEW SOURCE PERMITS** REGISTRATION 37122  
**AIR NEW SOURCE PERMITS** REGISTRATION 37667  
**AIR NEW SOURCE PERMITS** PERMIT 4020  
**AIR NEW SOURCE PERMITS** PERMIT 4031  
**AIR NEW SOURCE PERMITS** PERMIT 4310A  
**AIR NEW SOURCE PERMITS** PERMIT 5520  
**AIR NEW SOURCE PERMITS** PERMIT 6803  
**AIR NEW SOURCE PERMITS** PERMIT 7341  
**AIR NEW SOURCE PERMITS** REGISTRATION 7423  
**AIR NEW SOURCE PERMITS** PERMIT 7593  
**AIR NEW SOURCE PERMITS** PERMIT 8047  
**AIR NEW SOURCE PERMITS** PERMIT 9044  
**AIR NEW SOURCE PERMITS** REGISTRATION 10690  
**AIR NEW SOURCE PERMITS** REGISTRATION 10791  
**AIR NEW SOURCE PERMITS** REGISTRATION 11076  
**AIR NEW SOURCE PERMITS** REGISTRATION 11567  
**AIR NEW SOURCE PERMITS** REGISTRATION 12128  
**AIR NEW SOURCE PERMITS** REGISTRATION 12145  
**AIR NEW SOURCE PERMITS** REGISTRATION 12432  
**AIR NEW SOURCE PERMITS** REGISTRATION 12484  
**AIR NEW SOURCE PERMITS** REGISTRATION 13194  
**AIR NEW SOURCE PERMITS** REGISTRATION 15811  
**AIR NEW SOURCE PERMITS** REGISTRATION 16473  
**AIR NEW SOURCE PERMITS** REGISTRATION 13920  
**AIR NEW SOURCE PERMITS** PERMIT 20996  
**AIR NEW SOURCE PERMITS** PERMIT 18561  
**AIR NEW SOURCE PERMITS** REGISTRATION 37618  
**AIR NEW SOURCE PERMITS** REGISTRATION 38156  
**AIR NEW SOURCE PERMITS** REGISTRATION 38759  
**AIR NEW SOURCE PERMITS** REGISTRATION 39450  
**AIR NEW SOURCE PERMITS** REGISTRATION 40430  
**AIR NEW SOURCE PERMITS** REGISTRATION 41163  
**AIR NEW SOURCE PERMITS** REGISTRATION 41179  
**AIR NEW SOURCE PERMITS** REGISTRATION 41302  
**AIR NEW SOURCE PERMITS** REGISTRATION 41555  
**AIR NEW SOURCE PERMITS** REGISTRATION 42611  
**AIR NEW SOURCE PERMITS** REGISTRATION 42384  
**AIR NEW SOURCE PERMITS** REGISTRATION 43382  
**AIR NEW SOURCE PERMITS** REGISTRATION 42443  
**AIR NEW SOURCE PERMITS** REGISTRATION 43959  
**AIR NEW SOURCE PERMITS** REGISTRATION 44002  
**AIR NEW SOURCE PERMITS** REGISTRATION 44036

**AIR NEW SOURCE PERMITS** REGISTRATION 26035  
**AIR NEW SOURCE PERMITS** REGISTRATION 25536  
**AIR NEW SOURCE PERMITS** REGISTRATION 28220  
**AIR NEW SOURCE PERMITS** REGISTRATION 30622  
**AIR NEW SOURCE PERMITS** REGISTRATION 31753  
**AIR NEW SOURCE PERMITS** REGISTRATION 32546  
**AIR NEW SOURCE PERMITS** REGISTRATION 33609  
**AIR NEW SOURCE PERMITS** REGISTRATION 33885  
**AIR NEW SOURCE PERMITS** REGISTRATION 34116  
**AIR NEW SOURCE PERMITS** REGISTRATION 34545  
**AIR NEW SOURCE PERMITS** PERMIT 35022  
**AIR NEW SOURCE PERMITS** REGISTRATION 35204  
**AIR NEW SOURCE PERMITS** REGISTRATION 35364  
**AIR NEW SOURCE PERMITS** REGISTRATION 35658  
**AIR NEW SOURCE PERMITS** REGISTRATION 36397  
**AIR NEW SOURCE PERMITS** REGISTRATION 36554  
**AIR NEW SOURCE PERMITS** REGISTRATION 36569  
**AIR NEW SOURCE PERMITS** REGISTRATION 37000  
**AIR NEW SOURCE PERMITS** REGISTRATION 37569  
**AIR NEW SOURCE PERMITS** REGISTRATION 71888  
**AIR NEW SOURCE PERMITS** PERMIT 4021  
**AIR NEW SOURCE PERMITS** PERMIT 4085  
**AIR NEW SOURCE PERMITS** PERMIT 5339  
**AIR NEW SOURCE PERMITS** PERMIT 5661  
**AIR NEW SOURCE PERMITS** PERMIT 7131  
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**AIR NEW SOURCE PERMITS** PERMIT 7009  
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**AIR NEW SOURCE PERMITS** REGISTRATION 43813  
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**AIR NEW SOURCE PERMITS** REGISTRATION 44001  
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<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44118	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44411
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44464	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44465
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44608	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44622
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44718	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44719
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 44834	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 45097
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 45152	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 45449
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46009	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46174
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46173	<b>AIR NEW SOURCE PERMITS</b> PERMIT 46306
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46378	<b>AIR NEW SOURCE PERMITS</b> PERMIT 46429
<b>AIR NEW SOURCE PERMITS</b> PERMIT 46428	<b>AIR NEW SOURCE PERMITS</b> PERMIT 46431
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46481	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46568
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46658	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46682
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46767	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46798
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46911	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 46987
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<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 47114	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 47374
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<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 47564	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 47970
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<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 48337	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 48414
<b>AIR NEW SOURCE PERMITS</b> PERMIT 48715	<b>AIR NEW SOURCE PERMITS</b> PERMIT 48478
<b>AIR NEW SOURCE PERMITS</b> PERMIT 48479	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 49187
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 49235	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 49253
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 47314	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 37957
<b>AIR NEW SOURCE PERMITS</b> PERMIT 3301	<b>AIR NEW SOURCE PERMITS</b> PERMIT 834
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 13682	<b>AIR NEW SOURCE PERMITS</b> PERMIT 313
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 1430	<b>AIR NEW SOURCE PERMITS</b> PERMIT 1496B
<b>AIR NEW SOURCE PERMITS</b> PERMIT 1496C	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 49715
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 49965	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 50298
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 72132	<b>AIR NEW SOURCE PERMITS</b> PERMIT 5340
<b>AIR NEW SOURCE PERMITS</b> PERMIT 5746	<b>AIR NEW SOURCE PERMITS</b> PERMIT 6069A
<b>AIR NEW SOURCE PERMITS</b> PERMIT 6383	<b>AIR NEW SOURCE PERMITS</b> PERMIT 6744
<b>AIR NEW SOURCE PERMITS</b> PERMIT 6932	<b>AIR NEW SOURCE PERMITS</b> PERMIT 7093
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 7094	<b>AIR NEW SOURCE PERMITS</b> PERMIT 7385
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 7447	<b>AIR NEW SOURCE PERMITS</b> PERMIT 7942
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10469	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10534
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10613	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10674
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10677	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10689
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10731	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10766
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10792	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10794
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10845	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 10955
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 11092	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 11691
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 11691A	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 11745
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<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 12051	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 12104
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 12265	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 12613
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 13104	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 13132
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 13950	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 14935
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 15386	<b>AIR NEW SOURCE PERMITS</b> PERMIT 4022
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 12340	<b>AIR NEW SOURCE PERMITS</b> PERMIT 6911
<b>AIR NEW SOURCE PERMITS</b> PERMIT 18145	<b>AIR NEW SOURCE PERMITS</b> PERMIT 19720
<b>AIR NEW SOURCE PERMITS</b> PERMIT 19792	<b>AIR NEW SOURCE PERMITS</b> PERMIT 770
<b>AIR NEW SOURCE PERMITS</b> PERMIT 1258	<b>AIR NEW SOURCE PERMITS</b> PERMIT 1472
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 1558	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 1559
<b>AIR NEW SOURCE PERMITS</b> PERMIT 1655	<b>AIR NEW SOURCE PERMITS</b> PERMIT 1658
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 1715	<b>AIR NEW SOURCE PERMITS</b> PERMIT 2008A
<b>AIR NEW SOURCE PERMITS</b> PERMIT 2367	<b>AIR NEW SOURCE PERMITS</b> PERMIT 2606
<b>AIR NEW SOURCE PERMITS</b> PERMIT 2728	<b>AIR NEW SOURCE PERMITS</b> PERMIT 2772
<b>AIR NEW SOURCE PERMITS</b> PERMIT 3302	<b>AIR NEW SOURCE PERMITS</b> PERMIT 3347

<b>AIR NEW SOURCE PERMITS</b>	PERMIT 3914	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52152
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52724	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52200
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52999	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52998
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 53895	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 54200
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 55032	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 55411
<b>AIR NEW SOURCE PERMITS</b>	PERMIT 83795	<b>AIR NEW SOURCE PERMITS</b>	PERMIT 83838
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 55537	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 75817
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76012	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 75579
<b>AIR NEW SOURCE PERMITS</b>	PERMIT 75751	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76295
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76138	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76039
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 56851	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70194
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70195	<b>AIR NEW SOURCE PERMITS</b>	PERMIT 48892
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70458	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70940
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70945	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70776
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71039	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71062
<b>AIR NEW SOURCE PERMITS</b>	ACCOUNT NUMBER BL0082R	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 70592
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71209	<b>AIR NEW SOURCE PERMITS</b>	EPA PERMIT N59
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71584	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71087
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71088	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71089
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71090	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71091
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52179	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 53903
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52201	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 53954
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 50488	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 52884
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 53897	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 54042
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 71936	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 50576
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 72671	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 53736
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 72663	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 72884
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 72794	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 72798
<b>AIR NEW SOURCE PERMITS</b>	PERMIT 3434	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 74059
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 73732	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 73781
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 74748	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 74597
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 75090	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 74350
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 74853	<b>AIR NEW SOURCE PERMITS</b>	EPA PERMIT PSDTX994
<b>AIR NEW SOURCE PERMITS</b>	EPA PERMIT PSDTX994M1	<b>AIR NEW SOURCE PERMITS</b>	EPA PERMIT PSDTX986M1
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76506	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76504
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76763	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 76536
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77669	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77405
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77426	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77143
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77339	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 77522
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 78257	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 78248
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 78471	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 78570
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 78331	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 79348
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 79383	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 79131
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<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 79806	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 80380
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 80372	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 80624
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 81207	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 81302
<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 81271	<b>AIR NEW SOURCE PERMITS</b>	REGISTRATION 81267
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**AIR NEW SOURCE PERMITS** REGISTRATION 102072  
**AIR NEW SOURCE PERMITS** REGISTRATION 104724  
**AIR NEW SOURCE PERMITS** REGISTRATION 103999  
**AIR NEW SOURCE PERMITS** REGISTRATION 103275  
**AIR NEW SOURCE PERMITS** REGISTRATION 104727  
**AIR NEW SOURCE PERMITS** PERMIT 104094

AIR NEW SOURCE PERMITS REGISTRATION 103332  
AIR NEW SOURCE PERMITS REGISTRATION 102457  
AIR NEW SOURCE PERMITS REGISTRATION 102364  
AIR NEW SOURCE PERMITS REGISTRATION 105570  
AIR NEW SOURCE PERMITS REGISTRATION 106311  
AIR NEW SOURCE PERMITS REGISTRATION 107037  
AIR NEW SOURCE PERMITS REGISTRATION 110351  
AIR NEW SOURCE PERMITS REGISTRATION 107954  
AIR NEW SOURCE PERMITS REGISTRATION 108295  
AIR NEW SOURCE PERMITS REGISTRATION 105864  
AIR NEW SOURCE PERMITS REGISTRATION 105879  
AIR NEW SOURCE PERMITS REGISTRATION 105874  
AIR NEW SOURCE PERMITS REGISTRATION 108931  
AIR NEW SOURCE PERMITS PERMIT 114991  
AIR NEW SOURCE PERMITS REGISTRATION 112920  
AIR NEW SOURCE PERMITS REGISTRATION 105203  
AIR NEW SOURCE PERMITS REGISTRATION 106612  
AIR NEW SOURCE PERMITS REGISTRATION 115231  
AIR NEW SOURCE PERMITS REGISTRATION 105877  
AIR NEW SOURCE PERMITS REGISTRATION 106512  
AIR NEW SOURCE PERMITS REGISTRATION 107169  
AIR NEW SOURCE PERMITS REGISTRATION 108345  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1328  
AIR NEW SOURCE PERMITS REGISTRATION 108969  
AIR NEW SOURCE PERMITS REGISTRATION 106147  
AIR NEW SOURCE PERMITS REGISTRATION 117006  
AIR NEW SOURCE PERMITS REGISTRATION 111875  
AIR NEW SOURCE PERMITS REGISTRATION 115030  
AIR NEW SOURCE PERMITS REGISTRATION 107036  
AIR NEW SOURCE PERMITS REGISTRATION 116011  
AIR NEW SOURCE PERMITS REGISTRATION 107975  
AIR NEW SOURCE PERMITS REGISTRATION 107849  
AIR NEW SOURCE PERMITS PERMIT 112341  
AIR NEW SOURCE PERMITS REGISTRATION 117346  
AIR NEW SOURCE PERMITS REGISTRATION 113374  
AIR NEW SOURCE PERMITS REGISTRATION 106609  
AIR NEW SOURCE PERMITS REGISTRATION 109797  
AIR NEW SOURCE PERMITS REGISTRATION 110551  
AIR NEW SOURCE PERMITS PERMIT 107153  
AIR NEW SOURCE PERMITS REGISTRATION 109512  
AIR NEW SOURCE PERMITS REGISTRATION 115916  
AIR NEW SOURCE PERMITS REGISTRATION 109104  
AIR NEW SOURCE PERMITS AFS NUM 4803900041

STORMWATER PERMIT TXR15UP11  
STORMWATER PERMIT TXR15YE80  
STORMWATER PERMIT TXR15YE78  
STORMWATER PERMIT TXR15XB45  
AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0082R

AIR NEW SOURCE PERMITS REGISTRATION 103328  
AIR NEW SOURCE PERMITS PERMIT 104098  
AIR NEW SOURCE PERMITS REGISTRATION 109820  
AIR NEW SOURCE PERMITS REGISTRATION 105872  
AIR NEW SOURCE PERMITS REGISTRATION 112928  
AIR NEW SOURCE PERMITS REGISTRATION 109043  
AIR NEW SOURCE PERMITS REGISTRATION 107397  
AIR NEW SOURCE PERMITS REGISTRATION 113594  
AIR NEW SOURCE PERMITS REGISTRATION 107142  
AIR NEW SOURCE PERMITS REGISTRATION 105876  
AIR NEW SOURCE PERMITS REGISTRATION 105885  
AIR NEW SOURCE PERMITS REGISTRATION 113247  
AIR NEW SOURCE PERMITS REGISTRATION 112408  
AIR NEW SOURCE PERMITS REGISTRATION 109182  
AIR NEW SOURCE PERMITS REGISTRATION 112613  
AIR NEW SOURCE PERMITS REGISTRATION 105871  
AIR NEW SOURCE PERMITS REGISTRATION 115993  
AIR NEW SOURCE PERMITS REGISTRATION 108730  
AIR NEW SOURCE PERMITS REGISTRATION 106687  
AIR NEW SOURCE PERMITS REGISTRATION 110553  
AIR NEW SOURCE PERMITS REGISTRATION 109891  
AIR NEW SOURCE PERMITS REGISTRATION 106691  
AIR NEW SOURCE PERMITS REGISTRATION 105972  
AIR NEW SOURCE PERMITS REGISTRATION 106065  
AIR NEW SOURCE PERMITS REGISTRATION 111978  
AIR NEW SOURCE PERMITS REGISTRATION 106558  
AIR NEW SOURCE PERMITS REGISTRATION 115831  
AIR NEW SOURCE PERMITS REGISTRATION 108567  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1314  
AIR NEW SOURCE PERMITS REGISTRATION 110071  
AIR NEW SOURCE PERMITS REGISTRATION 106326  
AIR NEW SOURCE PERMITS REGISTRATION 110074  
AIR NEW SOURCE PERMITS REGISTRATION 106758  
AIR NEW SOURCE PERMITS REGISTRATION 105870  
AIR NEW SOURCE PERMITS REGISTRATION 112030  
AIR NEW SOURCE PERMITS REGISTRATION 116812  
AIR NEW SOURCE PERMITS REGISTRATION 105880  
AIR NEW SOURCE PERMITS REGISTRATION 107132  
AIR NEW SOURCE PERMITS REGISTRATION 110676  
AIR NEW SOURCE PERMITS REGISTRATION 115279  
AIR NEW SOURCE PERMITS REGISTRATION 107010  
AIR NEW SOURCE PERMITS REGISTRATION 105878  
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION  
# (SWR) 30106  
STORMWATER PERMIT TXR15XS41  
STORMWATER PERMIT TXR15YE79  
STORMWATER PERMIT TXR15XB44  
STORMWATER PERMIT TXR15VF26  
POLLUTION PREVENTION PLANNING ID NUMBER  
P00182

**Compliance History Period:** September 01, 2008 to August 31, 2013      **Rating Year:** 2013      **Rating Date:** 09/01/2013

**Date Compliance History Report Prepared:** February 26, 2014

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 26, 2009 to February 26, 2014

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

**Name:** Amancio R. Gutierrez

**Phone:** (512) 239-3921

## **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: 06/01/2009 ADMINORDER 2008-0843-AIR-E (Findings Order-Agreed Order Without Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter G 116.715(b)  
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov: Flexible Air Permit 20432, SC Chap III-1 PERMIT
- Description: As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions during Incident No. 92204, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov: TCEQ Air Permit No. 46431, SC 1 PERMIT
- Description: As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions during Incident No. 92991, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Condition No. 1 PERMIT
- Description: As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions during Incident No. 103332, in violation of Air Permit No. 7386, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Condition 1 PERMIT
- Description: As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions during Incident No. 103745, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Condition Chapter III-1 PERMIT
- Description: As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions during Incident No. 104544, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Condition 1 PERMIT
- Description: As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions during Incident No. 105191, in violation of Air Permit No. 834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter F 101.221(a)

30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions during Incident No. 106640, in violation of Air Permit No. 22072, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

2 Effective Date: 07/09/2009 ADMINORDER 2007-0923-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

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

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

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

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

Rqmt Prov: 6803, Special Condition 1 PERMIT

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

Classification: Moderate

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

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

TCEQ Air Permit No. 7531, SC1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)  
5C THSC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Air Flex Permit 20432, SC Gen Req 4 PERMIT

Air Flex Permit 20432, SC, Chap III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

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

3 Effective Date: 08/31/2009 ADMINORDER 2008-1723-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

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

Description: Failed to prevent avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: Special Condition Chapter III - 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC Ch III-1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

4 Effective Date: 11/27/2009 ADMINORDER 2008-1555-IHW-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

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

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

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)

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

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

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term and Condition 16 OP

Special Term and Condition 1A OP

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

Classification: Major

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

Rqmt Prov: Special Condition, Chapter III-1 PERMIT

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

6 Effective Date: 10/25/2010 ADMINORDER 2010-0477-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition Chapter III - 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition Chapter III-1 PERMIT

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

7 Effective Date: 03/07/2011 ADMINORDER 2010-1279-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Dow failed to prevent unauthorized emissions during Incident No. 137259.

