

Executive Summary – Enforcement Matter – Case No. 48578
Chevron Phillips Chemical Company LP
RN102018322
Docket No. 2014-0572-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

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

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Pasadena Plastics Complex, 1400 Jefferson Road, Pasadena, Harris County

Type of Operation:

Plastics manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 5, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$192,626

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$96,313

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$96,313

Name of SEP: Houston Galveston-AERCO (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and April 2014

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RN102018322
Docket No. 2014-0572-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: February 17, 2014 through March 12, 2014

Date(s) of NOE(s): April 2, 2014

Violation Information

1. Failed to conduct initial leak detection and repair ("LDAR") monitoring on three hazardous air pollutant ("HAP") connectors [30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") §§ 63.1027(a) and 63.2480(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O1315, Special Terms and Conditions ("STC") No. 1A].
2. Failed to conduct initial LDAR monitoring on three HAP/volatile organic compounds ("VOC") connectors [30 TEX. ADMIN. CODE §§ 101.20(2), 115.354(11), and 122.143(4), 40 CFR §§ 63.1027(a) and 63.2480(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC No. 1A].
3. Failed to comply with the maximum allowable emissions rates ("MAERs") for the Flare System, Emission Point Numbers ("EPNs") 216, 308, and 408 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit Nos. 4437A, PSDTX808, and N014M1, Special Conditions ("SC") No. 1, Standard Permit Registration No. 109690, and FOP No. O1315, STC No. 13].
4. Failed to comply with the MAER of 37.26 pounds per hour of VOC from off-gas flaring for EPNs 308 and 408 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and N014M1, SC No. 1, and FOP No. O1315, STC Nos. 13 and 16A].
5. Failed to conduct quarterly visible emissions observations no earlier than one hour after sunrise, no later than one hour before sunset, while the emissions units are in service, and during the quarter the observations are intended to cover [30 TEX. ADMIN. CODE § 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC Nos. 3A(iv)(1) and (4)].
6. Failed to maintain records of all maintenance performed on car-sealed valves [30 TEX. ADMIN. CODE §§ 101.20(1) and 122.143(4), 40 CFR § 60.565(b)(2)(ii), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC No. 1A].

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7. Failed to conduct monthly fabric filter inspections [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and N014M1, SC No. 8B(3), and FOP No. O1315, STC Nos. 13 and 16A].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. By November 13, 2012, added connectors with Tag Nos. P708026.1, P708027.1, and P708027.2 to the LDAR database and conducted the initial monitoring of these connectors;
- b. By May 28, 2013, installed and implemented advance process controls on EPN 216, which included installing a new British thermal unit analyzer and cabinet, to prevent the recurrence of hourly VOC emissions limit exceedances due to the same cause as the exceedances that occurred on November 28, 2012 and April 5, 2013;
- c. By October 8, 2013, added connectors with Tag Nos. 00058793.3, 00058793.4, and 00058793.5 to the LDAR database and conducted the initial monitoring of these connectors; and
- d. By February 12, 2014, provided training to supervisors that oversee visible emissions observations and implemented procedures to begin reviewing observation records to ensure that quarterly visible emissions observations are conducted properly.

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. Within 30 days:
 - i. Implement measures and/or procedures to ensure documentation of monthly car-seal inspections is maintained;
 - ii. Implement measures and/or procedures to ensure that fabric filter inspections are conducted on a monthly basis; and

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Chevron Phillips Chemical Company LP
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iii. Certify compliance with the annual emissions rates based on a 12-month rolling period for nitrogen oxides ("NOx"), carbon monoxide ("CO"), and VOC from the Flare System, which consists of EPNs 216, 308, and 408 or submit an administratively complete permit amendment application for NSR Permit Nos. 4437A, PSDTX808, and NO14M1 to increase the annual emissions rates for NOx, CO, and VOC from the Flare System.

b. Within 45 days, submit written certification to demonstrate compliance with 2.a.

c. If a permit amendment application is submitted, then respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit amendment application within 30 days of such requests, or by any deadline specified in writing.

d. If a permit amendment application is submitted, then within 180 days, submit written certification that either the permit amendment to increase the NOx, CO, and VOC annual emissions rates for the Flare System, consisting of EPNs 216, 308, and 408, has been obtained or that unauthorized emissions from the Flare System have 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: Rachel Bekowies, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2608; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

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

Respondent: Michael Gilbert, Plant Manager, Chevron Phillips Chemical Company LP, P.O. Box 792, Pasadena, Texas 77501

Respondent's Attorney: N/A

Attachment A

Docket Number: 2014-0572-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Chevron Phillips Chemical Company LP
Penalty Amount:	One Hundred Ninety-Two Thousand Six Hundred Twenty-Six Dollar (\$192,626)
SEP Offset Amount:	Ninety-Six Thousand Three Hundred Thirteen Dollars (\$96,313)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO ("AERCO")
Project Name:	<i>Clean Vehicles Partnership Project</i>
<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	

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** 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.

Chevron Phillips Chemical Company LP
Agreed Order - Attachment A

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 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:

Chevron Phillips Chemical Company LP
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. Recognition

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 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	7-Apr-2014	Screening	17-Apr-2014	EPA Due	28-Dec-2014
	PCW	25-Jul-2014				

RESPONDENT/FACILITY INFORMATION			
Respondent	Chevron Phillips Chemical Company LP		
Reg. Ent. Ref. No.	RN102018322		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	48578	No. of Violations	2
Docket No.	2014-0572-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rachel Bekowies
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	73.0% Enhancement	Subtotals 2, 3, & 7	\$10,950
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Notes: Enhancement for four NOV's with same/similar violations, two orders with a denial of liability, and one final court judgement with a denial of liability. Reduction for seven Notices of Intent to conduct an audit and five disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$3,750
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$276
 Approx. Cost of Compliance: \$1,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$22,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$22,200
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$22,200
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$22,200
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Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 48578

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

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>)	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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	0	0%
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 judgments or consent decrees meeting criteria</i>)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	5	-10%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 73%

>> 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 four NOVs with same/similar violations, two orders with a denial of liability, and one final court judgement with a denial of liability. Reduction for seven Notices of Intent to conduct an audit and five disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 73%

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 48578

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), 40 Code of Federal Regulations ("CFR") §§ 63.1027(a) and 63.2480(a), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O1315, Special Terms and Conditions ("STC") No. 1A

Violation Description Failed to conduct initial leak detection and repair ("LDAR") monitoring on three hazardous air pollutant ("HAP") connectors. Specifically, Tag No. P708026.1 in gas/vapor service and Tag Nos. P708027.1 and P708027.2 in light liquid service were not initially monitored by May 10, 2009.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		X	

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 3

1283 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$7,500

Three single events are recommended for not conducting initial LDAR monitoring (one event for each connector).

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 actions by November 13, 2012, prior to the April 2, 2014 Notice of Enforcement ("NOE").

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$88

Violation Final Penalty Total \$11,100

This violation Final Assessed Penalty (adjusted for limits) \$11,100

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	10-May-2009	13-Nov-2012	3.52	\$88	n/a	\$88

Notes for DELAYED costs

Estimated cost to add the connectors to the LDAR database and to conduct the initial monitoring. The Date Required is the date initial monitoring should have been conducted by. The Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$88

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 48578

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(2), 115.354(11), and 122.143(4), 40 CFR §§ 63.1027(a) and 63.2480(a), Tex. Health & Safety Code § 382.085(b), and FOP No. O1315, STC No. 1A

Violation Description

Failed to conduct initial LDAR monitoring on three HAP/volatile organic compounds connectors. Specifically, Tag Nos. 00058793.3, 00058793.4, and 00058793.5 in light liquid service were not initially monitored by April 1, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 3

2747 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$7,500

Three single events are recommended for not conducting initial LDAR monitoring (one event for each connector).

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 actions by October 8, 2013, prior to the April 2, 2014 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$188

Violation Final Penalty Total \$11,100

This violation Final Assessed Penalty (adjusted for limits) \$11,100

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	1-Apr-2006	8-Oct-2013	7.53	\$188	n/a	\$188

Notes for DELAYED costs

Estimated cost to add the connectors to the LDAR database and to conduct the initial monitoring. The Date Required is the date initial monitoring should have been conducted by. The Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$500	TOTAL	\$188
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Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	7-Apr-2014	Screening	17-Apr-2014	EPA Due	28-Dec-2014
	PCW	25-Jul-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chevron Phillips Chemical Company LP
Reg. Ent. Ref. No.	RN102018322
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION		No. of Violations	5
Enf./Case ID No.	48578	Order Type	Findings
Docket No.	2014-0572-AIR-E	Government/Non-Profit	No
Media Program(s)	Air	Enf. Coordinator	Rachel Bekowies
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$101,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **73.0%** Enhancement **Subtotals 2, 3, & 7** **\$73,912**

Notes: Enhancement for four NOVs with same/similar violations, two orders with a denial of liability, and one final court judgement with a denial of liability. Reduction for seven Notices of Intent to conduct an audit and five 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** **-\$5,625**

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

Total EB Amounts **\$6,349**
 Approx. Cost of Compliance **\$152,121**
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$169,537**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.5%** **Adjustment** **\$889**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with Violation Nos. 3 and 5.

Final Penalty Amount **\$170,426**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$170,426**

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

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$170,426**

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

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>)	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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	0	0%
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 judgments or consent decrees meeting criteria</i>)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	5	-10%

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)

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

Enhancement for four NOVs with same/similar violations, two orders with a denial of liability, and one final court judgement with a denial of liability. Reduction for seven Notices of Intent to conduct an audit and five disclosures of violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 116.615(2), and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review Permit Nos. 4437A, PSDTX808, and N014M1, Special Conditions ("SC") No. 1, Standard Permit Registration No. 109690, and Federal Operating Permit ("FOP") No. O1315, Special Terms and Conditions ("STC") No. 13

Violation Description Failed to comply with the maximum allowable emissions rates ("MAERs") for the Flare System, Emission Point Numbers ("EPNs") 216, 308, and 408. Specifically, the Respondent exceeded the 300.94 tons per year ("tpy") carbon monoxide ("CO") limit, the 35.10 tpy nitrogen oxides ("NOx") limit, and the 50.88 tpy volatile organic compounds ("VOC") limit for off-gas based on a rolling 12-month period from January 2013 through December 2013, resulting in an unauthorized release of 93.57 tons of CO, 10.92 tons of NOx, and 14.75 tons of VOC.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (100.0%). Includes 'OR' label.

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (0.0%).

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

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 3 Number of violation days 62

Table for event frequency: daily, weekly, monthly (marked with x), quarterly, semiannual, annual, single event.

Violation Base Penalty \$75,000

Three monthly events are recommended based on the period of non-compliance from October 31, 2013 through December 31, 2013.

Good Faith Efforts to Comply

0.0% Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with x), (mark with x).

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

Violation Subtotal \$75,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$500

Violation Final Penalty Total \$130,430

This violation Final Assessed Penalty (adjusted for limits) \$130,430

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$10,000	31-Oct-2013	31-Oct-2014	1.00	\$500	n/a	\$500
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to either certify compliance with annual emissions rates based on a 12-month rolling period for NOx, CO, and VOC or obtain a permit amendment to increase the NOx, CO, and VOC annual limits. The Date Required is the first date of non-compliance. 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

\$500

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4), Tex. Health & Safety Code § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and N014M1, SC No. 1, and FOP No. O1315, STC Nos. 13 and 16A

Violation Description

Failed to comply with the MAER of 37.26 pounds ("lbs") per hour of VOC from off-gas flaring for EPNs 308 and 408. Specifically, from 10:00 a.m. to 11:00 a.m. on November 28, 2012 and April 5, 2013, the flares emitted 80.87 lbs and 107.05 lbs of off-gas VOC, respectively, resulting in a total of 113.40 lbs of unauthorized VOC emissions.

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 2

2 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$7,500

Two single events are recommended for the exceedances on November 28, 2012 and April 5, 2013.

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 actions by May 28, 2013, prior to the April 2, 2014 Notice of Enforcement ("NOE").

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4,743

Violation Final Penalty Total \$11,158

This violation Final Assessed Penalty (adjusted for limits) \$11,158

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
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
<i>No commas or \$</i>							

Delayed Costs

Equipment	\$135,205	28-Nov-2012	28-May-2013	0.50	\$223	\$4,470	\$4,693
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)	\$2,000	28-Nov-2012	28-May-2013	0.50	\$50	n/a	\$50

Notes for DELAYED costs

Actual and estimated costs to install and implement advance process controls on EPN 216 and install a new British thermal unit analyzer and cabinet to prevent a recurrence of hourly VOC emissions limit exceedances due to the same cause as the exceedances that occurred on November 28, 2012 and April 5, 2013. The Date Required is the date of the first exceedance. The Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$137,205

TOTAL

\$4,743

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O1315, STC Nos. 3A(iv)(1) and (4)

Violation Description

Failed to conduct quarterly visible emissions observations no earlier than one hour after sunrise, no later than one hour before sunset, while the emissions units are in service, and during the quarter the observations are intended to cover. Specifically, observations were not properly conducted in the fourth quarter of 2012 for one filter associated with EPN 305, one filter associated with EPN 311, and one filter associated with EPN 454; in the first quarter of 2013 for six filters associated with EPN 206, one filter associated with EPN 207, nine filters associated with EPN 210, one filter associated with EPN 219, six filters associated with EPN 252, one filter associated with EPN 253, one filter associated with EPN 255, 10 filters associated with EPN 257, three filters associated with EPN 302, 16 filters associated with EPN 304, two filters associated with EPN 313, and five filters associated with EPN 354; in the second quarter of 2013 for one filter associated with EPN 352 and one filter associated with EPN 404; and in the third quarter of 2013 for one filter associated with EPN 454.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants that would 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 4

273 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$15,000

Four quarterly events are recommended for the four quarters, beginning with the fourth quarter of 2012 and ending with the third quarter of 2013, in which observations were not conducted properly.

Good Faith Efforts to Comply

25.0% Reduction

\$3,750

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions by February 12, 2014, prior to the April 2, 2014 NOE.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$840

Violation Final Penalty Total \$22,316

This violation Final Assessed Penalty (adjusted for limits) \$22,316

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
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
<i>No commas or \$</i>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	31-Dec-2012	12-Feb-2014	1.12	\$28	n/a	\$28
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	31-Dec-2012	12-Feb-2014	1.12	\$28	n/a	\$28

Notes for DELAYED costs

Estimated costs to provide training to supervisors that oversee visible emissions observations and to implement procedures to review observation records to ensure that quarterly visible emissions observations are conducted properly. The Date Required is the date the observations for the fourth quarter of 2012 were due. The Final Date is the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$716	1-Oct-2012	30-Sep-2013	1.92	\$69	\$716	\$785
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Avoided cost for properly conducting quarterly observations (\$179 per observation x 4 missed observations). The Date Required is the first date the observations could have been done. The Final Date is the last date the observations should have been done.

Approx. Cost of Compliance	\$1,716	TOTAL	\$840
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Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(1) and 122.143(4), 40 Code of Federal Regulations § 60.565(b)(2)(ii), Tex. Health & Safety Code § 382.085(b), and FOP No. O1315, STC No. 1A

Violation Description

Failed to maintain records of all maintenance performed on car-sealed valves. Specifically, monthly car-seal inspections in Polyethylene Unit 8 were not documented for the month of October 2012.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

533 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$250

One single event is recommended.

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 \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$100

Violation Final Penalty Total \$435

This violation Final Assessed Penalty (adjusted for limits) \$435

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,000	31-Oct-2012	31-Oct-2014	2.00	\$100	n/a	\$100
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to ensure documentation of monthly car-seal inspections is maintained. The Date Required is the last date of the month in which monthly car-seal inspections were not documented. 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

TOTAL

\$100

Screening Date 17-Apr-2014

Docket No. 2014-0572-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 48578

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Rachel Bekowies

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Tex. Health & Safety Code § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and N014M1, SC No. 8B(3), and FOP No. O1315, STC Nos. 13 and 16A

Violation Description

Failed to conduct monthly fabric filter inspections. Specifically, eight filters associated with EPN 304 and eight filters associated with EPN 354 were not inspected in July 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 7.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,250

\$1,750

Violation Events

Number of Violation Events 2

260 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$3,500

Two single events are recommended, one for each EPN with filters that weren't inspected.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$3,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$166

Violation Final Penalty Total \$6,087

This violation Final Assessed Penalty (adjusted for limits) \$6,087

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 48578
Reg. Ent. Reference No. RN102018322
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				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	31-Jul-2013	31-Oct-2014	1.25	\$63	n/a	\$63

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to ensure that fabric filter inspections are conducted on a monthly basis. The Date Required is the last date of the month in which filter inspections were not conducted. 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	\$1,200	1-Jul-2013	31-Jul-2013	0.08	\$5	\$99	\$104
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

Avoided cost by not conducting the monthly fabric filter inspections for July 2013 (\$100 per monthly inspection x 12 months per year). The Date Required is the first day the monthly inspection for July could have been conducted. The Final Date is the last day the monthly inspection for July could have been conducted.

Approx. Cost of Compliance

\$2,200

TOTAL

\$166

The TCEQ is committed to accessibility.