8 Effective Date: 05/08/2011 ADMINORDER 2010-1450-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

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

Description: Failed to submit an application for renewal prior to expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew Standard Permit No. 43417 before the permit expiration date of February 16, 2010, as documented during a record review investigation conducted on September 1, 2010.

Classification: Major

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

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

- 9 Effective Date: 05/22/2011 ADMINORDER 2010-1781-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 4(B) PERMIT  
Description: Dow failed to keep the emissions capture equipment and abatement equipment in operation when emissions were routed to it during Incident No. 141646.
- 10 Effective Date: 08/13/2011 ADMINORDER 2011-0051-AIR-E (Findings Order-Agreed Order Without Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SC Chap III-1 PERMIT  
Description: Failed to prevent unauthorized emissions during Incident No. 143416. Dow failed to maintain communications at the operator work stations during a startup. Dow also failed to maintain the operations of the ST-10 turbine during the startup.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SC Chapter III-1 PERMIT  
Description: Failure to prevent unauthorized emissions during Incident No. 144990. Dow failed to prevent the flaring of off-spec ethylene, when impure hydrogen was being supplied to the internal header system that supplies LHC-7.
- 11 Effective Date: 11/18/2011 ADMINORDER 2011-0581-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions due to obstruction of the filter screen on the oil supply to the oil driven Speed Governor Valve that regulates the compressor speed. Subcategory: A12(i)(6).
- 12 Effective Date: 06/08/2012 ADMINORDER 2011-1123-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to incorporate Permit by Rule ("PBR") 30 Tex. Admin. Code § 106.263 in Federal Operating Permit ("FOP") No. O2217, as documented during an investigation conducted on April 14, 2011.  
Classification: Minor  
Citation: 30 TAC Chapter 106, SubChapter K 106.263(g)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to maintain records to demonstrate compliance with PBR 30 Tex. Admin. Code § 106.263 for maintenance activities performed on Refrigeration Unit 7001 from June 7 through June 30, 2010, as documented during an investigation conducted on April 14, 2011.

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 No. O2217, Spec Terms & Cond 16 OP  
SPECIAL CONDITION 1 PERMIT

Description: Failed to comply with the annual allowable emissions rate (based on a rolling 12-month period), as documented during an investigation conducted on April 14, 2011. Specifically, in December 2009 and December 2010, the Respondent exceeded the carbon monoxide ("CO") 12-month rolling allowable emissions rate of 5.10 tons per year ("tpy") and exceeded the nitrogen oxides ("NOx") 12-month rolling allowable emissions rate of 1.68 tpy at the Marine Unloading Flare, EPN A35F1, resulting in the unauthori

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)  
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an administratively complete emissions inventory for calendar year 2009, as documented during an investigation conducted on April 14, 2011. Specifically, the 2009 emissions inventory did not include emissions for three diesel engine pumps: Emissions Point Numbers ("EPN") A40S836A, A40S836B, and A40S836C.

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 16 OP  
SPECIAL CONDITION 2 PERMIT

Description: Failed to comply with the annual throughput rates for Tank Nos. TM-3 and T-4044, as documented during an investigation conducted on April 14, 2011. Specifically, the annual throughput for Tank No. TM-3 is limited to 53,129,080 pounds ("lbs"), and the tank throughput was 67,861,993 lbs in 2009 and 87,595,298 lbs in 2010. The annual throughput for Tank No. T-4044 is limited to 60,428,990 lbs, and the tank throughput was 121,947,551 lbs in 2009 and 114,817,995 lbs in 2010. In 2009, annual volati

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(1)  
5C THSC Chapter 382 382.085(b)

Description: Failed to make an accurate representation regarding Tank No. A30CMST3 in the application for FOP No. O2217, as documented during an investigation conducted on April 14, 2011. Specifically, FOP No. O2217 representation indicates that Tank No. A30CMST3 is subject to 40 Code of Federal Regulations Part 60, Subpart Kb; however, the tank is not subject to this rule.

13 Effective Date: 08/02/2012 ADMINORDER 2011-2269-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  
ST&C 11 OP

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 6803, Special Conditions No. 1, and Federal Operating Permit No. O2215, Special Terms & Conditions No. 11, as documented during a record review conducted from September 29 through October 8, 2011. Specifically, the Respondent released 2,544 pounds of ethylene from the Polyethylene 3 unit during an avoidable emissions event (Incident No. 1

14 Effective Date: 09/29/2012 ADMINORDER 2012-0358-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during an event that occurred from September 9, 2011 through September 11, 2011 (Incident No. 159031). Specifically, the Respondent released 60,935 pounds ("lbs") of volatile organic compounds, which included 42,325 lbs of ethylene, 3,168 lbs of propylene, 2,334 lbs of 1,3-butadiene, and 8,166 lbs of toluene, 8,302 lbs of nitrogen oxides, and 59,055 lbs of carbon monoxide from Flare-FS1 (Emission Point No. B60F3) during the 42 hour event.

15 Effective Date: 12/15/2012 ADMINORDER 2012-0897-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 & Conditions No. 11 OP  
Description: Failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Conditions No. III-1 PERMIT  
Special Terms & Conditions No. 19 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: Special Condition No. 1 PERMIT  
Special Terms & Conditions No. 11 OP  
Description: Failure to prevent unauthorized emissions during Incident No. 164161.

16 Effective Date: 06/03/2013 ADMINORDER 2012-1672-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
Special Terms & Conditions No. 21 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 166761.  
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. 16 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 166822.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
Special Terms & Conditions No. 21 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 167157.  
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 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to comply with the reporting requirements during Incident No. 167157.  
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 No. 1 PERMIT  
Special Terms & Conditions No. 11 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 167526.  
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 No.1 PA

Special Terms & Conditions No. 11 OP

Description: Failure to prevent unauthorized emissions during Incident No. 169152.

- 17 Effective Date: 08/03/2013 ADMINORDER 2012-2015-IHW-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
Rqmt Prov: PROVISION V.I.7.d. PERMIT  
Description: Failure to perform operational testing on the automatic waste feed cutoff system for Boiler FTB-210 at least once every 7 days when hazardous waste is burned  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174  
Description: Failure to demonstrate that containers were inspected weekly for leakage and deterioration  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)  
Description: Failure to have documentation indicating inspections were conducted for Tank ND-116 (NOR Unit No. 008 in Block A-18) on May 13, 2012 and Tank D-840 (NOR Unit No. 205 in Block B-46) on October 2, 2011.  
Classification: Major  
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(1)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(ii)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)  
Rqmt Prov: PROVISION V.I.3.b.(1) PERMIT  
Description: Failure to meet the operating parameter limit for Boiler FTB-210 (Permit Unit No. 29, NOR Unit No. 154) for minimum scrubber water pH once during 2011 and maximum stack gas concentration of carbon monoxide on 24 occurrences during 2011 while there was hazardous waste in the unit

See addendum for information regarding federal actions.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	March 03, 2009	(726864)
Item 2	March 10, 2009	(724362)
Item 3	March 11, 2009	(708431)
Item 4	March 13, 2009	(750353)
Item 5	March 17, 2009	(684690)
Item 6	March 19, 2009	(702111)
Item 7	March 23, 2009	(738607)
Item 8	April 06, 2009	(725607)
Item 9	April 16, 2009	(737836)
Item 10	April 20, 2009	(724370)
Item 11	April 22, 2009	(742156)
Item 12	April 23, 2009	(724372)
Item 13	April 24, 2009	(724369)
Item 14	April 27, 2009	(742142)
Item 15	May 20, 2009	(768419)
Item 16	May 26, 2009	(739079)
Item 17	May 27, 2009	(741025)
Item 18	May 28, 2009	(736749)
Item 19	June 05, 2009	(703325)
Item 20	June 11, 2009	(768420)
Item 21	June 15, 2009	(745452)
Item 22	July 09, 2009	(761495)
Item 23	July 22, 2009	(763032)

**Published** Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from February 26, 2009, through February 26, 2014.

Item 24	July 24, 2009	(747246)
Item 25	July 27, 2009	(738993)
Item 26	July 31, 2009	(804862)
Item 27	August 04, 2009	(761464)
Item 28	August 06, 2009	(724363)
Item 29	August 11, 2009	(740758)
Item 30	August 12, 2009	(761394)
Item 31	August 20, 2009	(804863)
Item 32	September 04, 2009	(761102)
Item 33	September 22, 2009	(804864)
Item 34	September 24, 2009	(777334)
Item 35	October 06, 2009	(765800)
Item 36	October 09, 2009	(766603)
Item 37	October 12, 2009	(767413)
Item 38	October 14, 2009	(779037)
Item 39	October 15, 2009	(746875)
Item 40	October 19, 2009	(804865)
Item 41	October 28, 2009	(746879)
Item 42	November 18, 2009	(767570)
Item 43	November 30, 2009	(767571)
Item 44	December 03, 2009	(778761)
Item 45	December 10, 2009	(784555)
Item 46	December 11, 2009	(784729)
Item 47	December 14, 2009	(767533)
Item 48	December 15, 2009	(784097)
Item 49	December 28, 2009	(786681)
Item 50	January 06, 2010	(780356)
Item 51	January 19, 2010	(804868)
Item 52	January 25, 2010	(782608)
Item 53	January 26, 2010	(783566)
Item 54	February 03, 2010	(788653)
Item 55	February 09, 2010	(789348)
Item 56	February 11, 2010	(789488)
Item 57	February 17, 2010	(789487)
Item 58	February 19, 2010	(789491)
Item 59	February 22, 2010	(789345)
Item 60	February 23, 2010	(789490)
Item 61	March 03, 2010	(784740)
Item 62	March 17, 2010	(789346)
Item 63	March 22, 2010	(830960)
Item 64	March 30, 2010	(767542)
Item 65	March 31, 2010	(790100)
Item 66	April 02, 2010	(789347)
Item 67	April 05, 2010	(790092)
Item 68	April 08, 2010	(794302)
Item 69	April 09, 2010	(790086)
Item 70	April 12, 2010	(790080)
Item 71	April 15, 2010	(790078)
Item 72	April 16, 2010	(830961)
Item 73	April 21, 2010	(790102)
Item 74	May 07, 2010	(797403)
Item 75	May 10, 2010	(798066)
Item 76	May 12, 2010	(800460)
Item 77	May 17, 2010	(798932)
Item 78	May 19, 2010	(799233)
Item 79	May 20, 2010	(797395)
Item 80	May 26, 2010	(802223)
Item 81	June 11, 2010	(799638)
Item 82	June 14, 2010	(824802)
Item 83	June 16, 2010	(801231)

Item 84	June 17, 2010	(824465)
Item 85	June 18, 2010	(801241)
Item 86	June 24, 2010	(801544)
Item 87	June 25, 2010	(799641)
Item 88	June 28, 2010	(802835)
Item 89	July 07, 2010	(828931)
Item 90	July 09, 2010	(803093)
Item 91	July 12, 2010	(828930)
Item 92	July 14, 2010	(827163)
Item 93	July 21, 2010	(842057)
Item 94	July 23, 2010	(803101)
Item 95	July 24, 2010	(860887)
Item 96	July 28, 2010	(802837)
Item 97	August 12, 2010	(803144)
Item 98	August 19, 2010	(824878)
Item 99	August 20, 2010	(826373)
Item 100	August 23, 2010	(866857)
Item 101	September 03, 2010	(827135)
Item 102	September 07, 2010	(826569)
Item 103	September 10, 2010	(828111)
Item 104	September 18, 2010	(873926)
Item 105	October 05, 2010	(848874)
Item 106	October 08, 2010	(848876)
Item 107	October 12, 2010	(850106)
Item 108	October 14, 2010	(857749)
Item 109	October 19, 2010	(865702)
Item 110	October 20, 2010	(857947)
Item 111	October 28, 2010	(858061)
Item 112	October 29, 2010	(857950)
Item 113	November 01, 2010	(844915)
Item 114	November 05, 2010	(844901)
Item 115	November 08, 2010	(871865)
Item 116	November 09, 2010	(866686)
Item 117	November 15, 2010	(888052)
Item 118	December 06, 2010	(858073)
Item 119	December 16, 2010	(858064)
Item 120	December 23, 2010	(864695)
Item 121	January 03, 2011	(886741)
Item 122	January 05, 2011	(887237)
Item 123	January 20, 2011	(880092)
Item 124	January 26, 2011	(858057)
Item 125	January 27, 2011	(866395)
Item 126	February 01, 2011	(891718)
Item 127	February 07, 2011	(887922)
Item 128	February 08, 2011	(887902)
Item 129	February 09, 2011	(877393)
Item 130	February 16, 2011	(909112)
Item 131	February 24, 2011	(877954)
Item 132	March 02, 2011	(886566)
Item 133	March 04, 2011	(887744)
Item 134	March 31, 2011	(890913)
Item 135	April 06, 2011	(908529)
Item 136	April 07, 2011	(906237)
Item 137	April 20, 2011	(900011)
Item 138	April 25, 2011	(899436)
Item 139	May 11, 2011	(899440)
Item 140	May 19, 2011	(938051)
Item 141	June 13, 2011	(945419)
Item 142	June 24, 2011	(908598)
Item 143	July 01, 2011	(936448)

Item 144	July 08, 2011	(914054)
Item 145	July 19, 2011	(923035)
Item 146	July 22, 2011	(936842)
Item 147	August 16, 2011	(922596)
Item 148	August 22, 2011	(899754)
Item 149	August 23, 2011	(949740)
Item 150	August 24, 2011	(959331)
Item 151	August 31, 2011	(948288)
Item 152	September 15, 2011	(965364)
Item 153	October 19, 2011	(971403)
Item 154	November 16, 2011	(977561)
Item 155	December 09, 2011	(970299)
Item 156	December 15, 2011	(970613)
Item 157	December 16, 2011	(984331)
Item 158	December 19, 2011	(970662)
Item 159	December 20, 2011	(971102)
Item 160	January 05, 2012	(970635)
Item 161	January 18, 2012	(970657)
Item 162	January 24, 2012	(980403)
Item 163	February 01, 2012	(969281)
Item 164	February 14, 2012	(987436)
Item 165	February 16, 2012	(987704)
Item 166	February 17, 2012	(987272)
Item 167	February 21, 2012	(997990)
Item 168	February 24, 2012	(971185)
Item 169	February 27, 2012	(988947)
Item 170	March 19, 2012	(1003517)
Item 171	April 03, 2012	(993988)
Item 172	April 13, 2012	(993681)
Item 173	April 18, 2012	(1010082)
Item 174	April 24, 2012	(995660)
Item 175	April 25, 2012	(994686)
Item 176	May 01, 2012	(996737)
Item 177	May 04, 2012	(997785)
Item 178	May 11, 2012	(994143)
Item 179	May 15, 2012	(989453)
Item 180	May 18, 2012	(948856)
Item 181	May 22, 2012	(994688)
Item 182	May 24, 2012	(994684)
Item 183	June 08, 2012	(1007990)
Item 184	June 15, 2012	(1024195)
Item 185	June 20, 2012	(1008522)
Item 186	June 21, 2012	(1008508)
Item 187	June 25, 2012	(1009180)
Item 188	June 28, 2012	(1015072)
Item 189	July 02, 2012	(1013035)
Item 190	July 18, 2012	(1009237)
Item 191	July 30, 2012	(1013952)
Item 192	August 07, 2012	(996853)
Item 193	August 09, 2012	(1015142)
Item 194	August 15, 2012	(1001054)
Item 195	August 21, 2012	(1037965)
Item 196	September 14, 2012	(1008318)
Item 197	September 18, 2012	(1031360)
Item 198	September 19, 2012	(1046698)
Item 199	September 24, 2012	(1020461)
Item 200	October 22, 2012	(1060952)
Item 201	October 26, 2012	(1029292)
Item 202	November 06, 2012	(1041226)
Item 203	November 15, 2012	(1035647)

Item 204	November 19, 2012	(1060953)
Item 205	December 03, 2012	(1044422)
Item 206	December 04, 2012	(1046084)
Item 207	December 12, 2012	(1036299)
Item 208	December 14, 2012	(1037471)
Item 209	December 20, 2012	(1060954)
Item 210	January 08, 2013	(1041022)
Item 211	January 18, 2013	(1035654)
Item 212	January 21, 2013	(1079014)
Item 213	January 23, 2013	(1036297)
Item 214	January 29, 2013	(1054979)
Item 215	February 13, 2013	(1050260)
Item 216	February 21, 2013	(1079013)
Item 217	February 22, 2013	(1059544)
Item 218	February 25, 2013	(1035692)
Item 219	February 26, 2013	(1008881)
Item 220	February 28, 2013	(1001639)
Item 221	March 06, 2013	(1050252)
Item 222	March 20, 2013	(1089331)
Item 223	April 03, 2013	(1060008)
Item 224	April 04, 2013	(1059940)
Item 225	April 10, 2013	(1058915)
Item 226	April 12, 2013	(1075521)
Item 227	April 22, 2013	(1095725)
Item 228	April 29, 2013	(951840)
Item 229	May 24, 2013	(1106650)
Item 230	June 14, 2013	(1086656)
Item 231	June 20, 2013	(1110325)
Item 232	June 25, 2013	(1095339)
Item 233	July 18, 2013	(1117210)
Item 234	August 05, 2013	(1099245)
Item 235	August 07, 2013	(1103277)
Item 236	August 14, 2013	(1103369)
Item 237	August 19, 2013	(1124965)
Item 238	August 29, 2013	(1099911)
Item 239	September 13, 2013	(1087996)
Item 240	September 23, 2013	(1129565)
Item 241	September 26, 2013	(1103825)
Item 242	October 21, 2013	(1105811)
Item 243	November 06, 2013	(1058974)
Item 244	November 08, 2013	(1120629)
Item 245	November 21, 2013	(1140694)
Item 246	November 25, 2013	(1121004)
Item 247	December 04, 2013	(1134449)
Item 248	December 19, 2013	(1134635)
Item 249	January 07, 2014	(1133980)
Item 250	January 15, 2014	(1133862)
Item 251	January 23, 2014	(1140170)
Item 252	February 10, 2014	(1138528)
Item 253	February 18, 2014	(1123371)
Item 254	February 19, 2014	(1145193)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 03/18/2013 (1050744) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(f)(1)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition 1A OP

**Published** Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from February 26, 2009, through February 26, 2014.

- Description: Failure to conduct the annual audio, visual, and olfactory (AVO) inspection within the required timeframe. (Category C7)
- 2 Date: 04/24/2013 (1050747) CN600356976  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 24B PERMIT  
 Special Terms and Condition 17 OP  
 Description: Failure to conduct the weekly Ammonia slip sampling. (Category B1)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11 PERMIT  
 Special Terms and Condition 17 OP  
 Description: Failed to maintain the CO concentration for the Throx (B44VOTO100). (Category B1)
- 3 Date: 05/03/2013 (1076966)  
 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 6E PERMIT  
 ST&C 10 OP  
 Description: Failure to monitor piping connections within 15 days. (Category C7)
- 4 Date: 05/07/2013 (1114607) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)  
 5A THSC Chapter 341, SubChapter A 341.0315(c)  
 Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.092 mg/L.
- 5 Date: 05/24/2013 (1073335) CN600356976  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 4 OP  
 Special Term & Condition 9 OP  
 Description: Exceeded permitted fill drain rate on storage vessels (1 deviation):  
 Dow reported one deviation when the fill/drain rate on storage tank D-275 was exceeded. For more information see violation tracking number (VTN) 498476.  
 (Category C7)
- 6 Date: 06/07/2013 (1076013) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Description: Failure to submit PCC within the 30-day deadline. (Category B3 Violation)
- 7 Date: 06/14/2013 (1086486) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition No. 1 PERMIT  
 Description: Dow failed to prevent unauthorized emissions during Incident No. 180268
- 8 Date: 06/14/2013 (1077137) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition No. 1 PERMIT  
 Description: Dow failed to prevent unauthorized emissions during Incident No. 180774.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 5C THSC Chapter 382 382.085(b)  
 Description: Dow failed to report an emissions event in a timely manner during Incident No. 180774.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
 5C THSC Chapter 382 382.085(b)  
 Description: Dow failed to input a final report within two weeks following Incident No. 180774.