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Compliance History Report

PUBLISHED Compliance History Report for CN600303614, RN102018322, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN600303614, Chevron Phillips Chemical Company LP **Classification:** SATISFACTORY **Rating:** 11.32

Regulated Entity: RN102018322, PASADENA PLASTICS COMPLEX **Classification:** SATISFACTORY **Rating:** 4.62

Complexity Points: 39 **Repeat Violator:** NO

CH Group: 13 - Pipeline Transportation of Natural Gas, Refined Petroleum, and All Other Products

Location: 1400 JEFFERSON ROAD PASADENA, TEXAS 77506, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
1010312

WASTEWATER PERMIT WQ0000815000

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008098725

AIR OPERATING PERMITS ACCOUNT NUMBER HG0566H

AIR OPERATING PERMITS PERMIT 2645

AIR NEW SOURCE PERMITS REGISTRATION 10304

AIR NEW SOURCE PERMITS REGISTRATION 12106

AIR NEW SOURCE PERMITS PERMIT 5562A

AIR NEW SOURCE PERMITS REGISTRATION 33830

AIR NEW SOURCE PERMITS REGISTRATION 48185

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX808

AIR NEW SOURCE PERMITS EPA PERMIT N006M1

AIR NEW SOURCE PERMITS REGISTRATION 72449

AIR NEW SOURCE PERMITS REGISTRATION 77818

AIR NEW SOURCE PERMITS REGISTRATION 87855

AIR NEW SOURCE PERMITS REGISTRATION 90987

AIR NEW SOURCE PERMITS REGISTRATION 92782

AIR NEW SOURCE PERMITS REGISTRATION 92612

AIR NEW SOURCE PERMITS REGISTRATION 91609

AIR NEW SOURCE PERMITS REGISTRATION 94129

AIR NEW SOURCE PERMITS REGISTRATION 94918

AIR NEW SOURCE PERMITS REGISTRATION 95282

AIR NEW SOURCE PERMITS REGISTRATION 98932

AIR NEW SOURCE PERMITS REGISTRATION 98623

AIR NEW SOURCE PERMITS REGISTRATION 101520

AIR NEW SOURCE PERMITS REGISTRATION 101842

AIR NEW SOURCE PERMITS EPA PERMIT N014M2

AIR NEW SOURCE PERMITS REGISTRATION 110969

AIR NEW SOURCE PERMITS REGISTRATION 109252

AIR NEW SOURCE PERMITS REGISTRATION 117613

AIR NEW SOURCE PERMITS REGISTRATION 108221

AIR NEW SOURCE PERMITS REGISTRATION 118397

AIR NEW SOURCE PERMITS REGISTRATION 110690

AIR NEW SOURCE PERMITS REGISTRATION 118361

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
(SWR) 30038

ON SITE SEWAGE FACILITY PERMIT 1010775

POLLUTION PREVENTION PLANNING ID NUMBER
P00527

PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 40426

WASTEWATER EPA ID TX0007552

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30038

AIR OPERATING PERMITS PERMIT 1315

AIR NEW SOURCE PERMITS REGISTRATION 52681

AIR NEW SOURCE PERMITS REGISTRATION 10817

AIR NEW SOURCE PERMITS PERMIT 4437A

AIR NEW SOURCE PERMITS REGISTRATION 34088

AIR NEW SOURCE PERMITS REGISTRATION 45235

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0566H

AIR NEW SOURCE PERMITS AFS NUM 4820100048

AIR NEW SOURCE PERMITS REGISTRATION 71225

AIR NEW SOURCE PERMITS REGISTRATION 76403

AIR NEW SOURCE PERMITS REGISTRATION 91454

AIR NEW SOURCE PERMITS REGISTRATION 88684

AIR NEW SOURCE PERMITS REGISTRATION 91195

AIR NEW SOURCE PERMITS REGISTRATION 92205

AIR NEW SOURCE PERMITS REGISTRATION 92452

AIR NEW SOURCE PERMITS REGISTRATION 93508

AIR NEW SOURCE PERMITS REGISTRATION 94378

AIR NEW SOURCE PERMITS REGISTRATION 95542

AIR NEW SOURCE PERMITS REGISTRATION 97963

AIR NEW SOURCE PERMITS REGISTRATION 96346

AIR NEW SOURCE PERMITS REGISTRATION 99742

AIR NEW SOURCE PERMITS REGISTRATION 97132

AIR NEW SOURCE PERMITS REGISTRATION 103109

AIR NEW SOURCE PERMITS REGISTRATION 108294

AIR NEW SOURCE PERMITS REGISTRATION 108945

AIR NEW SOURCE PERMITS REGISTRATION 118227

AIR NEW SOURCE PERMITS REGISTRATION 106308

AIR NEW SOURCE PERMITS REGISTRATION 109690

AIR NEW SOURCE PERMITS REGISTRATION 109525

AIR NEW SOURCE PERMITS REGISTRATION 114891

WATER LICENSING LICENSE 1010312

ON SITE SEWAGE FACILITY PERMIT 1010598

AIR EMISSIONS INVENTORY ACCOUNT NUMBER
HG0566H

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

Date Compliance History Report Prepared: April 18, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 17, 2009 to April 17, 2014

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

Name: Rachel Bekowies

Phone: (512) 239-2608

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: 04/18/2011 ADMINORDER 2010-1550-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)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event. Chevron failed to prevent the failure of the Propylene C2 Splitter Reflux Pump seal.

- 2 Effective Date: 11/29/2011 COURTORDER (Final Judgement-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)(i)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Description: Failed to prevent unauthorized emissions. The Respondent is not allowed to discharge propylene, carbon monoxide, ethylene or nitrogen oxides, in the quantities in question (496 lbs of propylene, 937 lbs of carbon monoxide, 359 lbs of ethylene, and 109 lbs of nitrogen oxides) during the emission event on June 17, 2009 through June 30, 2009 at the plant located at 1400 Jefferson Road, Pasadena, Texas. The emission event lasted 76 hours and exceeded the RQ for propylene and ethylene.

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	June 10, 2009	(768472)
Item 2	July 24, 2009	(759063)
Item 3	August 18, 2009	(805065)
Item 4	October 19, 2009	(805066)
Item 5	October 20, 2009	(873952)
Item 6	December 17, 2009	(805068)
Item 7	February 19, 2010	(805064)
Item 8	February 23, 2010	(788116)

Item 9	March 19, 2010	(831033)
Item 10	April 05, 2010	(791934)
Item 11	April 16, 2010	(831034)
Item 12	May 19, 2010	(831035)
Item 13	May 20, 2010	(801541)
Item 14	July 20, 2010	(860906)
Item 15	August 20, 2010	(866882)
Item 16	September 03, 2010	(830289)
Item 17	September 07, 2010	(830317)
Item 18	October 20, 2010	(881549)
Item 19	November 01, 2010	(863349)
Item 20	November 03, 2010	(850330)
Item 21	November 18, 2010	(888071)
Item 22	December 10, 2010	(877717)
Item 23	December 16, 2010	(896294)
Item 24	January 20, 2011	(916388)
Item 25	February 19, 2011	(909137)
Item 26	April 20, 2011	(924904)
Item 27	May 06, 2011	(878151)
Item 28	May 19, 2011	(938074)
Item 29	May 24, 2011	(921481)
Item 30	June 16, 2011	(919137)
Item 31	June 29, 2011	(922854)
Item 32	July 11, 2011	(932892)
Item 33	July 20, 2011	(952671)
Item 34	August 19, 2011	(959357)
Item 35	October 20, 2011	(971428)
Item 36	October 26, 2011	(943901)
Item 37	October 27, 2011	(955722)
Item 38	December 20, 2011	(984355)
Item 39	January 19, 2012	(990651)
Item 40	March 20, 2012	(1003541)
Item 41	April 19, 2012	(1010106)
Item 42	May 14, 2012	(1016497)
Item 43	May 23, 2012	(1003077)
Item 44	June 20, 2012	(1079064)
Item 45	July 20, 2012	(1031612)
Item 46	August 17, 2012	(1037989)
Item 47	September 19, 2012	(1046726)
Item 48	October 12, 2012	(1061037)
Item 49	November 20, 2012	(1061038)
Item 50	December 20, 2012	(1061039)
Item 51	February 06, 2013	(1053001)
Item 52	February 20, 2013	(1079063)
Item 53	March 20, 2013	(1089356)
Item 54	April 18, 2013	(1095749)
Item 55	May 16, 2013	(1106674)
Item 56	June 20, 2013	(1110349)
Item 57	July 19, 2013	(1117234)
Item 58	August 05, 2013	(1124989)
Item 59	September 19, 2013	(1129588)
Item 60	October 17, 2013	(1135320)
Item 61	November 19, 2013	(1140718)
Item 62	December 03, 2013	(1123078)
Item 63	December 19, 2013	(1147177)
Item 64	January 20, 2014	(1153246)
Item 65	February 18, 2014	(1133619)
Item 66	February 20, 2014	(1160581)

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: 06/12/2013 (1050556) CN600303614

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to perform monthly inspections on degreasers (DEG-4 and DEG-7).
(Category C1)