9 Date: 07/03/2013 (1092589) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
 30 TAC Chapter 335, SubChapter E 335.112(a)(20)  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1062  
 Description: Failure to monitor one valve in Block B-68 annually for 40 CFR Part 265 Subpart BB compliance.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
 30 TAC Chapter 335, SubChapter E 335.112(a)(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: Failure to inspect hazardous waste containers on a weekly basis.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
 30 TAC Chapter 335, SubChapter E 335.112(a)(9)  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(a)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(b)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(c)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(e)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(f)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)  
 Description: Failure to inspect the hazardous waste tank NOR 161 each day.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
 Provision II.V.1.j. PERMIT  
 Description: Failure to keep Notice of Registration up to date for waste streams and waste management unit information.

10 Date: 07/31/2013 (1094316) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR 4021 SC 7 PERMIT  
 O-02202 OP  
 Description: Failure to keep chlorine (Cl2) emissions from Carbonate Tower (EPN B22SV32) to 5 parts per million by volume or less averaged over a six-minute period.

11 Date: 08/06/2013 (1094163) CN600356976  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PERMIT  
 Special Term and Condition 14 OP  
 Description: Failure to maintain emissions below permitted hourly limits for ammonia (NH3) for EPN B56SB3. (Category C4 violation)

12 Date: 08/13/2013 (1114607) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(B)  
 30 TAC Chapter 290, SubChapter F 290.122(f)  
 Description: TTHM DBP1 MCL PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013.

13 Date: 08/28/2013 (1094543) CN600356976

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C 21 OP  
NSR 20432, SC 1(E) PERMIT  
Description: Failure to seal open-ended lines for three bull plugs on Unit ID: B72L7FU1.  
(CATEGORY C10)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-2213, ST&C 21 and ST&C 1A OP  
NSR 20432, SC III-1 PERMIT  
Description: Failure to maintain a continuous flame present for EPN: OC6F1018 and EPN:  
OC6L8F902. (CATEGORY C7)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart A 60.18(c)(4)(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213 OP  
NSR 20432, Special Condition III-1 PERMIT  
Description: Failure to maintain the maximum exit velocity for flare (EPN: OC6L8F1).  
(CATEGORY C7)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C #21 OP  
NSR 20432, Special Condition III-2 PERMIT  
Description: Failure to maintain the 12-month rolling average Carbon Monoxide (CO) emission  
factor. (CATEGORY C7)

Self Report? NO Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to maintain the net heating value for flare EPN: BL7FT01. (CATEGORY C7)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C #21 and ST&C #1A OP  
NSR 20432, Special Condition III-1 PERMIT  
Description: Failure to operate the flare (EPN: OC6F1018) without visible emissions.  
(CATEGORY C7)

14 Date: 09/12/2013 (1117010) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(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: Failure to inspect hazardous waste containers on a weekly basis.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
30 TAC Chapter 335, SubChapter E 335.112(a)(9)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(a)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(b)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(c)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(e)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(f)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)  
Description: Failure to inspect the hazardous waste tank NOR 161 each day.

15 Date: 09/30/2013 (1135295) CN600356976

**Published** Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from February 26, 2009, through February 26, 2014.

	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		
16	Date:	10/21/2013 (1116264)	CN600356976	
	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) SC 1 PERMIT ST&C 15 OP		
	Description:	Failure to maintain CO emissions within MAERT limit. (B14)		
	Self Report?	NO	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) SC 4(C)(2) PERMIT ST&C 15 OP		
	Description:	Failure to maintain daily LEL monitor functionality test result records. (C3)		
17	Date:	10/25/2013 (1120146)	CN600356976	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition #1 PERMIT		
	Description:	Failure to prevent unauthorized emissions due to avoidable incorrect valve opening.		
18	Date:	10/25/2013 (1139816)	CN600356976	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.113(f)(4) 5A THSC Chapter 341, SubChapter A 341.0315(c)		
	Description:	TTHM MCL 3Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2013 with a RAA of 0.088 mg/L.		
19	Date:	11/13/2013 (1116238)	CN600356976	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 9 PERMIT ST&C 1A and 20 OP		
	Description:	Failure to calibrate flow monitoring device.		
20	Date:	11/20/2013 (1116243)	CN600356976	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Condition 4 PA Special Terms and Conditions 1A and 13 OP		
	Description:	Failure to maintain the net heating value of flare FOP Unit ID BSRSRF401 over 300 Btu/scf. (Category C4)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 5E PA Special Terms and Conditions 13 OP		
	Description:	Failure to seal open-ended lines in FOP Unit ID BSRSRFUSTV. (Category C10)		
21	Date:	11/22/2013 (1128483)	CN600356976	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)		

- 5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 13 OP  
FOP, Special Term and Condition 1A OP  
NSR Special Condition 6E PERMIT
- Description: Failure to seal an open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. [C10]
- 22 Date: 11/26/2013 (1116262) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 6-A PERMIT  
SPECIAL TERMS & CONDITIONS 14 OP  
Description: Failure to prevent NOx concentration exceedance of 3 hour average limit of 9 ppmvd from GT66 (EPN B24S4). (B14)
- 23 Date: 12/03/2013 (1120636)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions due to compressor valve failure.
- 24 Date: 12/04/2013 (1120634) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions due to a turboexpander trip.
- 25 Date: 01/15/2014 (1050264) CN600356976  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to submit the PCC report dated October 31, 2012, within the required 30-day timeframe. (Category B3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to submit the semi-annual deviation report dated October 31, 2012, within the required 30-day timeframe. (Category B3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
ST&C 1 OP  
Description: Failure to prevent an open ended line in VOC service from fugitive group B3831FU1. (Category C-10)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
SC 4B PERMIT  
ST&C #13 OP  
Description: Failure to maintain a pilot flame on flare (EPN B3808F1). (Category B-18)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
SC 4A PERMIT  
ST&C #13 OP  
Description: Failure to maintain 300 Btu/scf net heating value on the steam assisted flare (EPN B3808F1). (Category B-18)

26 Date: 02/19/2014 (1134752) CN600356976  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)  
5C THSC Chapter 382 382.085(b)  
FOP O-02203 Special Term & Condition 16 OP  
FOP O-02203 Special Term & Condition 1A OP  
NSR Permit 4031 Special Condition 15F PERMIT  
NSR Permit 4031 Special Condition 16 PERMIT  
Description: Failure to monitor fugitive components for unit B76POFU1. (CATEGORY C1 Violation)

27 Date: 02/20/2014 (1134763) CN600356976  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 20A(i) PERMIT  
SPECIAL CONDITION 23A(1) PERMIT  
SPECIAL TERM AND CONDITION 11 OP  
Description: Failure to conduct and retain VOC analyzer calibrations. (Category C3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 1 PERMIT  
SPECIAL TERM AND CONDITION 11 OP  
Description: Failure to comply with the hourly emission limits of the storage tank (EPN B77APST133), cooling tower (EPN B27P3CT01), and a flare (EPN B45F1). (Category C4)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 9A PERMIT  
SPECIAL TERM AND CONDITION 11 OP  
Description: Failure to sample and maintain records for carbon canister system. (Category C3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 1 PERMIT  
SPECIAL CONDITION 4B PERMIT  
SPECIAL TERM AND CONDITION 11 OP  
Description: Failure to comply with the hourly emission limits and failure to maintain constant pilot flame for flare with EPN B78APPF1. (Category C4)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 18 PERMIT  
SPECIAL TERM AND CONDITION 11 OP  
Description: Failure to conduct 9 visible emission checks for particulate matter. (Category C3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(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)  
Special Term and Condition 1A OP  
Description: Failure to conduct weekly audio/visual/olfactory inspections of flanges. (Category C3)

28 Date: 02/21/2014 (1135085) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)(1)(i)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition #2(E) PERMIT  
 Special Condition #2(F) PERMIT  
 Special Terms and Conditions #18 OP  
 Special Terms and Conditions #1A OP  
 Description: Failure to monitor 42 fugitive components. (Category C1)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC# 2(E) PERMIT  
 ST&C# 18 OP  
 Description: Failure to conduct weekly audio, visual and/or olfactory (AVO) inspections on connectors. (Category C1)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)  
 5C THSC Chapter 382 382.085(b)  
 SC #I-4(B) PERMIT  
 ST&C #11 OP  
 ST&C #18 OP  
 Description: Failure to record the monthly benzene waste operations car seal inspection. (Category C3)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C #2(F) OP  
 Description: Non-reportable emissions event recorded late. (Category C3)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)  
 5C THSC Chapter 382 382.085(b)  
 SC# 3 PERMIT  
 ST&C #18 OP  
 ST&C #1A OP  
 Description: Failure to maintain the flare tip velocity. (Category C4)

#### F. Environmental audits:

Notice of Intent Date: 10/25/2007 (600864)  
 Disclosure Date: 02/27/2009  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT IHW Storage Permit 50161  
 Description: Failure to maintain a service schedule for the calibration of the thermocouples, pressure sensors, and flow sensors on the F-210.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)  
 Description: The system response for periods of failure of the data historian is inadequate as shown by gaps in the operating records, for F-210 and FTB-603, for periods of time when the primary data historian is not functioning.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
 Description: Inspection of the weekly AWFCO records from May 2008 through September 2008 for F-210 indicates that some weekly inspections exceeded seven days.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(iii)  
 Description: Lack of Hazardous Organic NESHAP (HON) Start-up, Shutdown and Malfunction Plan (SSMP) records.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(g)  
 Description: B70F1 glare (FS-101) can receive halogenated vent streams and is incorrectly listed as a HON control device in the Notification of Compliance Status submitted 09/10/1997.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(C)(ii)  
 Rqmt Prov: PERMIT IHW Storage Permit 50161  
 Description: Ash feed rate is not being monitored or recorded for FTB-603 and F-210.

**Published Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from February 26, 2009, through February 26, 2014.**

Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)  
Description: Data for total chloride/chlorine feed rate is not being transferred to the historical data server for long term storage.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
Description: One minute averages for some parameters are not being recorded in the BIF data files as per the parameters listed in Table V.I.2. of the RCRA permit for FTB-603.

Viol. Classification: Minor  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: The daily inspection forms for F-210 and FTB-603 do not have an entry for inspecting for "External corrosion that may affect integrity".

Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW 50106  
Description: Several of the FTB-603 AWFCO parameters are not included, such as scrubber L/G, scrubber pH, scrubber blowdown, etc., in the annual AWFCO function test. Two BIF parameters (combustion chamber temperature and combustion air flow) are included but are tested on a two year frequency instead of annual.

Viol. Classification: Minor  
Rqmt Prov: PERMIT Flexible Air Permit 20432  
PERMIT IHW Storage Permit 50161  
Description: Records for the 4Q07, calibration error (CE) test, and the 1Q07, 2Q07, 3Q07 quarterly CGA test for FTB-603 could not be located. Records for the 1Q06 and 2Q07, calibration error (CE) tests and the 1Q07, 2Q07, 3Q07, 1Q08, 2Q08, 3Q08 quarterly CGA tests for F-210 could not be located.

Viol. Classification: Moderate  
Citation: 2E THSC Chapter 101, SubChapter B 101.001  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: Loss of the fan on FTB-603 is not included in the AWFCO tests.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT Flexible Permit 20432  
Description: Failure to fully complete all stack testing at FTB-603 and F-210.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT Flexible Permit 20432  
Description: Lack of historical data recording individual flow rate data for each waste stream feeding F-210 and FTB-603.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: For FTB-603 and F-210, hazardous waste feed rate is incorrectly recorded in units of thousand of pounds per day. Primary stack flow is incorrectly recorded in Standard Cubic Feet per Minute. Total chloride/chlorine feed rate is incorrectly recorded in thousands of pounds per day. Metals feed rates (As, Be, Cd, Cr, Sb, Ba, Pb, Hg, Ni, Se, Ag, Tl, and Zn) are incorrectly recorded in grams/year.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT New Source Review Permit 20432  
Description: Missing TTU outage records for FTB-603 and F-210.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(e)  
Description: Since the Notification of Compliance Status was submitted 09/10/1997, the document has incorrectly listed the minimum firebox temperature for FTB-603.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
Description: Recordkeeping for some BIF parameters includes the snapshot data instead of the one-minute average data.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: The hourly rolling average data for % Oxygen is not recorded.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: No recordkeeping of soot-blowing events as required in IHW permit with monitoring basis of "event".

Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW Storage 50161  
Description: The AWFCO for low combustion air flow is not tested weekly as required.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: The AWFCO for maximum combustion chamber temperature is set at 2183 degree F, but the permit limit is

2182 degrees F.  
 Viol. Classification: Minor  
 Rqmt Prov: PERMIT IHW permit 50161  
 Description: The daily inspection form does not include documentation of inspection for "external corrosion that may affect integrity" as required in the IHW permit.  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT New Source Review Permit 3434  
 Description: Review of data from 08/18/2006 to 03/31/2008 showed four instances when the total light oil feed rate to the boilers exceeded the air permit representation used in the emissions calculations.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
 Rqmt Prov: PERMIT IHW Storage Permit 50161  
 Description: No AWFCO in place for maximum combustion air flow as required in the IHW permit.

Notice of Intent Date: 10/25/2007 (600866)  
 Disclosure Date: 02/27/2009  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT NSR permit 8567  
 Description: Analysis of the HRVOC data for flare B78F1 shows that the annual permit limits for VOC, CO, and NOx emissions from the flare were exceeded in 2006, 2007, and 2008.  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT NSR permit 834  
 Description: Analysis of the HRVOC data for flare B45F1 shows that the hourly MSS permit limits for VOC and propylene emissions from the flare were exceeded in 2006, 2007, and 2008. MSS emissions limits were originally set as ethylene only. The HRVOC gas chromatograph shows that there are traces of other VOCs in the stream sent to the flare during MSS activities that were not accounted for in the original MSS air permit.  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT NSR permit 6803  
 Description: Analysis of the HRVOC data for flare B27F1 shows that the annual permit limits for VOC, CO, and NOx emissions and hourly VOC emissions from the flare were exceeded in 2006 and 2007.  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT NSR permit 37884  
 Description: Analysis of the HRVOC data for flare OC4F600 shows that the hourly permit limit for VOC emissions from the flare was exceeded in 2006, 2007, and 2008 and the annual permit limit for VOC emissions from the flare was exceeded in 2008. The HRVOC gas chromatograph shows that there are air pollutants in the stream that were not accounted for in the original permit calculations.  
 Viol. Classification: Moderate  
 Rqmt Prov: PERMIT NSR permit 20432  
 Description: Analysis of the HRVOC data for flare B70F1 and B70F801 shows that the permit limits of hourly VOC emissions from the flares were exceeded at time in 2008. In addition, flare B23F865 shows that the permit limits for hourly VOC and/or propylene emissions from the flare were exceeded at time in 2008.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)  
 Rqmt Prov: PERMIT Federal Operating Permit O-02208  
 Description: Analysis of the HRVOC data for flare B70F801 shows that the maximum tip velocity from the flare was exceeded at times in 2006.

Notice of Intent Date: 09/02/2008 (706228)  
 Disclosure Date: 04/03/2009  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125  
 Rqmt Prov: PERMIT RCRA Permit HW-50161-001  
 Description: Failure to maintain sufficient documentation demonstrating that personnel responsible for ensuring compliance with the RCRA permit are familiar with the location and content of the RCRA permit.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(a)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(b)  
 Description: Failure to maintain sufficient documentation that confirms arrangements with local authorities (police and hospital) is in place as appropriate for the type of waste handled at the Dow facility in Freeport, Texas.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125  
 Rqmt Prov: PERMIT RCRA Permit 50161-001  
 Description: Failure to maintain sufficient documentation that annual certification of wastes meeting Land Disposal Requirements are kept on record at the Dow facility in Freeport, Texas.  
 Viol. Classification: Moderate  
 Citation:

30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to use the sampling and analytical methods in permit 50161-001 during initial pre-shipment analysis of incoming bulk, liquid wastes at the B-33 Kiln.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.177(c)

Description: Failure to properly store hazardous waste. Specifically, storage containers holding a hazardous waste that may be incompatible with waste or other materials stored nearby, in other containers, are not separated from other materials or protected from them by means of a dike, berm, wal, or other device.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing is performed to demonstrate successful stabilization prior whenever stabilization of hazardous waste is based solely on a pozzolanic reaction.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing was performed to demonstrate successful stabilization of waste prior to landfilling.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.3

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to properly manage waste streams subject to Land Disposal Restrictions. Specifically, waste streams may have been treated using a potentially ineffective treatment method.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that initial shipments and random fingerprint analysis on subsequent shipments of offsite bulk and containerized wastes, destined for the B-51 Hazardous Waste Landfill are subjected to a fingerprint analysis to verify that the Waste Profile associated with the waste is correct.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that incinerator residue contaminated with F024/K022 (scrubber water filter cake) waste number 5034503H on the Notice of Registration (Dow Waste Profile Number 119111-000) were adequately analyzed after stabilization and prior to landfilling.