Self Report? NO Classification: Moderate
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)
Special Terms and Conditions (ST&C) 2F OP
Description: Failure to create a final record within 2 weeks following the end of an emission
event. (Category C3)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 16(A) OP
Special Condition 8(B)(3) PERMIT
Description: Failure to conduct monthly filter inspections on the PE 8 Pellet Blend (EPN 404)
and the PE 8 Pellet Load Out (EPN 405). (Category C1)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(e)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to maintain closed car-seals on valves within the (polyethylene
polypropylene) PEPP-Vents Unit. (Category C1)

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 DDD 60.565(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition (7)(F) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST & C 16(A) OP
Description: Failure to document monthly car-seal inspections. (Category C3)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter G 117.8140(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to perform the biennial testing timely on the Water Well #5 engine (EPN
27). (Category B1)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to operate the firewater pump engines #2 and #3 (EPNs 22 and 23) within
the hourly limit of 100 hours.(Category C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to operate cooling tower (EPN 307) highly reactive volatile organic
compound (HRVOC) on-line gas chromatograph (GC) 95% annually. (Category
C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2490(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to conduct quarterly sampling on the polypropylene high activity catalyst (PP HAC) (ID 132) and gas-phase polypropylene (PP GPH) (ID 803) cooling towers prior to the unit being shut down. (Category B1)

Self Report? NO Classification: Moderate

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

Description: Failure to properly conduct quarterly visible emission observations on stationary vents emission point numbers (EPNs) 210, 212, 255, 257, 206, 252, 402, 452, 413, 455, 722, 732, 761, 750, 749, 740, 821, 824, and the Seep Powder Service Drum Vent. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Condition 3(A)(i) OP

Description: Failure to prevent visible emissions from PE 6, PE 7 and PE 8. (Category C1)

Self Report? NO Classification: Moderate

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

Description: Failure to properly conduct the quarterly visible emission observations on polyethylene (PE) units PE 6, PE 7, and PE 8. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(1)(i)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition (7)(A) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP

Description: Failure to operate the flares (PE 7 (EPN 308), PE 8 (EPN 408), and PP (EPN 216)) net heating value at a minimum of 300 British thermal unit per standard cubic foot (Btu/scf). (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP

Description: Failure to operate within (polyethylene) PE 7 (EPN 308) off-gas permitted limit. (Category B14)

Self Report? NO Classification: Moderate

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

Description: Failure to conduct the annual polypropylene (PP) Flare (EPN 216) highly reactive volatile organic compound (HRVOC) panametric flow meter calibrations in 2011. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to conduct the annual high activity catalyst cooling tower (HAC CT) (EPN 132) and polypropylene gas-phase cooling tower (GPH CT) (EPN 803) highly reactive volatile organic compound (HRVOC) panametric flow meter calibration in 2011. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 14 OP

Description: Failure to submit Permit by Rule (PBR) 106.262 for 64 new leak detection and repair (LDAR) components that were placed into service for more than 10 days. (Category C4)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition (3)(F) PERMIT
 Special Terms and Conditions (ST&C) 1A OP
 ST&C 16(A) OP
 Description: Failure to monitor 7 valves in HRVOC (highly reactive volatile organic compound)
 and NSPS (standards for new stationary sources) service. (Category B1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions (ST&C) 1A OP
 Description: Failure to monitor 18 connectors. (Category B1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition (3)(E) PERMIT
 Special Terms and Conditions (ST&C) 1A OP
 ST&C 16(A) OP
 Description: Failure to equipped open ended lines (OELs) with a cap, blind flange, plug, or a second valve. (Category C 10)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions (ST&C) 1A OP
 Description: Failure to conduct weekly pump inspections on 41 pumps within the polyethylene (PE) 7 and PE 8 units. (Category B1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(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 DDD 60.562-2(e)
 5C THSC Chapter 382 382.085(b)
 Special Condition (3)(H) PERMIT
 Special Terms and Conditions (ST&C) 1A OP
 ST&C 16(A) OP
 Description: Failure to properly identify a leaking valve in the polypropylene (PE) 8 unit. (Category C3)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions (ST&C) 1A OP
 Description: Failure to perform the 1st attempt to repair a leaking components within the polyethylene (PE) 7 and PE 8 area timely. (Category C1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions (ST&C) 1A OP
 Description: Failure to monitor a valve, within the polyethylene (PE) 8 unit, for 2 consecutive months following the detection of a leak. (Category B1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions (ST&C) 1A OP
 Description: Failure to perform the initial monitoring on 1 connector in VOC service within the polyethylene (PE) 8 unit. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to conduct the initial monthly monitoring of 2 NSPS valves within the PE 6 unit. (Category C1)

Self Report? NO Classification: Moderate

Citation: 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)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to include 3 valves within the number of components in the Initial Compliance Report. (Category C3)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to monitor 5 difficult to monitor connectors in HRVOC service. (Category B1)

2 Date: 07/31/2013 (1094158) CN600303614

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 3A OP

Description: Failure to limit visible emission from EPNs 525 and 526 to less than 20 percent opacity. (Category C7 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 7 PERMIT
Special Term and Condition 1A OP

Description: Failure to maintain the net heating value for EPNs 524 and 536 above 300 British thermal units per standard cubic foot (Btu/scf). (Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 16G PERMIT
Special Term and Condition 11 OP

Description: Failure to conduct quarterly monitoring with a gas analyzer for 2 pumps. (Category B3 violations)

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 16F PERMIT
Special Term and Condition 11 OP

Description: Failure to conduct quarterly monitoring with a gas analyzer for 28 valves. (Category B3 violations)

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 16E PERMIT
Special Term and Condition 11 OP

Description: Failure to conduct quarterly monitoring with a gas analyzer for 178 connectors. (Category B3 violations)

Self Report? NO Classification: Minor

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

Description: Failure to conduct sampling for highly reactive volatile organic compounds (HRVOCs) within 10 hours of the HRVOC analyzer system for EPN 524

experiencing downtime. (Category C1 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 2E OP
 Description: Failure to submit the 2011 Emission Inventory by March 31, 2012. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to report seven periods of flare malfunction for EPN 536 in the 40 CFR Part 63 Subpart FFFF compliance report due February 28, 2012. (Category B3 violation)
 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)
 Special Term and Condition 2F OP
 Description: Failure to create a final record of an emission event within two weeks of the end of the emission event. (Category C3 violation)

3 Date: 08/14/2013 (1106371)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Permit 4437A, Special Condition 1 PERMIT
 Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

4 Date: 04/02/2014 (1134893) CN600303614
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 7A PERMIT
 Special Terms and Conditions 1A and 13 OP
 Description: Failure to maintain the net heating value of the flare above 300 BTU/scf [Category C4 violation]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to perform weekly visual inspections of pumps [Category C1 violation]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(e)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain car-seals in a closed position [Category C4 violation]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to record fugitive monitoring results within the required time frame [Category C3 violation]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to conduct daily mid-point calibrations of the HRVOC analyzer on the PE8 cooling tower [Category C1 violation]
 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)
 Special Term and Condition 2F OP

Description: Failure to create a final record of an emission event within fourteen days of the event [Category C3 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)(II)
 5C THSC Chapter 382 382.085(b)

Description: Failure to conduct an extraordinary repair attempt [Category C4 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Description: Special Condition 21D(2) PERMIT
 Special Term and Condition 13 OP
 Failure to properly monitor the lower explosive limit prior to opening piping for a maintenance activity [Category C1 violation]

Self Report? NO Classification: Minor

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

Description: Failure to document at least 98% of daily flare observations [Category C3 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8(B)(2) PERMIT
 Special Term and Condition 13 OP

Description: Failure to conduct quarterly filter inspections [Category C1 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 8B OP

Description: Failure to conduct 40 CFR 60 Subpart DDD testing within 60 days of achieving maximum production [Category C1 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3(I) PERMIT
 Special Term and Condition 13 OP

Description: Failure to repair connectors within fifteen days [Category C1 violation]

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 7C PERMIT
 Special Terms and Conditions 1A and 13 OP

Description: Failure to prevent flares from smoking [Category C4 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3F PERMIT
 Special Terms and Conditions 1A and 13 OP

Description: Failure to monitor valves for fugitive emissions [Category C1 violation]

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to properly identify valves, connectors, and a pump subject to 40 CFR 63 Subpart FFFF [Category C7 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to monitor connectors in HRVOC service as required [Category C1 violation]

F. Environmental audits:

Notice of Intent Date: 03/24/2009 (742450)

Disclosure Date: 09/21/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(d)(2)
40 CFR Part 60, Subpart DDD 60.565(b)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)

Description: Failure to properly identify all valves in the Polyethylene plant 6 DDD Engineering Vent plan. Specifically, 97 valves required to be described in the DDD Engineering Vent plan were not included and 41 valves were determined to not be applicable to the regulation. These additional valves are not included in the list of components reviewed each month for car seal status, nor are the change in positions logged as required, since they are not in the plant program for DDD car seal monitoring.