Notice of Intent Date: 10/24/2008 (707543)

Disclosure Date: 11/10/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)

30 TAC Chapter 115, SubChapter B 115.122(a)(2)

30 TAC Chapter 115, SubChapter B 115.125

30 TAC Chapter 115, SubChapter B 115.126

30 TAC Chapter 115, SubChapter B 115.126(1)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)

Description: Failure to classify caustic scrubbers as HON control devices and perform tests or monitor HON control devices for purposes of HON MACT or Reg V Vent Gas Control requirements.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to amend the NSR Air permit to authorize process vents to be intermittently redirected from the THROX to the T-2910/T-2912 caustic scrubbers under normal operating conditions since 1999.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103(c)

Description: Failure to keep available bypass records for any SSM diversions of DK-2822 from F-2820 boiler/T-2830 halogen scrubber to the caustic scrubbers, T2910/T-2912.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)

- 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
- Description: Failure to submit update to Title V for NSPS RRR and NSPS NNN applicability related to reactors R-2301 and R-2302 and distillation units RT-2303 and T-2403, respectively.
- Viol. Classification: Moderate
- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.129  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
- Description: Failure to submit either original HON Subpart Notification of Compliance Status (NOCS) or supplemental NOCS for the Group 2 TDI tank truck (B4TDILR1) and railcar (B4TDILR2) transfer operations.
- Viol. Classification: Moderate
- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.1(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2515(b)
- Description: Failure to document negative applicability with 40 CFR 63 Subpart FFFF, Miscellaneous Organic NESHAP (MON).
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter B 115.116
- Description: Failure to maintain adequate records for MSS activities and emissions that are noted in Special Condition No. 21 of NSR Air permit.
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 106, SubChapter K 106.263
- Description: Failure to amend TCEQ NSR Air Permit No. 2008 to authorize maintenance, startup, shutdown emissions routed from the emissions vacuum system to the T-2914 scrubber.
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)
- Description: Failure to maintain adequate operating procedures and recordkeeping for emission events that emit less than Reportable Quantity (RQ).
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(3)
- Description: Failure to operate forced and induced draft blowers to maintain proper mitigation building pressure while the phosgene service units are in operation.
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter B 115.116
- Description: Failure to abide by Condition 4 of the AMOC 2000-01 which requires the Flange Leak Detection System (FLDS) to be vented to the THROX system or to submit a request to revise the AMOC to allow diversion to the T-2910/T-2912 scrubbers when the THROX system is unavailable or down.
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter B 115.116
- Description: Failure to implement management systems to ensure all instrumentation is calibrated to the required frequency.
- Viol. Classification: Moderate
- Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
- Description: Failure to classify the D-10 vessel as a RCRA Hazardous Waste vessel.
- Notice of Intent Date: 11/18/2008 (722258)  
Disclosure Date: 04/26/2010
- Viol. Classification: Moderate
- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)
- Description: Notification of Compliance Status for MON (NESHAP:Miscellaneous Organic Chemical Manufacturing) submitted in October 2008 for the Market Development: Converted Epoxy Resins (B3800) Plant did not include the presence of a small amount of benzene in a batch process vent and process wastewater stream.
- Viol. Classification: Moderate
- Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)
- Description: Previous annual reports for National Emission Standards for Benzene Waste Operations for the process unit "TXO B3806 Market Development Brom Resins/Epoxy" did not include five exempt sources of benzene.
- Viol. Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter B 115.165

- 30 TAC Chapter 115, SubChapter B 115.165(1)
- 30 TAC Chapter 115, SubChapter B 115.165(2)
- 30 TAC Chapter 115, SubChapter B 115.166(1)
- 30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)
- 30 TAC Chapter 115, SubChapter B 115.166(3)
- 30 TAC Chapter 115, SubChapter B 115.166(3)(C)

Description: Failure to demonstrate performance testing using methods specified in 115.165 for water scrubbers T-101 (EPN: B3809SV101) and T-304 (EPN: B3809SV304) and record monitoring parameters required to be measured during the performance tests.

Viol. Classification: Moderate

- Citation: 30 TAC Chapter 115, SubChapter B 115.166  
 30 TAC Chapter 115, SubChapter B 115.166(1)  
 30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)

Description: Failure to retain temperature monitoring data for scrubbing liquid temperature for T-101 and T-304 for a 5 year period as required by 115.166.

Viol. Classification: Moderate

- Citation: 30 TAC Chapter 115, SubChapter B 115.166(2)(B)

Description: Failure to maintain a record of the average flow rate and documentation verifying this value.

Viol. Classification: Moderate

- Citation: 30 TAC Chapter 122, SubChapter B 122.131  
 30 TAC Chapter 122, SubChapter B 122.132

Description: Failure to contain specific terms and conditions for the Market Development Plant (Epoxy Products) regarding te applicability of Chapter 115 batch Processes as required by 40 CFR 70.5 (c) and 30 TAC 122.132 (e) in the Title V permit.

Viol. Classification: Moderate

- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
 40 CFR Part 63, Subpart G 63.141  
 40 CFR Part 63, Subpart G 63.142  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148

Description: Failure to include the presence of a small amount epichlorohydrin in a batch process vent, a Group 1 Stream, and a process wastewater stream, a Group 2 stream.

Viol. Classification: Major

- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
 40 CFR Part 63, Subpart G 63.141  
 40 CFR Part 63, Subpart G 63.142

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the presence of a small amount of chloromethane and bromomethane found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing).

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
40 CFR Part 63, Subpart G 63.141  
40 CFR Part 63, Subpart G 63.142  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the maximum amount of benzene found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standard for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing) submitted in August 2009.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.454  
30 TAC Chapter 106, SubChapter T 106.454(3)(D)

Description: Failure to keep an internal clean-parts drainage rack for enclosed draining under a cover for the B3806SC01 Solvent Cleaning Station as required by TAC 106.545 (3)(D).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.131  
30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failure to submit a Title V permit revision to include Benzene Waste Operations (BWON) applicability for applicable streams within "TXO B3806 Market Development Brom Resins/ Epoxy".

Notice of Intent Date: 03/17/2009 (742452)

Disclosure Date: 03/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)  
30 TAC Chapter 335, SubChapter H 335.221(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract required one-minute average (OMA) and hourly rolling average (HRA) operating data, including constituent feed rates.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

30 TAC Chapter 305, SubChapter F 305.127(2)

30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(ii)

Description: Failure to maintain programming: did not properly trigger automatic waste feed cut off (AWFCO), did not convert OMA readings from carbon monoxide CEMS system to 10,000 ppmv when 3,000 PPMV is exceeded, did not properly calculate of the hourly rolling averages when instrument failure is detected, and did not initiate an AWFCO when the span of a continuous monitoring system (CMS) (except CEMS) was exceeded and when there is a CMS malfunction.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

30 TAC Chapter 305, SubChapter F 305.127

30 TAC Chapter 305, SubChapter F 305.127(2)

30 TAC Chapter 335, SubChapter H 335.221(a)

Description: Failure to document compliance with the RCRA permit requirement for annual feed rate limits, and weekly AWFCO alarm testing.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)

30 TAC Chapter 335, SubChapter H 335.221

30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to change HRA values for operating parameters for extended periods to show accurate data.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(2)(iii)

Description: Failure to identify an oxygen correction in the Startup, Shutdown, and Malfunction (SSM) Plan for the HWC MACT.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to determine and document the maximum amount of constituents that could enter the Thermal Oxidizer via the various non-waste sources and programmed this information so that this contribution is accounted for in the feed rate determinations.

Viol. Classification: Moderate

Citation: 4F TWC Chapter 63, SubChapter A 63.109

Description: Failure to use One Minute Averages (OMAs) instead of Minute Rolling Averages (MRAs) to determine Hourly Rolling Averages (HRAs) for at least the following parameters- HCl Production, Ejector Venturi Feed Pressure, Demister pH, and D-30 Blowdown.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract OMA and HRA operating data for the After Burner Chamber (ABC) temperature and Scrubber Tower pump amperage.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to update HRA values for various operating parameters for extended periods of time.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.345(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to monitor the flow meter's performance.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203(a)(3)

Description: Failure to properly convert OMA readings from the carbon monoxide CEMS system to 10000 ppmv when the 3000 ppmv span is exceeded.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)  
30 TAC Chapter 305, SubChapter F 305.127(2)

Description: Failure to verify compliance with RCRA permits requirements for annual feed rate limits.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 270, SubChapter I, PT 270, SubPT C 270.30(l)(1)

Description: Failure to modify the RCRA permit to correct the discrepancies concerning the arrangement and size of the vent spargers in the Afterburner Chamber.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to include feed rates of constituents in the process vents, tank vents and supplemental fuels identified in Table V.I.3 of the permit and HWC MACT Table 2 Documentation of Compliance for this unit.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to include quantities of solid waste from the pack-line in the Total Hazardous Waste calculations.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to review and update the Operation and Maintenance Plan in 2007.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to disclose summary information associated with 10 malfunction events in 60 days in the January 2009 HWC MACT periodic report.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to calibrate flow meter.

Notice of Intent Date: 03/24/2009 (742462)  
No DOV Associated

Notice of Intent Date: 03/30/2009 (742456)  
No DOV Associated

Notice of Intent Date: 04/13/2009 (744897)  
Disclosure Date: 06/08/2009  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to maintain documentation demonstrating that the caustic scrubber is designed with no less than 99 percent removal efficiency for hydrogen chloride and 99.98 percent for bromine.

Notice of Intent Date: 05/04/2009 (746990)  
Disclosure Date: 05/04/2010  
Viol. Classification: Moderate  
Rqmt Prov: PERMIT Title V Permit No. O-01388  
PERMIT Title V Permit No. O-02204

PERMIT Title V Permit No. O-02207  
PERMIT Title V Permit No. O-02208  
PERMIT Title V Permit No. O-02211  
PERMIT Title V Permit No. O-02212  
PERMIT Title V Permit No. O-02213  
PERMIT Title V Permit No. O-02215  
PERMIT Title V Permit No. O-02216  
PERMIT Title V Permit No. O-02217  
PERMIT Title V Permit No. O-02218

Description: Failure to identify RMP Chemicals in the Risk Management Plan.  
Viol. Classification: Moderate

Rqmt Prov: PERMIT Title V Permit No. O-02207  
PERMIT Title V Permit No. O-02209  
PERMIT Title V Permit No. O-02211  
PERMIT Title V Permit No. O-02213

Description: Failure to update RMP to document new Toxic Alternative case modeling scenario (Release Scenario) and new Flammable Worst Case modeling scenario when RMP chemicals were modeled.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT Title V Permit No. O-02208  
PERMIT Title V Permit No. O-02210  
PERMIT Title V Permit No. O-02216  
PERMIT Title V Permit No. O-02217  
PERMIT Title V Permit No. O-02219

Description: Failure to identify process containing RMP chemicals.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Rqmt Prov: PERMIT Title V Permit No. O-02215  
PERMIT Title V Permit No. O-02221

Description: Failure to identify RMP release events in the five year history.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Rqmt Prov: PERMIT Title V Permit No. O-02213

Description: Failure to audit cover process, LHC Distribution, every 3 years.

Notice of Intent Date: 05/13/2009 (746992)  
No DOV Associated

Notice of Intent Date: 05/22/2009 (764971)  
Disclosure Date: 12/15/2009  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
Description: Failure to register on-site waste management units.

Notice of Intent Date: 05/28/2009 (759316)  
No DOV Associated

Notice of Intent Date: 06/08/2009 (760155)  
No DOV Associated

Notice of Intent Date: 06/12/2009 (762770)  
No DOV Associated

Notice of Intent Date: 06/17/2009 (761059)  
No DOV Associated

Notice of Intent Date: 06/29/2009 (761341)  
No DOV Associated

Notice of Intent Date: 07/02/2009 (762286)  
Disclosure Date: 10/26/2009  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter C 115.213  
Rqmt Prov: PERMIT Standard Conditions

Description: Failure to ensure that materials containing volatile organic compounds with a true vapor pressure greater than or equal to 0.5 psia under actual storage conditions are not being transferred from a dempster into an Iso-container that is vented to atmosphere and to ensure that a loading control plan for the site and an updated report are submitted to TCEQ within 30 days after installation of the additional loading rack.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PERMIT Special Conditions

Description: Failure to monitor 4,555 fugitive connectors at least once out of 5,773 fugitive connectors. The other 1,218 have been monitored at least once, but have missed monitoring for various time periods.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PA Special Conditions

Description: Failure to maintain records of the March 31, 2008 quarterly cylinder gas audit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

Description: Failure to ensure the current Title V permit (O-02207) and application contain information pertaining to the applicability or exemption status for batch processes under 30 TAC 115.160-169 (Subchapter B, division 6). Process vents associated with B52 are identified as being subject to Reg 5 vent Gas Control Requirements under SubchapterB, Division 2.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to re-monitor and report the repair of a leaking valve and relief valve on the Title V deviation report for the period of October 19, 2007 through April 18, 2008. The fugitive re-monitoring was completed one day late.

Notice of Intent Date: 07/02/2009 (762304)

No DOV Associated

Notice of Intent Date: 07/13/2009 (763446)

Disclosure Date: 07/13/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Special Conditions 2F and 2M

Description: There were 2 valves and 12 connectors within the B-5200 truck loading rack in acetone service that have not been monitored as required under the air permit for 28MID and 28CNTQ.

Notice of Intent Date: 07/17/2009 (764099)

Disclosure Date: 10/01/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

Description: Failure to include the lab waste dempster, DTA-1, in the current fugitive monitoring program.

Notice of Intent Date: 07/16/2009 (764103)

No DOV Associated

Notice of Intent Date: 07/16/2009 (974995)

No DOV Associated

Notice of Intent Date: 07/23/2009 (764096)

Disclosure Date: 07/26/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failure to label and/or dispose of containers and drums.

Notice of Intent Date: 07/22/2009 (764098)

Disclosure Date: 09/16/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Condition 7(h)

Description: Failure to continuously record all monitoring data. Specifically, a loss of recorded data was observed in the F-210, FTB-603, and the B-901/902/903 operating records.

Notice of Intent Date: 07/28/2009 (764976)

Disclosure Date: 08/02/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.1

Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000  
Description: Failure to reflect the current analytical personnel that could perform regulated analyses to support the site Texas Pollutant Discharge Elimination System Permit.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)(1)  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to keep correct and required information for waste manifests.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.72(d)(1)  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to locate manifest to determine the disposition of four rejected waste drums.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to dispose waste containers that were past the permitted accumulation date.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.67  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to adequately label containers.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter T 106.452

Description: Failure to document how emissions from a grit blaster located in the landfill maintenance area are authorized.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175

Description: Failure to store a pallet of 4 drums of closed, labeled ferric sulfate residue wastes in proper location.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Rqmt Prov: PERMIT HW 50161-001Permit

Description: Failure to properly label and store a drum of methylene chloride.  
Viol. Classification: Moderate  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label a partially full drum of clean sawdust located within a satellite container storage area.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.54(d)

Description: Failure to update personnel list in the Waste Water Treatment Plant RCRA Contingency Plan.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT C 265.35

Description: Failure to store hazardous waste containers with the required storage space between containers to facilitate required inspections.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.173  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to store four drums of hazardous waste in designated storage area. One of four hazardous drums was uncovered.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label waste trailer in the <90 day container storage area with accumulation start date.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to list container storage areas in the facility's notice of registration.  
Viol. Classification: Moderate  
Rqmt Prov: PERMIT HW 50601-001 Permit

Description: Failure to properly store waste containers in satellite accumulation area.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)

Description: Failure to communicate expectation of legible signature on all compliance documents to all Environmental Operations personnel.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(a)  
40 CFR Part 63, Subpart H 63.163  
40 CFR Part 63, Subpart H 63.164  
40 CFR Part 63, Subpart H 63.165  
40 CFR Part 63, Subpart H 63.166  
40 CFR Part 63, Subpart H 63.167  
40 CFR Part 63, Subpart H 63.168  
40 CFR Part 63, Subpart H 63.169  
40 CFR Part 63, Subpart H 63.170  
40 CFR Part 63, Subpart H 63.171  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172  
40 CFR Part 63, Subpart H 63.173  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)

Rqmt Prov: PERMIT HW #50161-001 X.B.2.g.  
PERMIT NSR permit #46428 SC#6

Description: Failure to meet leak detection requirements for 181 valves, 910 connectors, 5 pumps, 15 pressure relief devices and 7 agitators throughout the B33, B34, B35 process areas.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000

Description: Failure to conduct 10 of 13 weekly visual inspections on the correct day as required by the Storm Water Pollution Prevention Plan for Chlorine 7 project.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES permit No. WQ0000007000

Description: Failure to update the erosion controls drawing in the Storm Water Pollution Prevention Plan for the Chlorine 7 project and the revision sheet with amended Drainage Ditch Plan.

Notice of Intent Date: 07/30/2009 (765501)

Disclosure Date: 08/25/2010

Viol. Classification: Moderate

Citation: 40 CFR Part 63, Subpart OO 63.904

Description: Water scrubbers S-1000 and S-1 are not able to maintain the minimum pH as established during a performance test.

Notice of Intent Date: 08/21/2009 (762243)

No DOV Associated

Notice of Intent Date: 08/26/2009 (776290)

No DOV Associated

Notice of Intent Date: 09/01/2009 (776285)

Disclosure Date: 09/18/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

Rqmt Prov: PERMIT Operating Permit O-02204

Description: Failure to document visible emission observations of stationary source OC5U5GE500 (FIN) since the Title V permit was issued on February 28, 2005.

Notice of Intent Date: 09/08/2009 (776284)

No DOV Associated

Notice of Intent Date: 09/14/2009 (777729)

Disclosure Date: 05/12/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Special Condition No. 3

Description: Failure to perform or document visible emission observations of the following stationary sources: A12SIGE12; B1SIGE13; B12SIGE12; B2SIGE280; OC7SIGE704.

Notice of Intent Date: 10/02/2009 (779123)  
No DOV Associated

Notice of Intent Date: 10/07/2009 (782753)  
No DOV Associated

Notice of Intent Date: 10/07/2009 (782760)

Disclosure Date: 10/11/2010

Viol. Classification: Moderate

Rqmt Prov: OP O-02202

OP O-02207

OP O-02211

OP O-02215

OP O-02216

OP O-02217

OP O-02220

Description: Failure to perform and/or document visible emission observations within various units at the Polyethylene 3, Polyethylene 4, Unit 2, Versene, Environmental Operations, Phenol/Acetone/Diphenyl Oxide, Marine/Terminal, and Voranol Plants.