Notice of Intent Date: 08/21/2009 (768010)

Disclosure Date: 09/30/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Description: Failure to ensure the field components in the GPH Unit and the associated LDAR database include all required components and to ensure the components are monitored in accordance with requirements.

Viol. Classification: Moderate

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

Description: Failure to ensure all valves and connectors in HRVOC MON service were identified as MON components in the LDAR database and to ensure components are included in the Initial Compliance Status Report component count.

Notice of Intent Date: 08/27/2009 (776282)

Disclosure Date: 02/25/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46

Description: Failure to record chlorine usage weekly.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109

Description: Failure to ensure fecal sampling is representative of entire system.

Notice of Intent Date: 10/14/2009 (782657)

Disclosure Date: 04/29/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter H 115.781(f)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1029(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)

Description: Failure to ensure all required components were included in the LDAR database, ensure they were being monitored, ensured proper record keeping was performed, and ensure they were properly reported.

Notice of Intent Date: 11/17/2009 (794517)

No DOV Associated

Notice of Intent Date: 02/10/2011 (901387)

No DOV Associated

Notice of Intent Date: 05/05/2011 (924227)

Disclosure Date: 10/27/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.786

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)

Description: Failure to conduct State and Federal recordkeeping on connectors subject to HRVOC and/or MON requirements.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)

Description: Failure to conduct Federal recordkeeping on pumps and relief valves subject to MON requirements.

Notice of Intent Date: 09/30/2011 (976525)

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

Component Appendices

Appendix A

All NOVs Issued During Component Period 4/17/2009 and 4/17/2014

- 1 Date: 04/30/2009 (768471) CN600303614
Classification: Moderate
Self Report? YES For Informational Purposes Only
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
- 2 Date: 08/28/2009 (721137) CN600303614
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
NSR Permit# 4437A/PSD-TX-808,SC#22(B)(2) PA
Description: Failed to analyze off-samples for testing on a weekly basis. (Category B13 Violation)
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
NSR Permit No.4437A/PSD-TX-808, SC#8B(3) PA
Description: Failure to perform and record monthly visual inspections of filter equipment in June 2008. (Category C1 Violation)
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C #1A OP
FOP #O-01315, ST & C #13 OP
NSR Permit No. 4437A, SC#3A PA
Description: Failure to seal three open-ended lines in VOC service. (Category C1 Violation)
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C#11 OP
FOP #O-01315, ST & C#1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#7A PA
Description: Failure to maintain the minimum net heating value for the Polyethylene Unit Flares 7 and 8 (EPN's: 308 and 408) and the Polypropylene Flare (EPN: 216). (Category C4 Violation)
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C#11 OP
FOP #O-01315, ST & C#1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#7B PA

Description: Failure to maintain the thermocouples on Polyethylene Unit Flares 7 and 8 (EPN's: 308 and 408) and the Polypropylene Flare (EPN: 216) which lost pilot flames on different occasions from October 6, 2007 through August 20, 2008. (Category C4 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.786(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to calculate emissions for valves and connectors in HRVOC service within five days. (Category B1 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, General Terms & Conditions OP

Description: Failure to maintain monthly car seal inspection records for June 2008 and July 2008. (Category C4 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to operate within the allowable annual downtime limit of 5% for PE 6 and PE 7 Cooling Towers (EPN's: 260, and 307) and the PE 7 HRVOC Flare (EPN: 308) from December 31, 2007 to January 1, 2008. (Category C4 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C # 1.G.(v) OP

Description: Failure to operate GPH, HAC Tr2, HAC Tr4, PE7-1, and PE7-2 vents within the HRVOC operational parameters. (Category C4 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(ii)(I)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to conduct weekly HRVOC GC calibration checks on the PE 6 HRVOC Flare (EPN: 216). The weekly calibration checks were performed beyond the seven day period from March 13, 2008 to March 15, 2008. (Category C4 Violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C#11 OP
FOP # O-01315, ST & C#1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#3H PA

Description: Failure to attach a tag on a leaking screwed connector and a pressure gauge for the Polyethylene 8 Plant piping fugitives (EPN: 406) in VOC/HAP service from December 16, 2007 to January 22, 2008 and September 30, 2008. (Category C4 Violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(6)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

FOP # O-01315, ST & C #1A OP
FOP #O-01315, ST & C #11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#8A PA

Description: Failure to prevent plastic pellets from spilling over due to the sock filters over-pressuring on September 1, 2008. (Category B1 Violation)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, General Terms & Conditions OP

Description: failure to maintain daily Method 21 calibration records for PE6 fugitives from July 20, 2008 to July 30, 2008; August 8, 2008 to August 27, 2008; and September 9, 2008 to September 28, 2008. (Category C1 Violation)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 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)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
FOP #O-01315, ST & C #1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#3F PA

Description: Failure to calibrate the monitoring instrument analyzer on a daily basis prior to monitoring components for the PE 7 piping fugitives (EPN: 306), PE8 piping fugitives (EPN: 406), and PP piping fugitives (EPN: 801) units for the periods of July 25, 2007, August 7, 2007, and September 4, 2007. (Category C1 Violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C #11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: Failure to prevent an exceedance of the CO hourly emission CAP limit for the Activator No. 5 HEPA Filter due to an incorrect representation for the activation of a certain catalyst from November 15, 2004 to March 31, 2008. (Category B1 Violation)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C# 11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: failure to prevent an exceedance of the VOC hourly emission CAP limits for the PE 6/7 Flare (EPN: 308), PE 8 Flare (EPN: 408), and the PP Flare (EPN: 216) on June 19, 2007. (Category B13 Violation)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C#11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: Failure to accurately calculate emission CAP calculations and CAP calculation records were not completed within three months of the the end of each month for the PE 6/7 Flare (EPN: 308), PE 8 Flare (EPN: 408), and the PP Flare (EPN: 216) from June 1, 2007 through December 31, 2007. (Category B1 Violation)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, General Terms & Conditions OP

Description: Failure to represent a particulate matter emission source in NSR Permit No. 4437A/PSD-TX-808 that is used in the transportation of fluff (Category C1 Violation)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #3A(iv)(1) OP
Description: Failure to observe for visible emissions from the Tank Farm Filters (EPN: 39A), SE PP Hopper Car Loading (EPN: 39Df), Pellet Silo A Filter (EPN: 817B), Pellet Silo C Filter (EPN: 817C), and the Seed Powder Service Drum Vent #YV53448. (Category C1 Violation)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 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)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C#1A OP
FOP #O-01315, ST & C#11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#3F PA
NSR Permit No. 4437A/PSD-TX-808, SC#5F PA
Description: Failure to monitor valves in VOC and HRVOC service on a monthly and quarterly basis in the in the PE 7 piping fugitives (EPN: 306), PE8 piping fugitives (EPN: 406), and PP piping fugitives (EPN: 801) units for the periods of November 15, 2004 through September 30, 2008. (Category B1 Violation)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
NSR Permit No. 4437A/PSD-TX-808, SC#1 PA
Description: Failure to prevent an exceedance of the VOC emission CAP routine and MSS limits for the PE6/7 Flare (EPN: 308), PE8 Flare (EPN: 408), and the PP Flare (EPN: 216) from December 1, 2007 to March 31, 2008. (Category B1 Violation)

3 Date: 09/22/2009 (764038)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit Initial Notification within 24 hours of discovery of the emissions event.

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event. Chevron Phillips failed to prevent the partial plugging of the distributor plate.

4 Date: 10/31/2009 (805067) CN600303614

Classification: Moderate

Self Report? YES For Informational Purposes Only
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

5 Date: 11/19/2009 (747538) CN600303614

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1A ORDER
NSR 5562A, SC 17C PERMIT
NSR 5562A, SC 4C PERMIT

Description: Failure to operate the K-Resin Main Flare without visible emissions. (CATEGORY C7 violations)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(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 60.7(f)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
5C THSC Chapter 382 382.085(b)
FOP SC 13 ORDER
FOP STC 1A ORDER
NSR 5562A, SC 14F PERMIT
NSR 5562A, SC 17B PERMIT

Description: Failure to maintain five (5) daily Method 21 calibration records between July 8, 2008 and July 30, 2008. (CATEGORY C3 violations)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP STC 13 ORDER
NSR 5562A, SC 17C PERMIT
NSR 5562A, SC 4A PERMIT

Description: Failure to maintain the net heating value of waste gas for K-Resin main flare at 300 BTu/scf. (CATEGORY B19g1 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1A ORDER
NSR 5562A, SC 14-I PERMIT

Description: Failure to install and maintain Delay of Repair tags from December 1, 2008 through February 27, 2009. (CATEGORY C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1A ORDER
NSR 5562A, SC 14-I PERMIT

Description: Failure to make first attempt and final repair on a VOC valve between January 26, 2009 and February 26, 2009. (CATEGORY C3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(10)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP STC 1A ORDER