Notice of Intent Date: 10/14/2009 (782924)

Disclosure Date: 02/04/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Tank V-615 is subject to 40 CFR 63 Subpart EEEE but it has not met the Subpart EEEE requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Condition 9

Description: Maintenance Startup and Shutdown special condition 9 of Permit Number 22072 have not been met due to safety concerns with sampling flows routed to a flare.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.226(1)

Description: Records of the identification number and date of the last leak testing of each tank-truck tank from which gasoline was transferred to the facility have not been kept for the required 5 year retention period.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Loading rack BSRSR1T1 is listed in the annual Reg 5 Loading Report as being subject to the overall 90% control plan for the site. However, this loading rack was not in the Title V permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)

Rqmt Prov: PERMIT Periodic Monitoring

Description: Inspection records did not contain all necessary information from the monthly visual inspections of the following cold solvent cleaners, BSRSRSC01 and BSRSRSC301.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Condition 5

Description: Failure to consistently utilize a VOC instrument detector to direct the repair of components subject to a 28MID LDAR condition.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Conditions 5&6

Description: 1529 connectors (including DTM connectors in ethylene service) were monitored annual instead of quarterly as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(A)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(B)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(C)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(D)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(E)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(F)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(G)

30 TAC Chapter 101, SubChapter F 101.201(b)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(J)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(K)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(L)

Description: Records of non-reportable emission events did not include all information required by 30 TAC 101.201(b)(2).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213(b)(3)  
30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Failure to update the site VOC Loading control plan when the TVP of the material loaded at Load Rack BSRSLR615 rose above 0.5 psia.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.136  
30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failure to maintain documentation to demonstrate the separator D-626 was in compliance with control criteria in Ch. 115 for VOC/Water Separators.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Rqmt Prov: PERMIT Special Condition III

Description: A dry abrasive cleaner system authorized by PBR 106.452 was not represented in the Title V permit O-02212 and was not observed for quarterly visible emissions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)

Description: Failure to comply with the monitoring plan for a pressure relief device on C-20 compressor.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Quarterly inspections of the pressure relief valves on C-20 and associated monitoring systems were not performed.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)

Description: An extraordinary repair attempt was not made before placing HRVOC components on delay of repair, and there was not documentation of a safety, mechanical or environmental justification.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(c)(3)(ii)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)

Description: The annual report required by paragraph 61.357(d)(2) did not include V-6 15 waste material in a table which identified each waste stream that was chosen for exemption. The table also recorded the total annual benzene quantity in each of those exempted streams.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)

Description: Failure to include a notice with each off-site waste shipment to notify the receiver that the material contained benzene.

Viol. Classification: Moderate

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

Description: Did not generate and maintain engineering calculations for the carbon adsorption system used to comply with Benzene FF.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.121

Description: While a monitoring plan for groundwater exists, it did not reflect the methane aeration system and updated with other requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 285, SubChapter D 285.34(e)

Description: Based on the licensed plumber assessments, the holding tanks do not meet the requirements as specified in 30 TAC 285.

Viol. Classification: Moderate

Rqmt Prov: PERMIT TPDES WQ004439000 Condition 5

Description: Inspections to determine effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Best Management Practices and Employee Training Program were not completed quarterly.

Viol. Classification: Moderate

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

Description: Salt Dome Operations has not provided TCEQ with an annual written list of all the operators and operating

companies that the public water system employees.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: The flow measuring devices and rate of flow controllers were not calibrated every 12 months and well meters were not calibrated every three years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(b)(1)

Description: The ground storage tank used to aerate methane is not located 500 feet or more away from any land that is spray irrigated with treated sewage effluent or sludge disposal.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)

30 TAC Chapter 290, SubChapter D 290.43(c)(3)

Description: The ground storage tanks used for methane aeration for both PWS ID 0200530 and 0200534 do not have overflows as required nor proper openings.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to inspect the potable water system tanks according to all of the requirements in 30 TAC 290.46(m)(1)(A-C).

Notice of Intent Date: 10/27/2009 (748465)

No DOV Associated

Notice of Intent Date: 11/10/2009 (794164)

No DOV Associated

Notice of Intent Date: 11/13/2009 (794815)

Disclosure Date: 11/03/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to properly manage and dispose of hazardous waste containers.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT A 273.1

Description: Failure to properly label and store universal waste. Specifically, waste fluorescent light bulbs were found in the Maintenance buildings. The bulbs were not in closed containment or labeled appropriately with the universal waste label.

Notice of Intent Date: 11/20/2009 (794361)

Disclosure Date: 11/19/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73

Description: Failure to properly maintain mechanical integrity of instruments.

Notice of Intent Date: 11/24/2009 (794384)

Disclosure Date: 11/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT Special Condition 1

Description: Failure to obtain the proper authorizations for site emissions. Specifically, emissions from the M-3 finishing column to the seal leg are not authorized by TCEQ NSR Air Permit No. 5339.

Notice of Intent Date: 12/04/2009 (787544)

No DOV Associated

Notice of Intent Date: 01/14/2010 (794380)

Disclosure Date: 09/13/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.243-2(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to identify 130 valves and 347 connectors that were not monitored under a prescribed Lead Detection and Repair Program.

Notice of Intent Date: 01/18/2010 (794383)

No DOV Associated

Notice of Intent Date: 02/05/2010 (797639)

No DOV Associated

Notice of Intent Date: 02/16/2010 (797641)

No DOV Associated

Notice of Intent Date: 02/18/2010 (797644)

No DOV Associated

Notice of Intent Date: 02/19/2010 (797657)

No DOV Associated

Notice of Intent Date: 02/19/2010 (797662)

No DOV Associated

Notice of Intent Date: 03/01/2010 (798594)

No DOV Associated

Notice of Intent Date: 03/12/2010 (798597)

Disclosure Date: 07/09/2010

Viol. Classification: Major

Citation: 30 TAC Chapter 335, SubChapter F 335.151

Rqmt Prov: PERMIT Section IV Part B Subsection 3(f)

Description: Failure to properly dispose of medical waste according to Hazardous Waste Permit 50161.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.16(c)

Description: Failure for all employees to complete training.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to remove all items that should be removed from the NOR.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to have all weekly inspections of less than 90 day container storage areas.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.195(c)

Description: Failure to provide all daily inspections of hazardous waste storage tanks.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.151

Rqmt Prov: PERMIT Section V.A.B. Container Storage areas

Description: Failure to remove stored hazardous waste from a permitted storage area after 1 year.

Viol. Classification: Minor

Citation: 40 CFR Chapter 271, SubChapter I, PT 271, SubPT A 271.16(e)

Description: Failure to keep training records for all employees for the life of the facility plus 5 years.

Notice of Intent Date: 03/09/2010 (798600)

No DOV Associated

Notice of Intent Date: 03/08/2010 (798627)

No DOV Associated

Notice of Intent Date: 03/12/2010 (798632)

No DOV Associated

Notice of Intent Date: 03/15/2010 (798500)

Disclosure Date: 02/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

Description: Failed to operate plant scrubber D-27 with less than permitted efficiency when treating a vent from an activity authorized by permit by rule. One of the vent pipelines from this activity was incorrectly attached to the scrubber such that vent gas from this pipeline did not fully contact the scrubbing medium as intended by the design.

Notice of Intent Date: 03/26/2010 (800833)

No DOV Associated

Notice of Intent Date: 03/25/2010 (944780)

Disclosure Date: 03/29/2011  
Viol. Classification: Minor  
Rqmt Prov: PERMIT Special Condition 8E and 8G  
Description: Failure to consistently record the date and time of the audio/visual/olfactory inspections for components in heavy liquid VOC service.  
Viol. Classification: Minor  
Rqmt Prov: PERMIT Special Condition 8G  
Description: Failure to include the monthly summary record for Tank D-108 within the monthly emission record for all storage tanks and loading operations.

Notice of Intent Date: 03/31/2010 (800749)  
No DOV Associated

Notice of Intent Date: 04/05/2010 (800702)  
No DOV Associated

Notice of Intent Date: 04/16/2010 (800774)  
Disclosure Date: 04/12/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter H 115.781(b)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)  
Rqmt Prov: PERMIT Special Condition 5  
Description: Failure to conduct monitoring under a prescribed leak detection and repair program for 57 valves and 211 connectors.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)  
Description: Failure to submit Annual Certification of Federal Operating Permit O-02212 for the time period beginning July 7, 2009 and ending August 4, 2009.

Notice of Intent Date: 04/15/2010 (800792)  
No DOV Associated

Notice of Intent Date: 04/19/2010 (800794)  
Disclosure Date: 04/25/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
Rqmt Prov: PERMIT S.C. 13  
OP S.C. 20  
Description: Failure to maintain appropriate control devices to prevent unauthorized emissions from control valves.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT S.C. 17

Description: Failure to document stack sampling and other testing required to demonstrate compliance with NOx emission limits.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.116  
Description: Failure to provide a complete VOC speciation in the permit application for the thermal heat recovery oxidizer (EPN A16S1).

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Part 63, Subpart H 63.168  
40 CFR Part 63, Subpart H 63.174  
Rqmt Prov: PERMIT S.C 12  
PERMIT S.C. 13

Description: Failure to include 36 valves, 156 connectors and 3 relief valves to the fugitive monitoring program as part of a prescribed Leak Detection and Repair Program and failure to monitor these components.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Description: Failure to maintain the Notice of Registration (NOR), specifically, not all items that should be removed from the NOR have been removed.

Notice of Intent Date: 04/26/2010 (826936)

Disclosure Date: 03/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16B

Description: Failed to maintain records of the continuous fire box temperatures defined as 6 minute data for the thermal oxidizers.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16C3

Description: Failed to keep records of continuous vent flow rates and analyzer excess oxygen levels, as defined as 6 minute data, for the thermal oxidizers.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)

30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failed to locate the monitoring plan for Pressure Safety Valves in HRVOC service. No evidence of performance of the quarterly inspections for Pressure Safety Valves in HRVOC service was available.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(1)

Description: Failed to produce documentation authorizing four diesel engines and four associated diesel tanks. Engine FINS: OC5U5GE500, OC1U1GE12, OC1U1GE500, A70ECGE503. Associated Diesel Tank FINS: OC5U5ST500, OC1U1ST12, OC1I1ST500, A70ECST503.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2343(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2396(e)(2)

Description: Failed to identify one unloading operation in the original Notice of Compliance Status for the Organic Liquids Distribution (OLD) MACT. The EDC/VCM Unit 1 facility was not identified in the OLD MACT.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 19041, SC 20

PERMIT NSR Permit No. 941, SC 5

Description: Failed to monitor a total of nine fugitive components: OC5FU1 (one component), OC5FU2 (4 components), OC5FU7 (1 component), OC5FU4 (3 components).

Notice of Intent Date: 04/26/2010 (826940)

No DOV Associated

Notice of Intent Date: 05/03/2010 (826921)

No DOV Associated

Notice of Intent Date: 05/07/2010 (826930)

No DOV Associated

Notice of Intent Date: 05/04/2010 (826948)

Disclosure Date: 10/25/2010

Viol. Classification: Moderate

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

Description: Failure to conduct annual Method 21 monitoring of two connectors in Light Liquid service due to incorrect classification as Difficult to Monitor.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)

Description: Failure to ensure the carbon monoxide hourly rolling average (CO HRA) does not exceed the 100 parts per million (ppm) limit while hazardous waste is in the combustion chamber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

Description: Failure to ensure hazardous waste is not introduced into the combustion chamber while the CO HRA is above the 100 ppm limit.

Notice of Intent Date: 05/13/2010 (826950)

Disclosure Date: 11/12/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(v)

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: The manual disinfectant residual analyzers have not been checked with standard solutions and calibration records for manual disinfectant residual analyzer, continuous residual analyzer, and well meter calibration records have not been maintained. Plant A, Plant B, and Stratton Ridge (Salt Domes 3,4,7,8,9).

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)  
Description: The ground storage and pressure tanks have not been inspected according to all 30TAC290.46(m)(1) required items in annual storage tank inspections. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)  
Description: Flow data has not been accurately recorded for 2008-2010 to reflect the information specified in TCEQ monthly operating report form 0811. At Stratton Ridge, daily flow rates have been recorded; however, information has not been recorded in format similar to the GW-MOR, TCEQ form 0811. Plant A, Plant B, and Stratton Ridge (Salt Domes 3,4,7,8,9).

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(ii)  
Description: Some chemical analyses results have not been maintained for the 10 year retention period. Plant A, Plant B, Oyster Creek, and Stratton Ridge (Salt Domes 3,4,7,8,9). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(iii)  
Description: Records of previous TCEQ inspections/sanitary surveys have not been maintained. Plant A, Plant B, Oyster Creek, and Stratton Ridge (Salt Domes 3,4,7,8,9). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.121  
Description: The monitoring plan has not been updated to reflect conversion from surface water to purchased water/groundwater system and conversion to chloramines. The monitoring plan does not contain all information required by 30TAC290.121. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)  
Description: Plant A: Wells #2 and #18 sealing blocks were not constructed to extend 3 feet from casing in all directions. Well #2 was constructed in 1940 and well #18 was constructed in 1950. Plant B: Well #I sealing block was not constructed to extend 3 feet from casing in all directions. Well #I was constructed in 1942.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)  
30 TAC Chapter 290, SubChapter D 290.42(m)  
Description: Security fencing not constructed as required. Plant A: Security fencing was not constructed at wells #2 and #18. Plant B: Security fencing was not constructed at well #I. Oyster Creek: Security fencing was not constructed at five water wells (#23, #24, #26, #27, and #28). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(I)  
Description: An Operations Manual has not been maintained in accordance with 30TAC290.42(I). Plant A and B.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)  
Description: Security fencing not constructed as required. (Plant A) Security fencing was not constructed at pressure tank V A-2508. (Oyster Creek) Security fencing was not constructed at two treatment/storage tank areas (TK-1909 and TK-VIA). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)  
Description: An annual list of operators has not been provided to the TCEQ. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)  
30 TAC Chapter 290, SubChapter D 290.46(u)  
Description: Abandoned wells for Plant A, Plant B, and Oyster Creek. Historical documents show wells classified as unknown. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(m)(2)  
Description: For Plant B only: Complete analytical records of lead/copper sampling were not maintained.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)  
Description: For Stratton Ridge (Salt Domes 3,4,7,8,9) only: Bleach container was not completely covered at top near pump suction for system 0200531.

Notice of Intent Date: 05/26/2010 (826923)  
Disclosure Date: 05/05/2011  
Viol. Classification: Moderate  
Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Rqmt Prov: PERMIT Special Condition 1

Description: Failure to meet the hourly rate and yearly emission limits for additive vessels V411 and V412 as listed in the Maximum Allowable Emission Rates Table.

Notice of Intent Date: 06/01/2010 (826916)  
No DOV Associated

Notice of Intent Date: 06/03/2010 (846000)  
Disclosure Date: 06/08/2011

Viol. Classification: Minor

Rqmt Prov: PERMIT NSR Permit Special condition I-13

Description: Failure to complete MSS recordkeeping for EPN B52MSS1 EPN B39MSS1.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR General Condition 2 and 40 CFR 63

Description: Failure to monitor 26 components, which is approximately 0.05% of total components subject to fugitive monitoring.

Notice of Intent Date: 06/10/2010 (827965)  
No DOV Associated

Notice of Intent Date: 06/24/2010 (841010)  
No DOV Associated

Notice of Intent Date: 07/12/2010 (841127)  
No DOV Associated

Notice of Intent Date: 07/23/2010 (843903)  
Disclosure Date: 06/22/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)(2)

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 61 Subpart FF (NESHAP FF) that were sent off-site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter A 115.10

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 63 Subpart XX (as referenced by 40 CFR 63 YY (Ethylene MACT)) that were sent off-site.

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1100

Description: Failure to submit a certification letter to TCEQ stating that the Texas Operations Kiln will receive and treat waste subject to 40 CFR 63 Subpart XX [as referenced by 40 CFR 63 Subpart YY(Ethylene MACT)] in accordance with the applicable requirements.

Notice of Intent Date: 07/28/2010 (848864)  
No DOV Associated

Notice of Intent Date: 07/29/2010 (848881)  
Disclosure Date: 02/24/2011

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 14

Description: Failure to ensure adequate monitoring of carbon canisters. Specifically, 16 of 20 monthly carbon canister analyses performed to determine breakthrough of the initial carbon canister showed elevated levels of VOC. This is being reported as an exceedance of the MAERT limit for the EPN B15CBM3.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter A 115.10

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162

Rqmt Prov: PERMIT Special Conditions 8&9

Description: Failure to monitor all valves and connectors under a prescribed Leak Detection and Repair Program.

Notice of Intent Date: 08/04/2010 (849288)  
No DOV Associated

Notice of Intent Date: 08/04/2010 (849315)  
Disclosure Date: 08/03/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT Special Condition 17  
PERMIT Special Condition I-12

Description: Failure to prevent emissions from EPG Process Tank D-753.

Notice of Intent Date: 08/12/2010 (860736)

Disclosure Date: 07/15/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6

Description: Failure to include Sumps containing waste water in the RCRA Notice of Registration.

Notice of Intent Date: 08/13/2010 (860742)

Disclosure Date: 10/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(i)

Rqmt Prov: PERMIT HW-050161-001

PERMIT Permit O--2208

Description: Process control code allowed AWFCO logic to be disabled when waste feeds were manually ramped off.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(B)

Rqmt Prov: PERMIT HW-50161-001

PERMIT Title V Permit

Description: Failure to properly update the process control code which resulted in MRA and HRA calculations to be zeroed when hazardous waste feeds were off the boiler. This also resulted in HRA calculations that were incorrect for the first 59 minutes after hazardous waste was introduced back into the combustion unit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(B)

Description: Failure to properly update the process control code which resulted in MRA and HRA calculations to be set equal to the instantaneous instrument reading when hazardous waste feeds were off the boiler. This also resulted in HRA calculations that were incorrect for the first 59 minutes after hazardous waste was introduced back into the combustion unit.

Notice of Intent Date: 08/13/2010 (860747)

Disclosure Date: 10/26/2010

Viol. Classification: Moderate

Citation: 40 CFR Part 60, Subpart VV 60.482-10

40 CFR Part 60, Subpart VV 60.482-2

40 CFR Part 60, Subpart VV 60.482-4

Rqmt Prov: PERMIT Special Condition 11

PERMIT Special Condition 3 and 4A

Description: Failure to properly maintain records. Specifically, records were not maintained for inspection of the pressure relief valves and monitoring systems; records for the AVO inspection of pumps, agitator seals and connectors; and records for the visual inspection of the closed vent system hammer blind and car seal.

Notice of Intent Date: 08/10/2010 (860754)

Disclosure Date: 10/05/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)

30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)

30 TAC Chapter 115, SubChapter H 115.781(e)

- Description: Failed to adequately keep records: 1. Recordable emission event records were incomplete. 2. Continuous monitoring records were not being maintained for the B4010 S910 TOX during 2007 and 2008. 3. Records of weekly pump, compressor, and agitator seal inspections were not being maintained.
- Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)
- Description: Failed to apply extraordinary repair requirements for valves in HRVOC service prior to placing HRVOC valves in Delay of Repair.
- Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)
- Description: Failed to place one connector on Delay of Repair without documenting a first attempt to repair.
- Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)
- Description: Failed to maintain documentation. Documentation of HRVOC vent gas compliance demonstration for the B4010 S910 TOX was not maintained.
- Viol. Classification: Major  
Citation: 30 TAC Chapter 106, SubChapter A 106.4  
30 TAC Chapter 106, SubChapter A 106.8(c)(1)
- Description: Documentation of permit by rule claim was missing for vessel D-611.
- Notice of Intent Date: 08/10/2010 (863643)  
No DOV Associated
- Notice of Intent Date: 08/23/2010 (860731)  
Disclosure Date: 09/13/2010  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)
- Description: Failed to submit NSPS RRR semiannual reports after the October 2005 report. Dow relied on 40 CFR 63 Subpart YY to supercede NSPS RRR. Ethylene MACT does not supercede NSPS RRR for vent gas streams routed to a fuel gas system.
- Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.700(c)(5)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(r)
- Description: Failed to submit a process design description for vent gas streams, as part of the initial report, as required by 40 CFR 60.700(c)(5) and 60.705(r). The vent gas streams from affected facilities are routed to distillation unit(s) that are subject to NSPS NNN and have no other releases to air except for pressure relief valves.
- Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
- Description: Failed to submit NSPS NNN initial notifications or semiannual reports for any of the distillation units at LHC-8.
- Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(3)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)
- Description: Failed to supply accurate information with the Title V application for determination of the NSPS NNN applicable requirements for these units: distillation units, LHC-8 furnaces and flares FS-1, FS-1018 and FX-1000.
- Viol. Classification: Minor  
Citation: 40 CFR Part 60, Subpart NNN 60.662  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.662(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)
- Description: Failed to run performance tests within the specified timeframe and/or run performance tests under maximum production rates
- Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(b)(2)(i)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)
- Description: Failed to implement NSPS RRR. This includes, but is not limited to the following requirements: 1. No

notification was submitted for the date construction commenced or for initial startup. 2. No notification was submitted in accordance with 40 CFR 60.705(a) indicating which of the specific provisions of 40 CFR 60.702 (a), (b), or (c) were being followed. 3. No report was initially submitted in accordance with 40 CFR 60.705(b)(2)(i) describing the location at which the vent stream is...