Description: Failure to maintain Firewater pump engine #1 and #2 operating hours from exceeding the 100 hour limitation. (CATEGORY C7 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP STC 2F ORDER

Description: Failure to create a final record within two weeks of the end date of the emission event. (CATEGORY C3)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1A ORDER
FOP STC 1H(v) ORDER
NSR 5562A, SC 14E PERMIT

Description: Failure to seal open-ended line on a tubing bleeder located on the Neohexene flare header. (CATEGORY C10 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1A ORDER
FOP STC 1H(v) ORDER
NSR 5562A, SC 14F PERMIT
NSR 5562A, SC 15F PERMIT
NSR 5562A, SC 6F PERMIT
NSR 5562A, SC 8F PERMIT

Description: Failure to monitor 1192 components from February 28, 2008 through October 1, 2008. (CATEGORY B19g1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
5C THSC Chapter 382 382.085(b)
FOP STC 1A ORDER
FOP STC 1H(v) ORDER

Description: Failure to monitor annually in Neohexene Plant three (3) VOC and HRVOC difficult-to-monitor valves from February 28, 2005 through May 31, 2008. (CATEGORY B19g1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1H ORDER
NSR 5562A, SC 13C PERMIT
NSR 5562A, SC 13E PERMIT
NSR 5562A, SC 14F PERMIT
NSR 5562A, SC 6M PERMIT

Description: Failure to quarterly monitor one hundred eighty (180) VOC and HRVOC flanges from February 28, 2005 through October 1, 2008. (CATEGORY B19g1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(f)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP STC 13A ORDER
FOP STC 1H(v) ORDER
NSR 5562A, SC 15E PERMIT
NSR 5562A, SC 8E PERMIT

Description: Failure to monitor annually eight hundred seventy eight (878) VOC and HROC connectors in K-Resin Train 4 from February 28, 2005 through July 31, 2008. (CATEGORY B19g1 violation)

6 Date: 12/31/2009 (805069) CN600303614

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

7 Date: 04/15/2010 (790017) CN600303614

Classification: Minor

Self Report? NO For Informational Purposes Only

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 2F OP

Description: Failure to create the final record for 8 separate non-reportable (recordable) emission events within two weeks of the event occurring. (CATEGORY C3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SC 3E PERMIT
ST&C 13 OP
ST&C 1A OP

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

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
SC 3H PERMIT
ST&C 13 OP
ST&C 1A OP

Description: Failure to tag the component with a visual leak tag. (CATEGORY C1 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
ST&C 1A OP

Description: Failure to make the extraordinary repairs on HRVOC valves within the required timeframe. (CATEGORY C1 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.786(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: ST&C 1A OP
 Failure to perform the emission calculations for delay of repair (DOR) components in HRVOC service. (CATEGORY B1 violation)
 Classification: Minor

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
 5C THSC Chapter 382 382.085(b)
 SC 3F PERMIT

Description: ST&C 13 OP
 ST&C 1A OP
 Failure to conduct follow up monitoring on one connector that was placed back into VOC service. (CATEGORY C1 violation)
 Classification: Minor

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to transfer the 1 HRVOC connector monitoring event from the datalogger to the database within 7 days of the event. (CATEGORY C3 violation)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to provide notification within 10 days following the installation of new components. (CATEGORY B3 violation)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to report all HRVOC connectors in the HRVOC semi-annual report. (CATEGORY C3 violation)
 Classification: Minor

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 SC 7C PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to maintain the flare resulting in a smoking flare. (CATEGORY C4 violation)
 Classification: Minor

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 SC 7A PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to maintain the minimum net heating value of waste gas above 300 BTU/scf. (CATEGORY C4 violation)
 Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
SC 7B PERMIT
ST&C 13 OP
ST&C 1A OP
Description: Failure to continuously record the presence of the flare or pilot light flame with the thermocouples. (CATEGORY C4 violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 8(B)(2) PERMIT
ST&C 13 OP
ST&C 3.A.iv.1 OP
Description: Failure to perform quarterly visual particulate observations on vents. (CATEGORY C1 violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 8(B)(3) PERMIT
ST&C 13 OP
Description: Failure to perform monthly visual particulate observations on vents. (CATEGORY C1 violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 8(B)(1) PERMIT
ST&C 13 OP
Description: Failure to perform weekly visual particulate observations on vents. (CATEGORY C1 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to stay within the monitored parameters for production rates during normal operations. (CATEGORY B13 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to develop a resin factor for HHM 5202ST. (CATEGORY B1 violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
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 22.B.1 PERMIT
ST&C 13 OP
Description: Failure to maintain continuous monitoring of offgas. (CATEGORY C3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.142(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to authorize four engines (EPNs UtilPortComp1, UtilPortComp2,
UtilPortComp3 and UtilPortComp4). (CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct the required quarterly NOx and CO emissions testing on EPNs
UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4. (CATEGORY
B1 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 2.E OP
Description: Failure to properly report the emissions from the engines, EPNs UtilPortComp1,
UtilPortComp2, UtilPortComp3 and UtilPortComp4, in 2008 in the Emissions
Inventory (EI). (CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1.E.vi OP
Description: Failure to properly report the emissions from the engines, EPNs UtilPortComp1,
UtilPortComp2, UtilPortComp3 and UtilPortComp4, in 2008 in the 2008 ECT -1
Report. (CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 117, SubChapter B 117.356(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit a revised Final Control Plan for Attainment Demonstration that
included EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4.
(CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
5C THSC Chapter 382 382.085(b)
Description: Failure to include 4 vents in the Title V revisions that incorporated the MON (40
CFR 63, Subpart FFFF) regulation. (CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(d)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to properly represent three storage tanks, Tank IDs HCS-95-02,
HCS-95-07, and HCS 95-10, in the Title V permit as subject to the notification of
construction and startup requirements of NSPS (40 CFR 60, Subpart Kb).
(CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
ST&C 13 OP
Description: Failure to prevent an exceedance of the VOC emission CAP limits for Normal
Operations and Maintenance/Startup/Shutdown (MSS) for the PE 6/7 Flare (EPN

308), PE 8 Flare (EPN 408), and the PP Flare (EPN 216) from 10/01/2008 to 06/30/2009. (CATEGORY B13 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
ST&C 13 OP

Description: Failure to prevent an exceedance of the CO hourly emission CAP limit for Activator No. 5 HEPA Filter (EPN 1003) due to an incorrect permit representation for the activation of a certain catalyst from 10/01/2008 to 09/30/2009. (CATEGORY B13 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)
30 TAC Chapter 106, SubChapter K 106.263(g)
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)
ST&C 13 OP

Description: Failure to maintain the records required by PBR 106.263 for the transportation of fluff. (CATEGORY B3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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 21 PERMIT
ST&C 13 OP

Description: Failure to recalculate emissions from the "Non-Flare PP VOC Sources" and the "Non-Flare PE VOC Sources" emissions caps and EPN 900 using the new component counts. (CATEGORY B3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 12 OP
ST&C 1A OP

Description: Failure to maintain the lids in a closed position on three degreasers. (CATEGORY C4 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all deviations during the correct deviation reporting periods. (CATEGORY C3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to perform carseal inspections. (CATEGORY C1 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to maintain equipment resulting in visible emissions during transfer operations. (CATEGORY C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
5C THSC Chapter 382 382.085(b)
Description: Failure to record engine operating hours. (CATEGORY B3 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to permit the emergency firewater pump engine at the San Jacinto Water
Treater, EPN SJWTFE102 in Federal Operating Permit (FOP) O-01315.
(CATEGORY B18 violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to include vents in the Notice of Compliance Status report. (CATEGORY B3
violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
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 W 60.482-1(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
5C THSC Chapter 382 382.085(b)
SC 3F PERMIT
ST&C 13 OP
ST&C 1A OP
Description: Failure to monitor three valves that became subject to the MON (40 CFR 63,
Subpart FFFF) requirements on 05/10/2008. (CATEGORY C1 violation)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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 60.482-7(d)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT W 60.482-1(f)(1)
5C THSC Chapter 382 382.085(b)
SC 3I PERMIT
ST&C 13 OP
ST&C 1A OP
Description: Failure to make repairs by the deadlines for 1st attempt/final attempt repair
requirements. (CATEGORY C1 violation)

8 Date: 05/31/2010 (846316) CN600303614
Classification: Moderate

Self Report? YES For Informational Purposes Only
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

9 Date: 07/16/2010 (803564) CN600303614
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)
Description: Failure to perform the Manganese Oxide Correction correctly.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: TPDES Permit No. WQ0000815000 PERMIT
TWC Chapter 26 26.121

Description: Failure to prevent the unauthorized discharge of plastic pellets into the receiving stream.

Classification: Minor

Self Report? NO For Informational Purposes Only

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

TPDES Permit No. WQ0000815000 PERMIT

Description: Failure to maintain compliance with the permitted effluent limitation for Total Residual Chlorine.

10 Date: 10/15/2010 (866409) CN600303614

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(d)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to properly represent three storage tanks, Tank IDs HCS-95-02, HCS-95-07, and HCS 95-10, in the Title V permit as subject to the notification of construction and startup requirements of NSPS (40 CFR 60, Subpart Kb). (CATEGORY B3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to permit the emergency firewater pump engine at the San Jacinto Water Treater, EPN SJWTFE102 in Federal Operating Permit (FOP) O-01315. (CATEGORY B18 violation)

11 Date: 12/31/2010 (902353) CN600303614

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

12 Date: 01/28/2011 (870371)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to prevent unauthorized emissions. Specifically, Chevron failed to prevent loss of power to the flare system blower, which resulted in unauthorized emissions.

13 Date: 06/07/2011 (906737) CN600303614

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term & Condition 13 OP

Description: Failure to prevent unauthorized emissions. Specifically, Chevron Phillips failed to properly install a cylinder discharge crank end valve on the LP Compressor's 3rd stage which resulted in the release of unauthorized emissions. (CATEGORY B13 Violation)

14 Date: 08/18/2011 (922781) CN600303614

Classification: Minor

Self Report? NO For Informational Purposes Only

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# 4A PERMIT
 STC# 13 OP
 STC#10 OP
 Description: Failure to maintain the minimum net heating value for the K-Resin Flare, 524, on 05/27/06, 03/22/10 and 09/27/10. (Category C4)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Condition #1(H)(iii) OP
 Description: Failure to complete the required annual calibration on the K-Resin HRVOC flare, 524, header pressure and temperature instrumentation from 12/31/10 through 01/18/11. (Category B1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 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 13A PERMIT
 SC 13E PERMIT
 STC 13 OP
 Description: Failure to monitor flanges in VOC service. (Category B19g1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 14(I) PERMIT
 STC 13 OP
 Description: Failure to conduct final repair on one (1) valve (tag# 01316279) in VOC service on 07/07/10 in the K-Resin Unit. (Category C3)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 SC 15H PERMIT
 STC 13 OP
 Description: Failure to conduct final repair on one (1) connector (tag #00085831.3) in VOC service from 06/06/08 through 11/02/10. (Category C1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Condition #3(A)(iv)(1) OP
 Description: Failure to document particulate emissions during the visual observations on the following sources: Train III extruder drier vent, EPN: 615 (10/08/09, 05/07/10, 07/02/10 and 02/25/11); blending and storage, EPN: 525: (10/08/09 and 05/07/10); bagging and loading, EPN: 526 (10/08/09). (Category B1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to include all deviations in the deviation reports for the reporting period 02/28/06 through 08/30/06 and 02/28/10 through 02/27/11. (Category B3)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)
 5C THSC Chapter 382 382.085(b)

- STC 1(D) OP
 Description: Failure to classify storage tank, KR-95-14, as a Group 1 storage tank in the initial Notice of Compliance Status report per 40 CFR 63 Subpart FFFF from 05/10/08 through 08/24/09. (Category C3)
- 15 Date: 10/31/2011 (977585) CN600303614
 Classification: Moderate
 Self Report? YES For Informational Purposes Only
 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: 01/31/2012 (998015) CN600303614
 Classification: Moderate
 Self Report? YES For Informational Purposes Only
 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
- 17 Date: 03/01/2012 (970438) CN600303614
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 SC 3F PERMIT
 ST&C 1A OP
 Description: Failure to monitor valves on a quarterly basis. (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 1A OP
 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to monitor connectors as required due to inadequate recordkeeping. (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(f)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to perform Method 21 monitoring on closed vent system valves and connectors in HC Storage Fugitives (EPN 901). (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to conduct initial monitoring of connectors. (Category C 1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)
 5C THSC Chapter 382 382.085(b)
 SC# 3F PERMIT
 ST&Cs 1A and 13 OP

Description: Failure to re-monitor fugitive components following repair of the components.
(Category C1)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(b)
5C THSC Chapter 382 382.085(b)
SC 3I PERMIT
ST&C 13 OP
ST&C 1A OP

Description: Failure to repair fugitive components prior to placing the components into service.
(Category C4)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
5C THSC Chapter 382 382.085(b)
SC 3I PERMIT
ST&C 1A and 13 OP

Description: Failure to conduct a first attempt at repair of fugitive components within the
required time frame. (Category C4)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to transfer fugitive component inspection results to the LDAR database
within seven days. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
SC 7A PERMIT
ST&C 1A and 13 OP

Description: Failure to maintain the minimum flare net heating value.(Category C4)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
SC 7A PERMIT

ST&C 1A and 13 OP

Description: Failure to comply with the flare pilot flame monitoring requirements. (Category
C4)

Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to conduct quarterly visible emission observations (VEOs) of sources as
required. (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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 8B PERMIT
 ST&C 13 OP
 Description: Failure to prevent the occurrence of visible emissions. (Category B13)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 12 OP
 Description: Failure to conduct a monthly degreaser inspection. (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 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 8B(3) PERMIT
 ST&C 13 OP
 Description: Failure to perform and record monthly visual inspections of filter equipment.
 (Category C1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(d)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to conduct and record monthly car seal inspections. (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to properly collect cooling tower HRVOC samples. (Category C1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to operate the analyzers within the allowable annual downtime limit of 5
 percent for the PE 7 Cooling Tower (EPN 307) and the Cooling Tower (EPN 132).
 (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(A)
 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to conduct annual calibrations for flare instrumentation. (Category C1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to comply with the Train 2 extruder production rate while processing resin
 K203.
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 3E PERMIT

Description: ST&C 1A and 13 OP
Failure to seal one open ended line in VOC service. (Category C10)
Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to report deviations as required. (Category C3)
Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to submit a permit by rule notification within ten days following the installation or modification of facilities. (Category C3)
Classification: Minor

Self Report? NO For Informational Purposes Only

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# 8B(2) PERMIT
ST&C 13 OP

Description: Failure to conduct quarterly baghouse filter inspections. (Category C1)

18 Date: 05/31/2012 (1024220) CN600303614
Classification: Moderate

Self Report? YES For Informational Purposes Only

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

19 Date: 06/21/2012 (1013279) CN600303614
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
2D TWC Chapter 26, SubChapter A 26.121(a)(1)
2D TWC Chapter 26, SubChapter A 26.121(a)(3)
2D TWC Chapter 26, SubChapter A 26.121(b)
2D TWC Chapter 26, SubChapter A 26.121(c)
2D TWC Chapter 26, SubChapter A 26.121(d)
2D TWC Chapter 26, SubChapter A 26.121(e)
30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)(2)

Description: Failed to prevent the unauthorized discharge of wastewater.

20 Date: 08/27/2012 (1008123) CN600303614
Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to report 6 deviations in previous deviation reports
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
SC 4A PERMIT
ST&C 1 and 11 OP

Description: Failure to maintain net heating valve above 300 Btu/scf for K-Resin Flare (EPN)

524)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(a)(1)
5C THSC Chapter 382 382.085(b)
ST&C 1 OP

Description: Failure to continuously maintain monitoring records of pilot flame for K-Resin Flare (EPN 524)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

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

Description: Failure to take manual samples of K-Resin Flare (EPN 524)

Classification: Minor

Self Report? NO

For Informational Purposes Only

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

Description: Failure to properly conduct quarterly visible emissions observations for vents (EPNs 525, 526 and 615)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 3A(iv) OP

Description: Failure to determine opacity of emissions from the blending vent (EPN 525) and the bagging vent (EPN 526) by Test Method 9

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 11 OP

Description: Failure to conform with permit representations

Classification: Minor

Self Report? NO

For Informational Purposes Only

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

Description: Failure to record quarterly visible emissions observation for vent (EPN 615)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1 OP

Description: Failure to record the date of the last leak testing of each tank truck for loading or unloading

Classification: Minor

Self Report? NO

For Informational Purposes Only

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 13A PERMIT

Description: Failure to conduct annual monitoring for three blind flanges

Classification: Minor

Self Report? NO

For Informational Purposes Only

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 15F PERMIT
ST&C 11 OP

Description: Failure to re-monitor 6 fugitive components within 15 days of being placed back into VOC service after leak repairs

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Date: 06/12/2013 (1050556) CN600303614
Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to perform monthly inspections on degreasers (DEG-4 and DEG-7). (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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)
Special Terms and Conditions (ST&C) 2F OP

Description: Failure to create a final record within 2 weeks following the end of an emission event. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 16(A) OP
Special Condition 8(B)(3) PERMIT

Description: Failure to conduct monthly filter inspections on the PE 8 Pellet Blend (EPN 404) and the PE 8 Pellet Load Out (EPN 405). (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(e)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to maintain closed car-seals on valves within the (polyethylene polypropylene) PEPP-Vents Unit. (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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 DDD 60.565(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition (7)(F) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST & C 16(A) OP