Notice of Intent Date: 08/23/2010 (863510)  
No DOV Associated

Notice of Intent Date: 08/30/2010 (870180)  
Disclosure Date: 10/26/2010  
Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT Special Condition 1  
PERMIT Special Condition 11

Description: Failure to maintain compliance with the annual throughput of solvent mixture loaded in the tank trucks.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT Sepcial Condition 1  
PERMIT Special Condition 11

Description: Failure to maintain compliance with the annual throughput of solvent tanks T-16A.

Notice of Intent Date: 08/30/2010 (870184)  
No DOV Associated

Notice of Intent Date: 09/10/2010 (870173)  
Disclosure Date: 04/21/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
40 CFR Part 63, Subpart H 63.165  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)(2)  
Rqmt Prov: PERMIT HW50161, Section X  
PERMIT NSR Permit No. 20909  
PERMIT NSR Permit No. 313  
PERMIT NSR Permit No. 46428  
PERMIT Title V Permit No. O2211

Description: Failed to include some pressure relief devices in the fugitive monitoring program: 1 at the B-35 Wastewater Treatment Plant, 6 at the B-3400 SOHO/FTO, 2 at the B-8 Thermal Oxidizer, and 6 at the B-33 Kiln.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(d)(4)  
Rqmt Prov: PERMIT Title V Permit No. O2211

Description: Failed to provide records of inspections on pressure relief devices for the B-34 SOHO and B-33 Kiln areas.

Notice of Intent Date: 09/17/2010 (870168)  
No DOV Associated

Notice of Intent Date: 09/14/2010 (870178)  
Disclosure Date: 04/24/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter D 115.354(11)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 115, SubChapter D 115.354(3)  
30 TAC Chapter 115, SubChapter H 115.781(b)(3)  
30 TAC Chapter 115, SubChapter H 115.781(b)(8)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iv)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(v)

Rqmt Prov: PERMIT Special Condition 2, 28 MID F&I  
PERMIT Special Condition 2, 28 MID(G)  
PERMIT Special Condition 2, 28 MID(H)

Description: Failure to monitor or/and report 668 Connectors, 3 Pumps, 210 Valves and 2 Relief Devices or include the emission calculations beginning January 9, 1998.

Notice of Intent Date: 09/29/2010 (870187)

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)  
30 TAC Chapter 115, SubChapter E 115.412(1)(B)  
30 TAC Chapter 115, SubChapter E 115.412(1)(C)  
30 TAC Chapter 115, SubChapter E 115.412(1)(D)  
30 TAC Chapter 115, SubChapter E 115.412(1)(E)  
30 TAC Chapter 115, SubChapter E 115.412(1)(F)

Description: Failure to complete or document the visual monthly inspections of the solvent degreaser (FIN: B1RRSC127) located at B-127.

Notice of Intent Date: 10/04/2010 (873276)

Disclosure Date: 02/07/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)

Description: Failed to keep general and specific equipment identification records for fugitives, as required.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)(5)(iii)

Description: Failed to submit engineering calculations, for process vent emissions occurring from R-505 during startup, shutdown, and malfunction that are controlled by the FS-1 Flare, to substantiate that the flare meets the applicable heat content or flow rates during worst case conditions (e.g. - maximum operating conditions). The other option, to submit data from a compliance assessment that the flare is in compliance under worst case conditions, was also not submitted.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)(5)(i)

Description: Failed to designate specific components in > 5% HCN service (for more than 300 hours per year) as never being safe to monitor with the Notification of Compliance Status, and is not currently monitoring such equipment. Did not certify that monitoring such equipment at any time the CCMPU is operating is never safe.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(f)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(b)

Description: Failed to submit the Notification of Compliance Status for 40 CFR 63 Subpart YY by the earlier of 240 days after the compliance date or 60 days after completion of the initial performance test or initial compliance assessment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(f)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(c)

Description: Failed to submit Periodic Reports for 40 CFR 63 Subpart YY (and the referenced subparts SS/UU). The first Periodic Report was due November 30, 2006 for the period March 9, 2006 - September 30, 2006.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1111(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(ii)

Description: Relative to the R-505 diversion to FS-1 during Startup, Shutdown and Maintenance (SSM) scenarios, failed to produce the SSM Plan and corresponding SSM records for Cyanide MACT purposes prior to the MON compliance date (e.g. between July 12, 2005 - May 10, 2008).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1109(d)

Description: Failed to maintain records containing information developed and used to assess control applicability under 40 CFR 63.1103 (e.g. combined total annual emissions of regulated organic HAP).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1106(b)

Description: Maintenance wastewater plan was unavailable prior to MON compliance date. The current maintenance wastewater plan for MON is possibly insufficient to cover all maintenance wastewater activates associated with the Cyanide MACT process.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Failed to include 40 CFR 63 Subpart YY as an applicable regulation in the Title V Permit No. O-02220. The permit shield indicates that the process unit is not a cyanide chemical manufacturing source per 40 CFR 63.1103(g)(2).

Notice of Intent Date: 10/07/2010 (873323)

Disclosure Date: 01/24/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)

Description: Failed to conduct performance testing on two flares at the time the Polypropylene 1 Plant was first started up, as required by 40 CFR § 60.8(a).

Notice of Intent Date: 10/15/2010 (873268)

Disclosure Date: 10/25/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

Rqmt Prov: OP S.C. 1 Applicable Requirements Summary

Description: Failure to comply with a general condition of the Facility's Title V permit.

Notice of Intent Date: 10/22/2010 (873272)

No DOV Associated

Notice of Intent Date: 10/22/2010 (873274)

Disclosure Date: 04/12/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347

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

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.

Viol. Classification: Moderate

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

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310  
30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.  
Disclosure Date: 04/13/2011  
Viol. Classification: Minor  
Citation: 4F TWC Chapter 63, SubChapter A 63.181  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.310  
30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.  
Disclosure Date: 10/25/2011  
Viol. Classification: Minor  
Citation: 4F TWC Chapter 63, SubChapter A 63.181  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.  
Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.

Viol. Classification: Moderate

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

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310

30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.

Notice of Intent Date: 10/27/2010 (870231)

No DOV Associated

Notice of Intent Date: 11/05/2010 (878610)

Disclosure Date: 11/07/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.355(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1063

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)(3)

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(3)

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

Rqmt Prov: PERMIT Special Conditions No. 13F

OP Special Terms and Conditions No. 6

Description: Failed to conduct daily calibrations. Specifically, fugitive components authorized by multiple NSR permits did not meet the requirements of Method 21 since daily calibrations were not conducted on 36 occasions between January 3, 2008 and December 10, 2010.

Notice of Intent Date: 12/03/2010 (899188)

Disclosure Date: 12/12/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.32

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173

Description: Failure to properly label and store hazardous waste containers in designated hazardous waste storage areas.

Notice of Intent Date: 12/13/2010 (899196)

Disclosure Date: 05/19/2011

Viol. Classification: Moderate

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

Rqmt Prov: OP Special Condition 17  
PERMIT Special Condition 18

Description: Failure to maintain records. Specifically, records of pressure test results of tank trucks used to load methylene chloride were not being kept. Without records to verify compliance, it is assumed that some if not all of the tests were not done.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(2)

Rqmt Prov: OP Signature Page

Description: Failure to submit a permit revision application. A grit blaster was authorized under PBR 106.452 in August 2010 but a revision to the Title V permit to include it (Off-Permit Notifications or Minor Revision) was not submitted to TCEQ.

Notice of Intent Date: 01/04/2011 (892639)

No DOV Associated

Notice of Intent Date: 01/07/2011 (899198)

Disclosure Date: 10/24/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Rqmt Prov: OP Special Condition 11

PERMIT Special Condition 8

Description: Failure to include one connector and inaccurately identify six connectors in the monitoring program as required by the NSR permit and 30 TAC 115.781.

Notice of Intent Date: 01/12/2011 (899983)

Disclosure Date: 11/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)

Rqmt Prov: OP Periodic Monitoring

Description: Failure to maintain complete records for inspection of cold solvent cleaner B1MSC105A for the period of November 2009 to July 2010.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failure to maintain quarterly inspections on HRVOC monitoring system.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)

Description: Failure to meet recordkeeping requirement for the HRVOC vent gas stream.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.452

Description: Failure to maintain seven enclosed dry abrasive blasters according to the requirements of the permit by rule.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

30 TAC Chapter 117, SubChapter H 117.9020(2)(A)

Description: Failure to maintain records for runtime meter compliance for 2005-2008 for five (5) Emergency Engines.

Notice of Intent Date: 01/14/2011 (899984)

No DOV Associated

Notice of Intent Date: 01/21/2011 (899992)

No DOV Associated

Notice of Intent Date: 01/24/2011 (899996)

Disclosure Date: 04/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(2)(v)(A)(3)

Rqmt Prov: PERMIT Title V Permit No. O2211

Description: Discrepancies were discovered in the excess emissions report for sets of 10 exceedances of an emission standard or operating requirement while hazardous waste remained in the combustion chamber during a 60-day block period due to the time periods being reviewed for these events. 40 CFR 63.1206(c)(2)(v)(A)

(3)(ii) requires for each set of 10 exceedances of an emission standard or operating requirement while hazardous waste remains in the combustion chamber during a 60-day block period, to include

Notice of Intent Date: 01/24/2011 (900001)

Disclosure Date: 04/21/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No O2211

Description: Failed to have the person responsible sign computerized summaries of monitoring and inspection data (per X.B.I.2.i.3 of RCRA Permit HW -5016 as required by Title V permit 02211).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No. O2211

Description: Failed to take out of service or repair leaking equipment by the end of the next daylight shift, as required by X.B.I.2.h of RCRA Permit HW-50161 and by Title V permit 02211.

Notice of Intent Date: 02/03/2011 (900175)

No DOV Associated

Notice of Intent Date: 02/07/2011 (900178)

No DOV Associated

Notice of Intent Date: 02/10/2011 (900180)

No DOV Associated

Notice of Intent Date: 02/22/2011 (905410)

No DOV Associated

Notice of Intent Date: 02/21/2011 (905414)

Disclosure Date: 02/17/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: 318 Slaughter Road/Well No 40; 122 Slaughter Road/Well No 41; 3434 Austin Lane/Well No 39; 3504 Austin Lane/Well No 38; 3226 CR217/Well No 44; Tract 2-3/Well No 45; Tract 7Q/Well No 42; Lot 2A/Well No 28; and CR 217--SLRO/Well No 43.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hagerman Road Area: 801 Hagerman/Well No. 31; 719 Hagerman/Well No. 22-2; 735 Hagerman Well No. 21; 210 Hagerman/Well No. 18; 630 Hagerman/Well No. 32; 418 Hagerman/Well No.33; and 214 Hagerman/ Well No. 35.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hanley Road Area: 606 Exline/Well No. 37; Tract D/Well No. 36; Tract I1(CR 338)/Well No. 16; Tract 1D/Well No. 11; Tract I2/ Well No. 15; 4230 Hanley/Well No. 17-3; 435 Hanley/Well No. 3; 435 Hanley/Well No. 4; Hanley-Lot 3A/Well No. 15; and Hanley-523 Smith (#47).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Property A-49, BIC Divisions 14, Lots 3,4,5 Block B of the Crescent Heights Subdivision (2103 Frontage Road in Clute, Teas 77541): 2103 Frontage Road/ Well No. FR1; 1903 Crescent Heights Drive/Well No. FR2; and 1903 Crescent Heights Drive/Well No. FR3.

Notice of Intent Date: 02/25/2011 (905418)

No DOV Associated

Notice of Intent Date: 03/01/2011 (905421)  
No DOV Associated

Notice of Intent Date: 03/01/2011 (905577)  
Disclosure Date: 07/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 1472, SC 18

Description: Failed to comply with bottom and/or submerged loading of applicable tank-truck loading and railcar loading as required by NSR Permit No. 1472, Special Condition No. 18.

Notice of Intent Date: 03/08/2011 (906673)  
Disclosure Date: 04/24/2011

Viol. Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

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

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)

Rqmt Prov: PERMIT NSR Permit No. 20432, Special Conditions  
PERMIT O2208

Description: Failed to monitor 585 Valves, 19 relief devices, 1307 connectors and 16 pumps. These valves, relief devices, connectors and pumps were not monitored and/or not reported or included in the emission calculations beginning January 9, 1998.

Notice of Intent Date: 03/14/2011 (914160)  
No DOV Associated

Notice of Intent Date: 03/24/2011 (914157)  
Disclosure Date: 04/18/2011

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Conditions No. 4

Description: Failed to perform calculations converting conductivity measurement data into hourly and annual particulate emissions as specified by the NSR permit at the required frequency.

Notice of Intent Date: 03/21/2011 (914196)  
No DOV Associated

Notice of Intent Date: 03/24/2011 (950301)  
Disclosure Date: 04/20/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)

Description: Failure to keep training records for the life of the facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(b)

40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)

Description: Failure to complete training by all personnel as required by 40CFR 167.16(1)(c).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to remove waste stored for more than 90 days from the A-36 plant, on August 14, 2010 and September 25, 2010.

Viol. Classification: Moderate

Citation:

40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to possess railroad area inspection paperwork from November 2007 to middle August 2009.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.100

Rqmt Prov: PERMIT 40 CFR 266 Appendix IX

Description: Failure to have daily CEMS inspections for B-901, B-902, and B-903 for June 19, 2010 and October 30, 2010 for B-902.

Notice of Intent Date: 04/05/2011 (914179)

Disclosure Date: 11/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)

Description: Failed to list PBR 106.473 on a New Source Review Permit.

Notice of Intent Date: 04/04/2011 (914183)

No DOV Associated

Notice of Intent Date: 04/04/2011 (914192)

No DOV Associated

Notice of Intent Date: 04/18/2011 (922638)

No DOV Associated

Notice of Intent Date: 04/26/2011 (922618)

Disclosure Date: 09/28/2011

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 13 D (2) and 14

Description: Failure to comply with a Special Condition of the facility's NSR Permit. Specifically, the Respondent failed to measure the VOC vapor concentration after clearing equipment to control for maintenance, in violation of NSR Permit No. 20776, Special Condition 13(D)(2).

Notice of Intent Date: 04/28/2011 (922795)

No DOV Associated

Notice of Intent Date: 04/27/2011 (923389)

Disclosure Date: 07/14/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 1472, SC 15

Description: Failed to capture particulate emissions and route them to the designated control device (A26SV615) through the dust collection system. The particulate emissions are not escaping to the environment as the system is enclosed in a building.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)

Description: Failed to conduct initial Method 21 monitoring when the regulation was implemented for 21 valves, 100 connectors, and 2 relief devices that were incorrectly identified as Difficult to Monitor (DTMs).

Notice of Intent Date: 04/24/2011 (923396)

Disclosure Date: 10/24/2011

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6

Description: Failure to conduct an intensive directed maintenance program as required by the 28 MID fugitive monitoring program for leaking components in the EO distribution (B-5400) area.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to monitor on a quarterly basis all of the valves in gas/vapor or light liquid service in the B-54 area.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)

30 TAC Chapter 115, SubChapter H 115.725(c)(3)

30 TAC Chapter 115, SubChapter H 115.726(c)

Description: Failure to have records of the quarterly inspections of the HRVOC pressure relief valves and their associated monitors.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)  
Description: Failure to to change the method of compliance from annual monitoring to semiannual monitoring for the valves in gas/vapor and light liquid service. In addition, the percent leak rate for valves is not being reported correctly and is difficult to reproduce.

Notice of Intent Date: 04/27/2011 (923418)  
No DOV Associated

Notice of Intent Date: 05/05/2011 (922777)  
Disclosure Date: 10/26/2011  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.500  
30 TAC Chapter 113, SubChapter C 113.890  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(k)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(3)  
Description: Failure to establish a correct minimum water flow rate for flowmeter on T-600 water inlet.

Notice of Intent Date: 05/11/2011 (923424)  
No DOV Associated

Notice of Intent Date: 05/17/2011 (922812)  
Disclosure Date: 10/26/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.890  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2460  
Description: Failure to reduce by 98%, the collective uncontrolled organic HAP emissions from the sum of all batch process vents within the Solid Epoxy Resin (SER) process unit as per MON compliance requirements.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
Rqmt Prov: OP S.C. 1 (Applicable Requirements Summary  
PERMIT S.C. 8  
Description: Failure to operate the Solid Epoxy Resin process within permit limits and failure to accurately represent process.

Notice of Intent Date: 05/17/2011 (923407)  
Disclosure Date: 08/29/2011  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
Rqmt Prov: PERMIT NSR Permit No. 35022 SC 7E & 10  
PERMIT Title V Permit No. O-2207, SC 8  
Description: Failed to correct open ended lines. An open ended line in light liquid was found on 06/14/2011 and immediately corrected by installing a plug.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(A)(1)  
Rqmt Prov: PERMIT Title V Permit No. O-2207, SC 8  
Description: Failed to keep the daily average value within permitted range. Daily average flow on 02/10/11 was 298 lbs/hr which is below the daily average limit of 300 lbs/hr established during performance testing.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)  
Rqmt Prov: PERMIT NSR Permit No. 35022, SC 10H, 10I  
PERMIT Title V Permit No. O2207, SC 8  
Description: Failed to repair in a timely manner a flange in light liquid service. Late first repair attempt of a flange in light liquid service, from 10-28-11 to 12-6-11. The flange was observed to be leaking by AVO method on 10-23-11. A first attempt was due on 10-28-11 but was not completed with monitoring until 12-6-11.  
Viol. Classification: Moderate  
Citation: 40 CFR Part 63, Subpart H 63.174  
Rqmt Prov: PERMIT NSR Permit No. 35022, SC 12  
PERMIT Title V Permit No.O-2207, SC 8  
Description: Failed to conduct monitoring. Missed monitoring on one (1) flange in light liquid service from July 1, 2005 to December 06, 2011.

Notice of Intent Date: 05/25/2011 (932734)  
No DOV Associated

Notice of Intent Date: 05/31/2011 (932725)  
Disclosure Date: 10/17/2011

Viol. Classification: Minor  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
Rqmt Prov: ORDER S.C. 3

Description: Failure to adequately conduct visible emissions observations.  
Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT M 61.144(b)(3)

Description: Failure to record all necessary visible emissions observation data from each potential source of asbestos emissions from any part of the manufacturing facility.

Viol. Classification: Minor

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.14(e)

Description: Failure to store used fluorescent lamps/bulbs without proper labels as required.

Notice of Intent Date: 05/31/2011 (932740)  
No DOV Associated

Notice of Intent Date: 06/08/2011 (933580)  
No DOV Associated

Notice of Intent Date: 06/14/2011 (934687)  
No DOV Associated

Notice of Intent Date: 06/13/2011 (934735)  
Disclosure Date: 02/13/2012

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)  
30 TAC Chapter 115, SubChapter H 115.786(e)  
30 TAC Chapter 115, SubChapter H 115.786(g)

Description: Failure to keep Train 1 and Train 2 extruders are not included in the recordkeeping requirements of 115.356(3)(C) and 115.786(e) and (g).

Notice of Intent Date: 06/24/2011 (936660)  
No DOV Associated

Notice of Intent Date: 06/24/2011 (936671)  
No DOV Associated

Notice of Intent Date: 06/22/2011 (936684)  
Disclosure Date: 11/03/2011

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: Failure to keep records authorized and maintained for outside abrasive blast cleaning.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter A 116.10

Description: Failure to review, approve and track coating applications.

Notice of Intent Date: 06/20/2011 (936704)  
No DOV Associated

Notice of Intent Date: 06/28/2011 (937071)  
No DOV Associated

Notice of Intent Date: 06/30/2011 (941145)  
Disclosure Date: 07/20/2011

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.1230  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9015(a)  
Rqmt Prov: OP O-01388  
OP O-0211

Description: Failure to conduct performance testing as required.  
Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)  
Rqmt Prov: OP O-01388  
OP O-02211

Description: Failure to fully conduct a compliance performance test and to establish the necessary operating parameters as required by the HCI MACT.

Notice of Intent Date: 06/30/2011 (941160)  
No DOV Associated

Notice of Intent Date: 06/30/2011 (941322)  
No DOV Associated

Notice of Intent Date: 07/07/2011 (941331)  
Disclosure Date: 08/04/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
Rqmt Prov: PERMIT Special Condition 26E

Description: Failure to properly seal three open ended lines (OELs) found on August 2, 2011.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(e)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(iii)

Description: Failure to report the monthly percent leak rate for pumps in light liquid service in the Subpart H (HON) Periodic Report submitted on may 19, 2011 for the reporting period October 1, 2010 through March 31, 2011.

Notice of Intent Date: 07/15/2011 (942399)  
No DOV Associated

Notice of Intent Date: 07/11/2011 (942439)  
Disclosure Date: 11/16/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to maintain inspection records as required.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.117(a)(8)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)(i)

Description: Failure to submit the required information in the Notification of Compliance Status (NOCS) report for HON Subpart G.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(e)(1)

Description: Failure to conduct the required compliance testing as required by HON Subpart G.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(d)

Description: Failure to prepare and implement a completed monitoring plan to detect leaks within the PMDI facility heat exchanger.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(iii)

Description: Failure to maintain records of Startup, Shutdown and Malfunction (SSM) events.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9000(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9010(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9015(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020

Description: Failure to claim the T-532 phosgene/HCl scrubber prior to the FS-532 flare as a control device. Additionally, failure to meet the requirements of the HCl MACT.  
Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to partially conduct the required compliance testing as required by HCl MACT.  
Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to maintain and operate monitoring equipment according to manufacturer's specifications or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to meet the requirements of the LDAR plan as required by HCl MACT.  
Viol. Classification: Moderate

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

Rqmt Prov: PERMIT S.C. 9.D.

Description: Failure to maintain calibration records and failure to meet the allowable calibration accuracy specifications per the applicable air permit.  
Viol. Classification: Moderate

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

Rqmt Prov: PERMIT S.C. 26 (A)(1-2)

Description: Failure to conduct required monitoring or testing as per NSR Permit No. 46431.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(6)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)

Description: Failure to maintain the required documentation for equipment subject to HON Subpart H.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)

Description: Failure to submit to the TCEQ, a report of any revisions to items reported in earlier NOCS, if the method of compliance has changed since the last report.  
Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.111  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(c)

Description: Failure to correctly identify the "point of determination" for Group 2 wastewater stream. Additionally, failure to consider all Table 9 HAPs.  
Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter F 115.544  
30 TAC Chapter 115, SubChapter F 115.546

Description: Failure to conduct required monitoring or testing during degassing operations.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(f)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)(1)

Description: Failure to submit an alternative monitoring request or a waiver from the requirements of HCl MACT for BU520.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.46(b)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(b)

Description: Failure to conduct required NOx performance testing on furnace F-621.  
Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(b)

Description: Failure to meet the requirements of HON (National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry).

Notice of Intent Date: 07/12/2011 (942461)  
No DOV Associated

Notice of Intent Date: 07/29/2011 (948818)  
Disclosure Date: 02/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9 & 10  
PERMIT NSR Permit No. 5661, SC 5

Description: Failure to calibrate one flow monitoring device on T -I at the annual frequency. Failure to calibrate two pH probes on T-2 weekly. Failure to calibrate one flow monitoring device on S-20 at least annually as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform visual inspections on two internal floating roof tanks (EPN A30ST6 and A30STI 0) within the 12 months required instead of on a calendar year frequency.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SF 16F

Description: Documentation of monthly tank throughputs were not available as required at the time of this audit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9, 10, 11C  
PERMIT NSR Permit No. 5661, SC 5

Description: Failure to estimate missed measurements using engineering judgment.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Permit No. 2606, SC 12  
PERMIT NSR Permit No. 5340, SC 13

Description: Failure to properly conduct LDAR monitoring. 46 Valves, 203 connectors were identified which were not monitored via Method 21 under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 2606, SC 5 & 11  
PERMIT NSR Permit No. 48478, SC 2C  
PERMIT NSR Permit No. 5339, SC 10B, 11C, 19  
PERMIT NSR Permit No. 5661, SC 6B

Description: Failure to maintain records demonstrating compliance with the representations for maintenance activities as listed on confidential page C-10 dated April 28, 2004. Failure to maintain monthly emission records of VOC from loading operations. Failure to consistently maintain records of all repairs and replacements made as a result of leaks identified by Audible, Visual or Olfactory detection. Failure to maintain consistent records of maintenance, startup and shutdown activities using water scrub

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 48479, SC 3

Description: Failure to maintain filling rate of tank, T-61J within 48,000 gallons per hour.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5339, SC 13C

Description: Failure to reduce monitoring data to hourly average concentrations at least once every hour and then reducing to units of the permit allowable emissions rate in pounds per hour at least once every hour.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5339, SC 19

Description: Failure to record maintenance activity emissions for authorization under PBR 106.263 when the activity was

not authorized in NSR 5339.

Notice of Intent Date: 08/01/2011 (949052)

Disclosure Date: 08/01/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT CC 265.1084(d)

Description: Failure to have records of required Method 21 Fugitive emission monitoring available.

Notice of Intent Date: 08/08/2011 (949165)

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)

Rqmt Prov: PERMIT Special Condition 17

Description: Failure to develop and implement a complete written QC program.

Notice of Intent Date: 08/08/2011 (949239)

No DOV Associated

Notice of Intent Date: 08/26/2011 (964109)

No DOV Associated

Notice of Intent Date: 08/31/2011 (964105)

Disclosure Date: 04/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1360

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2334

40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.683

Rqmt Prov: PERMIT Special Condition 17

Description: Failure to implement Method 21 monitoring on 68 fugitive components.

Notice of Intent Date: 09/12/2011 (968262)

No DOV Associated

Notice of Intent Date: 09/19/2011 (964505)

Disclosure Date: 09/18/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Description: Abandoned wells. See Description for details. Total of 16 wells.

Notice of Intent Date: 10/03/2011 (964111)

No DOV Associated

Notice of Intent Date: 10/03/2011 (964641)

No DOV Associated

Notice of Intent Date: 10/12/2011 (968435)

Disclosure Date: 10/11/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2382(d)(2)

Description: Failed to submit an accurate design evaluation in the notice of compliance status (NOCS) for the organic liquid distribution MACT. The minimum water flow in the scrubber should have been set higher than the 20 gpm indicated in the NOCS

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346

Description: Failed to have the scrubber operate at efficient levels when the minimum water flow was set at 40 gpm

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit 18561

Description: Failed to prevent emission rate limits from exceeding when the minimum water flow was set at 40 gpm.

Notice of Intent Date: 10/12/2011 (968439)

Disclosure Date: 05/21/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to identify the T-790 scrubber in the Pesticide Active Ingredient Production (PAIP MACT) Notification of Compliance Status (NOCS) report as a control device.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(6)

Description: Failure to complete a performance test for the T-790 scrubber as a control device in series with the TOX and/or THROX and therefore, monitoring parameters were not established for this scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)

Description: Failure to monitor, and record instrument calibration requirements for the T-790 scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(B)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(C)

Description: Failure to meet periodic reporting requirements for the T-790 scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(a)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)

Description: Failure to include the T-790 or continuous monitoring systems in the Startup, Shutdown, and Malfunction (SSM) Plan.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to correctly identify the operating parameters specified in the NOCS and did not reflect the parameter limits established in the pre-compliance report.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(h)(2)(i)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(f)

Description: Failure to conduct an initial Method 21 inspection of a portion of the closed vent system going from the T-790 scrubber to DF-501 knock-out pot was not conducted during implementation of the PAIP MACT.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1361  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

Description: Failure to include required information in the NOCS about storage tank D-106D.

Notice of Intent Date: 10/17/2011 (968437)  
No DOV Associated

Notice of Intent Date: 10/25/2011 (968444)  
No DOV Associated

Notice of Intent Date: 10/26/2011 (968461)  
No DOV Associated

Notice of Intent Date: 11/02/2011 (974752)  
No DOV Associated

Notice of Intent Date: 11/02/2011 (974756)  
No DOV Associated

Notice of Intent Date: 01/13/2012 (989602)  
Disclosure Date: 02/13/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)  
30 TAC Chapter 115, SubChapter H 115.727

Description: Failure to complete HRVOC exemption criteria documentation for the lab hoods at B-1814 and B-1811.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)  
30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failure to do quarterly inspections of the continuous monitoring systems for the B-3814 and B-3831 batch reactors, continuous monitoring of the operational parameters not completed, and the plant did not operate within the specific limits of the operational parameter.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to either perform or document required inspection of the waste container storage area during the following weeks: 3/22/09, 3/28/09, 5/3/09, 5/9/09, 5/10/09, 5/16/09, 10/11/09, 10/17/09, 10/18/09, 10/24/09, 10/25/09, 10/31/09, 12/20/09, 12/26/09, 12/27/09, 1/2/10, 2/14/10, 2/20/10.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.16(a)(4)

Description: Failure to perform annual RCRA training for four individuals.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter A 106.4(a)(2)

30 TAC Chapter 106, SubChapter A 106.8

Description: Failure to document compliance with federal new source review applicability.

Notice of Intent Date: 01/12/2012 (994614)

No DOV Associated

Notice of Intent Date: 01/13/2012 (994618)

Disclosure Date: 02/13/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(C)

Description: Failure to have a permanent label summarizing the operating requirements for a solvent cleaning unit in the B-3827 area.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the electric burn out oven located in B-3827.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the dry abrasive blasting station located in B-1470 Lab 10.

Notice of Intent Date: 01/17/2012 (994620)

Disclosure Date: 04/27/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)

30 TAC Chapter 115, SubChapter H 115.727(c)(2)

Description: Failure to have an accurate quarterly visual monitoring plan for process safety valves. Failure to keep records of quarterly visual inspections. Failure to maintain HRVOC exemption records.

Notice of Intent Date: 01/24/2012 (989674)

No DOV Associated

Notice of Intent Date: 01/30/2012 (995362)

Disclosure Date: 06/15/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)

Description: Failure to keep the training records for the life of the facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(a)

40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)

Description: Failure to complete required training by all required personnel.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to complete some weekly inspections of waste storage areas as required by 264.174.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to close without proper notification waste storage tanks and areas that are listed on the NOR.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT XX 60.503(b)

Description: Failure to monitor one bull plug using Method 21.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057

Description: Failure to monitor some valves as required.

Notice of Intent Date: 02/07/2012 (994823)  
No DOV Associated

Notice of Intent Date: 02/14/2012 (994603)  
No DOV Associated

Notice of Intent Date: 02/14/2012 (994611)  
No DOV Associated

Notice of Intent Date: 02/22/2012 (1021546)  
No DOV Associated

Notice of Intent Date: 03/07/2012 (994629)  
No DOV Associated

Notice of Intent Date: 03/15/2012 (1022054)  
No DOV Associated

Notice of Intent Date: 03/20/2012 (996100)  
No DOV Associated

Notice of Intent Date: 03/22/2012 (996103)  
Disclosure Date: 04/02/2013  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)  
Description: Failed to properly label one unlabeled hazardous drum that was found in the B-23 loading area.

Notice of Intent Date: 05/03/2012 (1020664)  
No DOV Associated

Notice of Intent Date: 04/30/2012 (1022109)  
No DOV Associated

Notice of Intent Date: 05/07/2012 (1020608)  
Disclosure Date: 01/11/2013  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions 6 - 9  
Description: Failed to monitor fifteen fugitive components as required by the permit.

Notice of Intent Date: 05/07/2012 (1022296)  
No DOV Associated

Notice of Intent Date: 05/10/2012 (1022460)  
Disclosure Date: 07/13/2012  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)  
30 TAC Chapter 117, SubChapter B 117.345(f)(10)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
Rqmt Prov: OP FOP No. O2211  
Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
Rqmt Prov: OP FOP No. O2211, GTC

Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.  
Disclosure Date: 07/16/2012

Viol. Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)  
30 TAC Chapter 117, SubChapter B 117.345(f)(10)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
Rqmt Prov: OP FOP No. O2211

Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the hours of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX indicate that the engine was run prior to noon on March 3, 2012.

Viol. Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.144(1)

Rqmt Prov: OP FOP No. O2211, GTC

Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.

Disclosure Date: 10/24/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

30 TAC Chapter 117, SubChapter B 117.345(f)(10)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the hours of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX indicate that the engine was run prior to noon on March 3, 2012.

Viol. Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.144(1)

Rqmt Prov: OP FOP No. O2211, GTC

Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.

Viol. Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(v)

Rqmt Prov: OP FOP No. O2211

Description: Failed to maintain the Startup/Shutdown/Maintenance plan at the site and failed to maintain each previous (superseded) Startup/Shutdown/Maintenance plan on site for at least five years when a revision was made. Specifically, several procedures referenced in a Startup/Shutdown/Maintenance plan were not available, or were revised without maintaining the superseded version for five years. This violation occurred at the B-3300 facility.

Viol. Classification: Minor

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(e)(1)

Rqmt Prov: OP FOP No. O2211

Description: Failed to perform vapor pressure calculations at the highest calendar month average temperature for tanks V-8000, V-8010, D-410, D-420, D-430, D-440, D-450, and D-460.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Permit No. WQ0000007000, Cond. 7(I)(i)

Description: Failed to perform weekly visual inspections on the designated day as required by the Stormwater Pollution Prevention Plan for a construction project in the B-7300 block. Specifically, the weekly visual inspections are to be performed on Thursdays, however, on two occasions the inspection was performed on different days of the week. Additionally, the SW3P does not contain a current list of Erosion Control inspectors.

Viol. Classification: Moderate

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

Description: Failed to comply with the 90-day storage limit for hazardous waste accumulated on-site without a permit or without having interim status. Specifically, there was one container in the B-3300 northeast 90-day storage area stored in this location for longer than 90 days.

Viol. Classification: Minor

- Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)  
 Description: Failed to maintain a complete final record of each non-reportable emissions event. Specifically, two records of emissions events that involved the B-3500 Wastewater Treatment Plant do not contain a complete record of all of the required elements for emissions event recordkeeping.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)  
 Rqmt Prov: OP FOP No. O2211
- Description: Failed to conduct monthly inspections of the closed vent system at the B-8 block and its bypasses.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(a)(3)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6590(c)(6)  
 Rqmt Prov: OP FOP No. O2211
- Description: Failed to maintain certification documentation that two engines subject to the NESHAPs for Stationary Reciprocating Internal Combustion Engines are certified to meet the emission standard.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)  
 Description: Failed to maintain a complete Safe Drinking Water monitoring plan. Specifically, the Respondent failed to include a complete plant schematic in the plan.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)  
 Rqmt Prov: PERMIT NSR No. 46428, SC No. 6
- Description: Failed to monitor 55 fugitive components (valves) at the B-34 fugitive area and 100 fugitive components at the B-35 fugitive area. Specifically, these components were not included in the Method 21 monitoring programs for these areas.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)  
 Description: Failed to evaluate wastewater streams at the appropriate point of determination. This violation is for the B-800 Thermal Oxidizer facility.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)  
 Rqmt Prov: OP FOP No. O2211, STC No. 1G  
 PERMIT HW Permit No. 50161, Condition V.H.2.b
- Description: Failed to accurately calculate the Maximum Total and Pumpable Low Volative Metal ("LVM") feed rate for all potential feed streams, which is used for compliance with emissions limitations and, therefore, resulted in excess emissions. Specifically, the calculations did not include the LVM contribution from solid waste being fed in packs. This violation occurred in the B-3300 block.  
 Disclosure Date: 04/24/2013  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)  
 30 TAC Chapter 117, SubChapter B 117.345(f)(10)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 Rqmt Prov: OP FOP No. O2211
- Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 Rqmt Prov: OP FOP No. O2211
- Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the house of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX indicate that the engine was run prior to noon on March 3, 2012.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)

Rqmt Prov: OP FOP No. O2211, GTC  
Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(v)

Rqmt Prov: OP FOP No. O2211  
Description: Failed to maintain the Startup/Shutdown/Maintenance plan at the site and failed to maintain each previous (superseded) Startup/Shutdown/Maintenance plan on site for at least five years when a revision was made. Specifically, several procedures referenced in a Startup/Shutdown/Maintenance plan were not available, or were revised without maintaining the superseded version for five years. This violation occurred at the B-3300 facility.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(e)(1)

Rqmt Prov: OP FOP No. O2211  
Description: Failed to perform vapor pressure calculations at the highest calendar month average temperature for tanks V-8000, V-8010, D-410, D-420, D-430, D-440, D-450, and D-460.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT Permit No. WQ0000007000, Cond. 7(I)(i)  
Description: Failed to perform weekly visual inspections on the designated day as required by the Stormwater Pollution Prevention Plan for a construction project in the B-7300 block. Specifically, the weekly visual inspections are to be performed on Thursdays, however, on two occasions the inspection was performed on different days of the week. Additionally, the SW3P does not contain a current list of Erosion Control inspectors.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)

Description: Failed to comply with the 90-day storage limit for hazardous waste accumulated on-site without a permit or without having interim status. Specifically, there was one container in the B-3300 northeast 90-day storage area stored in this location for longer than 90 days.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)

Description: Failed to maintain a complete final record of each non-reportable emissions event. Specifically, two records of emissions events that involved the B-3500 Wastewater Treatment Plant do not contain a complete record of all of the required elements for emissions event recordkeeping.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)

Rqmt Prov: OP FOP No. O2211  
Description: Failed to conduct monthly inspections of the closed vent system at the B-8 block and its bypasses.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(a)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6590(c)(6)

Rqmt Prov: OP FOP No. O2211  
Description: Failed to maintain certification documentation that two engines subject to the NESHAPs for Stationary Reciprocating Internal Combustion Engines are certified to meet the emission standard.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)

Description: Failed to maintain a complete Safe Drinking Water monitoring plan. Specifically, the Respondent failed to include a complete plant schematic in the plan.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)

Rqmt Prov: PERMIT NSR No. 46428, SC No. 6  
Description: Failed to monitor 55 fugitive components (valves) at the B-34 fugitive area and 100 fugitive components at the B-35 fugitive area. Specifically, these components were not included in the Method 21 monitoring programs for these areas.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)

Description: Failed to evaluate wastewater streams at the appropriate point of determination. This violation is for the B-800 Thermal Oxidizer facility.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)

Rqmt Prov: OP FOP No. O2211, STC No. 1G  
PERMIT HW Permit No. 50161, Condition V.H.2.b

Description: Failed to accurately calculate the Maximum Total and Pumpable Low Volative Metal ("LVM") feed rate for all potential feed streams, which is used for compliance with emissions limitations and, therefore, resulted in excess emissions. Specifically, the calculations did not include the LVM contribution from solid waste being fed in packs. This violation occurred in the B-3300 block.

Notice of Intent Date: 05/10/2012 (1023051)  
No DOV Associated

Notice of Intent Date: 05/14/2012 (1020620)  
No DOV Associated

Notice of Intent Date: 05/14/2012 (1022433)  
No DOV Associated

Notice of Intent Date: 06/15/2012 (1013979)  
No DOV Associated

Notice of Intent Date: 06/15/2012 (1014689)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1014008)  
No DOV Associated

Notice of Intent Date: 06/19/2012 (1014982)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1016233)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1019680)  
No DOV Associated

Notice of Intent Date: 06/27/2012 (1016063)  
Disclosure Date: 07/24/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(j)(2)(ii)

Description: Failure to comply with the destruction and removal efficiency standard and failure to comply with this limit on a hourly rolling average basis. See description for more details.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(vii)

Description: Failure to conduct operability testing at least monthly. Specifically, At the B-23 Epoxy Intermediates facility, there was incomplete documentation of the 7-day AWFCO testing for F-210. The testing was completed as required, but the documentation had an incomplete list of the AWFCOs that are required to be tested each week. In August, 2012, it was discovered that the forms had not been updated to include the HWC MACT AWFCOs that went into effect on December 14, 2008.

Notice of Intent Date: 06/26/2012 (1016208)  
Disclosure Date: 01/11/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 27 through 33

Description: Records of MSS activities from July 26, 2011 to December 26, 2012 did not include all the information required by permit special conditions 27 through 33.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 28

Description: The concentration of the vapor being degassed from equipment was not consistently measured and recorded as required by Special Condition 28.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 28 and 29

Description: The concentration of the vapor being degassed from equipment prior to October 11, 2012 as required by Special Condition 28 was measured and recorded using a method approved in Special Condition 29 but that had not been given the daily functionality test required by that special condition.

Notice of Intent Date: 07/09/2012 (1016221)  
No DOV Associated

Notice of Intent Date: 07/16/2012 (1016177)  
No DOV Associated

Notice of Intent Date: 07/27/2012 (1016198)  
No DOV Associated

Notice of Intent Date: 07/26/2012 (1016217)  
Disclosure Date: 10/26/2012  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Condition 7

Description: Failed to remain in the fill rate allowed by the permit.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT MAERT

Description: Failed to remain in the emission rate set by the Maximum Allowable Emission Rate Table (MAERT).

Notice of Intent Date: 07/25/2012 (1022667)  
No DOV Associated

Notice of Intent Date: 08/14/2012 (1020670)  
No DOV Associated

Notice of Intent Date: 08/24/2012 (1035246)  
No DOV Associated

Notice of Intent Date: 09/06/2012 (1035334)  
No DOV Associated

Notice of Intent Date: 09/06/2012 (1035339)  
No DOV Associated

Notice of Intent Date: 09/14/2012 (1035361)  
No DOV Associated

Notice of Intent Date: 09/10/2012 (1035362)  
No DOV Associated

Notice of Intent Date: 09/27/2012 (1037247)  
No DOV Associated

Notice of Intent Date: 09/27/2012 (1037248)  
No DOV Associated

Notice of Intent Date: 09/25/2012 (1037254)  
No DOV Associated

Notice of Intent Date: 10/01/2012 (1043651)  
No DOV Associated

Notice of Intent Date: 10/09/2012 (1043658)  
No DOV Associated

Notice of Intent Date: 10/19/2012 (1043662)  
No DOV Associated

Notice of Intent Date: 11/02/2012 (1050652)  
No DOV Associated

Notice of Intent Date: 10/30/2012 (1050653)  
No DOV Associated

Notice of Intent Date: 11/09/2012 (1050658)  
No DOV Associated

Notice of Intent Date: 11/16/2012 (1050645)  
No DOV Associated

Notice of Intent Date: 11/20/2012 (1050649)  
No DOV Associated

Notice of Intent Date: 12/03/2012 (1073013)  
No DOV Associated

Notice of Intent Date: 12/04/2012 (1073020)  
No DOV Associated

Notice of Intent Date: 12/04/2012 (1073075)  
No DOV Associated

Notice of Intent Date: 01/02/2013 (1073026)  
No DOV Associated

Notice of Intent Date: 01/02/2013 (1073027)  
No DOV Associated

Notice of Intent Date: 01/07/2013 (1073043)  
No DOV Associated

Notice of Intent Date: 01/08/2013 (1073045)  
No DOV Associated

Notice of Intent Date: 01/17/2013 (1073104)  
No DOV Associated

Notice of Intent Date: 02/01/2013 (1073341)  
No DOV Associated

Notice of Intent Date: 02/01/2013 (1073343)  
No DOV Associated

Notice of Intent Date: 02/05/2013 (1073349)  
No DOV Associated

Notice of Intent Date: 02/08/2013 (1073354)  
No DOV Associated

Notice of Intent Date: 02/12/2013 (1073357)  
No DOV Associated

Notice of Intent Date: 02/25/2013 (1075680)  
No DOV Associated

Notice of Intent Date: 02/26/2013 (1075711)  
No DOV Associated

Notice of Intent Date: 02/28/2013 (1075730)  
No DOV Associated

Notice of Intent Date: 02/28/2013 (1075765)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1075744)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1075753)  
No DOV Associated

Notice of Intent Date: 03/07/2013 (1075756)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1076972)  
No DOV Associated

Notice of Intent Date: 03/11/2013 (1076978)  
No DOV Associated

Notice of Intent Date: 03/12/2013 (1076986)  
No DOV Associated

Notice of Intent Date: 03/22/2013 (1076982)  
No DOV Associated

Notice of Intent Date: 03/19/2013 (1077956)  
No DOV Associated

Notice of Intent Date: 03/26/2013 (1077951)  
No DOV Associated

Notice of Intent Date: 04/02/2013 (1085495)  
No DOV Associated

Notice of Intent Date: 04/03/2013 (1085613)  
No DOV Associated

Notice of Intent Date: 04/10/2013 (1085386)  
No DOV Associated

Notice of Intent Date: 04/30/2013 (1093043)  
No DOV Associated

Notice of Intent Date: 04/29/2013 (1093194)  
No DOV Associated

Notice of Intent Date: 05/07/2013 (1093036)  
No DOV Associated

Notice of Intent Date: 05/23/2013 (1094861)  
No DOV Associated

Notice of Intent Date: 05/21/2013 (1133125)  
No DOV Associated

Notice of Intent Date: 05/29/2013 (1099845)  
No DOV Associated

Notice of Intent Date: 06/03/2013 (1101047)  
No DOV Associated

Notice of Intent Date: 06/11/2013 (1100070)  
No DOV Associated

Notice of Intent Date: 06/20/2013 (1101051)  
No DOV Associated

Notice of Intent Date: 06/27/2013 (1102032)  
No DOV Associated

Notice of Intent Date: 07/02/2013 (1113150)  
No DOV Associated

Notice of Intent Date: 07/12/2013 (1105079)  
No DOV Associated

Notice of Intent Date: 07/11/2013 (1105086)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113159)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113165)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113168)  
No DOV Associated

Notice of Intent Date: 07/30/2013 (1113170)  
No DOV Associated

Notice of Intent Date: 07/30/2013 (1113172)  
No DOV Associated

Notice of Intent Date: 08/07/2013 (1114234)  
No DOV Associated

Notice of Intent Date: 08/15/2013 (1120946)  
No DOV Associated

Notice of Intent Date: 08/23/2013 (1128630)  
No DOV Associated

Notice of Intent Date: 08/26/2013 (1120962)  
No DOV Associated

Notice of Intent Date: 09/10/2013 (1120951)  
No DOV Associated

Notice of Intent Date: 09/11/2013 (1121269)  
No DOV Associated

Notice of Intent Date: 09/08/2013 (1122724)  
No DOV Associated

Notice of Intent Date: 09/17/2013 (1122445)  
No DOV Associated

Notice of Intent Date: 09/16/2013 (1124026)  
No DOV Associated

Notice of Intent Date: 09/25/2013 (1123707)  
No DOV Associated

Notice of Intent Date: 09/30/2013 (1123702)  
No DOV Associated

Notice of Intent Date: 10/04/2013 (1123704)  
No DOV Associated

Notice of Intent Date: 10/10/2013 (1132856)  
No DOV Associated

Notice of Intent Date: 10/14/2013 (1128168)  
No DOV Associated

Notice of Intent Date: 10/24/2013 (1132874)

No DOV Associated

Notice of Intent Date: 11/25/2013 (1139926)  
No DOV Associated

Notice of Intent Date: 12/03/2013 (1139927)  
No DOV Associated

Notice of Intent Date: 12/04/2013 (1139935)  
No DOV Associated

Notice of Intent Date: 12/12/2013 (1139938)  
No DOV Associated

Notice of Intent Date: 12/19/2013 (1145532)  
No DOV Associated

Notice of Intent Date: 12/18/2013 (1145536)  
No DOV Associated

Notice of Intent Date: 01/07/2014 (1145537)  
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145543)  
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145548)  
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145551)  
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145553)  
No DOV Associated

Notice of Intent Date: 01/13/2014 (1150685)  
No DOV Associated

Notice of Intent Date: 01/29/2014 (1150690)  
No DOV Associated

Notice of Intent Date: 01/29/2014 (1150691)  
No DOV Associated

Notice of Intent Date: 01/29/2014 (1150694)  
No DOV Associated

Notice of Intent Date: 02/17/2014 (1150697)  
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

**Published Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from February 26, 2009, through February 26, 2014.**

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## *Addendum to Compliance History Federal Enforcement Actions*

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**Reg Entity Name:** DOW TEXAS OPERATIONS FREEPORT

**Reg Entity Add:** CR226 STRATTON RIDGE ROAD

**Reg Entity City:** CLUTE

**Reg Entity No:** RN100225945

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**Customer Name:** The DOW Chemical Company

**Customer No:** CN600356976

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**EPA Case No:** 06-2013-3326

**Order Issue Date (yyyymmdd):** 20130507

**Case Result:** Final Order With Penalty

**Statute:** CAA

**Sect of Statute:** 112[R][7]

**Classification:** Minor

**Program:** Risk Management Progr

**Citation:**

**Violation Type:**

**Cite Sect:**

**Cite Part:**

**Enforcement Action:** Administrative Penalty Order With or Without Inj

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
THE DOW CHEMICAL COMPANY  
RN100225945

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

**AGREED ORDER**  
**DOCKET NO. 2013-2215-AIR-E**

**I. JURISDICTION AND STIPULATIONS**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Dow Chemical Company ("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 together stipulate that:

1. The Respondent owns and operates a petrochemical manufacturing plant at 2301 North Brazosport Boulevard in Freeport, Brazoria County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about July 30, August 11, and October 26 and 28, 2013 and March 9, 2014.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Forty-Nine Thousand Seven Hundred Twenty-Six Dollars (\$49,726) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Nineteen Thousand Eight Hundred Ninety-One Dollars (\$19,891) of the administrative penalty

and Nine Thousand Nine Hundred Forty-Five Dollars (\$9,945) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Nineteen Thousand Eight Hundred Ninety Dollars (\$19,890) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
  - a. On December 11, 2012, conducted a successful stack test that demonstrated compliance with the permitted hourly emissions rate for nitrogen oxides ("NOx") for Emission Point Number ("EPN") OC5S01;
  - b. On March 26, 2013, conducted a successful stack test that demonstrated compliance with the permitted hourly emissions rates for hydrogen chloride ("HCl") and chlorine ("Cl<sub>2</sub>") and the 20 parts per million at three percent oxygen ("ppm @ 3% O<sub>2</sub>") concentration limit for HCl and Cl<sub>2</sub> combined for EPN A32STHROX;
  - c. On July 9, 2013, completed a control system upgrade to allow for future upgrades without powering down the controllers to prevent recurrence of emissions events due to the same or similar causes as Incident No. 185324;
  - d. On November 8, 2013, replaced the solenoid valve for the Polyethylene 4 Unit Reactor;
  - e. On November 15, 2013, submitted a permit amendment application for New Source Review ("NSR") Permit Nos. 46306, PSDTX986, and N059 to increase the permitted carbon monoxide ("CO") and NOx emissions for EPN B56CR96; and
  - f. On March 6, 2014, implemented a procedure to replace solenoid valves on a 60-month frequency to prevent recurrence of emissions events due to the same or similar causes as Incident No. 190559.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to comply with maximum allowable hourly emissions rates, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS § 63.1362(a), Federal Operating Permit ("FOP") No. O2206, Special Terms & Conditions ("STC") No. 13, and NSR Permit No. 770, Special Conditions ("SC") Nos. 1 and 11C, as documented during a record review conducted on February 4, 2013. Specifically, during the performance stack test conducted on July 12, 2012, the Respondent exceeded the 0.24 pound per hour ("lb/hr") emissions rate for HCl, the 0.07 lb/hr emissions rate for chlorine Cl<sub>2</sub>, and the 20 ppm @ 3% O<sub>2</sub> concentration limit for combined HCl and Cl<sub>2</sub> for EPN A32STHROX, resulting in the unauthorized release of 1,458.48 lbs of HCL and 2,986.80 lbs of CL<sub>2</sub>.
2. Failed to comply with maximum allowable hourly emissions rates, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2697, STC No. 14, and NSR Permit Nos. 46306, PSDTX986, and N059, SC No. 1, as documented during a record review conducted on July 16, 2013. Specifically, during the period from April 12, 2012 through January 25, 2013, the Respondent exceeded the 1,350.68 lbs/hr of CO emissions rate on April 12, 2012, June 15, 2012, October 5 and 17, 2012, November 15, 2012, and January 24 and 25, 2013 and exceeded the 65.95 lbs/hr of NO<sub>x</sub> emissions rate on January 25, 2013 for EPN B56CR96, resulting in the unauthorized release of 9,734.79 lbs of CO and 15.01 lbs of NO<sub>x</sub>.
3. Failed to comply with maximum allowable hourly emissions rates, 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), FOP No. O2204, STC No. 15, and NSR Permit No. 19041, SC No. 1, as documented during a record review conducted on September 16, 2013. Specifically, during the performance stack test conducted on October 16, 2012, the Respondent exceeded the 0.73 lb/hr emissions rate for NO<sub>x</sub> for EPN OC5S01, resulting in the unauthorized release of 443.52 lbs of NO<sub>x</sub>.
4. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSD-TX-994M1, SC No. 1, as documented during a record review conducted on July 29, 2013. Specifically, the Respondent experienced 50 percent opacity and released 15,565.20 lbs of CO, 2,158.59 lbs of NO<sub>x</sub>, 1,416.60 lbs of other volatile organic compounds, 1,641 lbs of hazardous air pollutants, 1,833 lbs of propylene, and 9,571 lbs of ethylene from the FS-1 Large Flare, EPN B60F3 and Light Hydrocarbons 7 ("LHC7") Process Area Vents, EPN B72L7RX1, during an avoidable emissions event (Incident No. 185324) that began on July 9, 2013

and lasted for 20 hours. The event occurred during a control system upgrade that required powering down of the controllers. A closed control valve on the steam header from Power 9 caused a loss of steam to LHC7 that resulted in a total unit shutdown. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

5. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2215, STC No. 11, and NSR Permit No. 834, SC No. 1, as documented during a record review conducted on December 3, 2013. Specifically, the Respondent released 16,025 lbs of ethylene from the Polyethylene 4 Unit Reactor R-201 Vent Valve SSV-203, during an avoidable emissions event (Incident No. 190559) that began on November 3, 2013 and lasted for 94 hours and 30 minutes. The event occurred due to failure of an o-ring within the solenoid valve. This reduced the instrument air pressure on the valve actuator and allowed the valve to crack open, resulting in a release. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Dow Chemical Company, Docket No. 2013-2215-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 I, Paragraph 6 above, Nineteen Thousand Eight Hundred Ninety Dollars (\$19,890) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application for NSR Permit Nos. 46306, PSDTX986, and N059 within 30 days after the date of such requests, or by any other deadline specified in writing; and
  - b. Within 365 days after the effective date of this Agreed Order, submit written certification that either a permit amendment has been obtained or that operation has ceased until such time that appropriate authorization is obtained. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

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

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Pam Newitz  
For the Executive Director

7/18/14  
Date

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

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

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

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

JR Falcon  
Signature

5-13-14  
Date

Franquinlan Falcon  
Name (Printed or typed)  
Authorized Representative of  
The Dow Chemical Company

Environmental Leveraged Delivery  
Title  
Leader

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



**Attachment A**  
**Docket Number: 2013-2215-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>The Dow Chemical Company</b>
<b>Penalty Amount:</b>	<b>Thirty-Nine Thousand Seven Hundred Eighty-One Dollars (\$39,781)</b>
<b>SEP Offset Amount:</b>	<b>Nineteen Thousand Eight Hundred Ninety Dollars (\$19,890)</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Administrator SEP</b>
<b>Third-Party Administrator:</b>	<b>Houston-Galveston Area Council-AERCO ("AERCO")</b>
<b>Project Name:</b>	<b><i>Clean Vehicles Partnership Project</i></b>
<b>Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties</b>	

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

**1. Project Description**

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston-Galveston Area Council-AERCO ("AERCO")** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency ("EPA") emissions standards ("Old Buses") with new, lower emission buses that meet the most recent EPA emissions standards ("New Buses") or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities ("SEP Administrators") that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the

The Dow Chemical Company  
Agreed Order - Attachment A

replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for purchase of New Buses or conversion or retrofit equipment and contract labor for installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards. Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months. All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

c. Minimum Expenditure

The 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, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO  
P.O. Box 22777  
Houston, Texas 77227-2777

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

The Dow Chemical Company  
Agreed Order - Attachment A

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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