Description: Failure to document monthly car-seal inspections. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter G 117.8140(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to perform the biennial testing timely on the Water Well #5 engine (EPN 27). (Category B1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to operate the firewater pump engines #2 and #3 (EPNs 22 and 23) within the hourly limit of 100 hours.(Category C4)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to operate cooling tower (EPN 307) highly reactive volatile organic compound (HRVOC) on-line gas chromatograph (GC) 95% annually. (Category C4)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2490(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to conduct quarterly sampling on the polypropylene high activity catalyst (PP HAC) (ID 132) and gas-phase polypropylene (PP GPH) (ID 803) cooling towers prior to the unit being shut down. (Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) (3)(A)(iv)(1) OP
Description: Failure to properly conduct quarterly visible emission observations on stationary vents emission point numbers (EPNs) 210, 212, 255, 257, 206, 252, 402, 452, 413, 455, 722, 732, 761, 750, 749, 740, 821, 824, and the Seep Powder Service Drum Vent. (Category C1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Condition 3(A)(i) OP
Description: Failure to prevent visible emissions from PE 6, PE 7 and PE 8. (Category C1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition (3)(A)(iv)(4) OP
Description: Failure to properly conduct the quarterly visible emission observations on polyethylene (PE) units PE 6, PE 7, and PE 8. (Category C1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(1)(i)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition (7)(A) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP
Description: Failure to operate the flares (PE 7 (EPN 308), PE 8 (EPN 408), and PP (EPN 216)) net heating value at a minimum of 300 British thermal unit per standard cubic foot (Btu/scf). (Category C4)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP
Description: Failure to operate within (polyethylene) PE 7 (EPN 308) off-gas permitted limit. (Category B14)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to conduct the annual polypropylene (PP) Flare (EPN 216) highly reactive
volatile organic compound (HRVOC) panametric flow meter calibrations in 2011.
(Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to conduct the annual high activity catalyst cooling tower (HAC CT) (EPN
132) and polypropylene gas-phase cooling tower (GPH CT) (EPN 803) highly
reactive volatile organic compound (HRVOC) panametric flow meter calibration in
2011. (Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 14 OP
Description: Failure to submit Permit by Rule (PBR) 106.262 for 64 new leak detection and
repair (LDAR) components that were placed into service for more than 10 days.
(Category C4)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition (3)(F) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP
Description: Failure to monitor 7 valves in HRVOC (highly reactive volatile organic compound)
and NSPS (standards for new stationary sources) service. (Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP
Description: Failure to monitor 18 connectors. (Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
5C THSC Chapter 382 382.085(b)
Special Condition (3)(E) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP
Description: Failure to equipped open ended lines (OELs) with a cap, blind flange, plug, or a
second valve. (Category C 10)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to conduct weekly pump inspections on 41 pumps within the polyethylene (PE) 7 and PE 8 units. (Category B1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(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 DDD 60.562-2(e)
5C THSC Chapter 382 382.085(b)
Special Condition (3)(H) PERMIT
Special Terms and Conditions (ST&C) 1A OP
ST&C 16(A) OP

Description: Failure to properly identify a leaking valve in the polypropylene (PE) 8 unit. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to perform the 1st attempt to repair a leaking components within the polyethylene (PE) 7 and PE 8 area timely. (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to monitor a valve, within the polyethylene (PE) 8 unit, for 2 consecutive months following the detection of a leak. (Category B1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to perform the initial monitoring on 1 connector in VOC service within the polyethylene (PE) 8 unit. (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to conduct the initial monthly monitoring of 2 NSPS valves within the PE 6 unit. (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 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)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to include 3 valves within the number of components in the Initial Compliance Report. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions (ST&C) 1A OP

Description: Failure to monitor 5 difficult to monitor connectors in HRVOC service. (Category B1)

22*

Date: 07/31/2013 (1094158)

CN600303614

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 3A OP
Description: Failure to limit visible emission from EPNs 525 and 526 to less than 20 percent opacity. (Category C7 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 7 PERMIT
Special Term and Condition 1A OP
Description: Failure to maintain the net heating value for EPNs 524 and 536 above 300 British thermal units per standard cubic foot (Btu/scf). (Category C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only
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 16G PERMIT
Special Term and Condition 11 OP
Description: Failure to conduct quarterly monitoring with a gas analyzer for 2 pumps. (Category B3 violations)

Classification: Moderate

Self Report? NO For Informational Purposes Only
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 16F PERMIT
Special Term and Condition 11 OP
Description: Failure to conduct quarterly monitoring with a gas analyzer for 28 valves. (Category B3 violations)

Classification: Moderate

Self Report? NO For Informational Purposes Only
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 16E PERMIT
Special Term and Condition 11 OP
Description: Failure to conduct quarterly monitoring with a gas analyzer for 178 connectors. (Category B3 violations)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to conduct sampling for highly reactive volatile organic compounds (HRVOCs) within 10 hours of the HRVOC analyzer system for EPN 524 experiencing downtime. (Category C1 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 2E OP
Description: Failure to submit the 2011 Emission Inventory by March 31, 2012. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)(4)

5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to report seven periods of flare malfunction for EPN 536 in the 40 CFR Part 63 Subpart FFFF compliance report due February 28, 2012. (Category B3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

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)
Special Term and Condition 2F OP

Description: Failure to create a final record of an emission event within two weeks of the end of the emission event. (Category C3 violation)

23*

Date: 08/14/2013 (1106371) CN600303614

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Permit 4437A, Special Condition 1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

24

Date: 04/02/2014 (1134893) CN600303614

Classification: Minor

Self Report? NO For Informational Purposes Only

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)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 7A PERMIT
Special Terms and Conditions 1A and 13 OP

Description: Failure to maintain the net heating value of the flare above 300 BTU/scf [Category C4 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to perform weekly visual inspections of pumps [Category C1 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(e)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to maintain car-seals in a closed position [Category C4 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)
5C THSC Chapter 382 382.085(b)

Description: Failure to record fugitive monitoring results within the required time frame [Category C3 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to conduct daily mid-point calibrations of the HRVOC analyzer on the PE8

cooling tower [Category C1 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

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)
Special Term and Condition 2F OP

Description: Failure to create a final record of an emission event within fourteen days of the event [Category C3 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)(II)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct an extraordinary repair attempt [Category C4 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21D(2) PERMIT
Special Term and Condition 13 OP

Description: Failure to properly monitor the lower explosive limit prior to opening piping for a maintenance activity [Category C1 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to document at least 98% of daily flare observations [Category C3 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 8(B)(2) PERMIT
Special Term and Condition 13 OP

Description: Failure to conduct quarterly filter inspections [Category C1 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 8B OP

Description: Failure to conduct 40 CFR 60 Subpart DDD testing within 60 days of achieving maximum production [Category C1 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 3(I) PERMIT
Special Term and Condition 13 OP

Description: Failure to repair connectors within fifteen days [Category C1 violation]

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 7C PERMIT

Description: Special Terms and Conditions 1A and 13 OP
Failure to prevent flares from smoking [Category C4 violation]
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
5C THSC Chapter 382 382.085(b)
Special Condition 3F PERMIT
Special Terms and Conditions 1A and 13 OP

Description: Failure to monitor valves for fugitive emissions [Category C1 violation]
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to properly identify valves, connectors, and a pump subject to 40 CFR 63
Subpart FFFF [Category C7 violation]

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to monitor connectors in HRVOC service as required [Category C1
violation]

* NOVs applicable for the Compliance History rating period 9/1/2008 to 8/31/2013

Appendix B

All Investigations Conducted During Component Period April 17, 2009 and April 17, 2014

Item 1	May 05, 2009**	(738859) For Informational Purposes Only
Item 2	May 20, 2009**	(768471) For Informational Purposes Only
Item 3*	June 10, 2009**	(768472) For Informational Purposes Only
Item 4	June 17, 2009**	(749602) For Informational Purposes Only
Item 5	July 10, 2009**	(746601) For Informational Purposes Only
Item 6*	July 24, 2009**	(759063) For Informational Purposes Only
Item 7*	August 18, 2009**	(805065) For Informational Purposes Only
Item 8	August 28, 2009**	(721137) For Informational Purposes Only
Item 9	September 22, 2009**	(764038) For Informational Purposes Only
Item 10*	October 19, 2009**	(805066) For Informational Purposes Only

(873952)
Item 11* October 20, 2009** For Informational Purposes Only

(747538)
Item 12 November 18, 2009** For Informational Purposes Only

(783751)
Item 13 December 03, 2009** For Informational Purposes Only

(777967)
Item 14 December 04, 2009** For Informational Purposes Only

(805068)
Item 15* December 17, 2009** For Informational Purposes Only

(805069)
Item 16 January 19, 2010** For Informational Purposes Only

(786643)
Item 17 January 25, 2010** For Informational Purposes Only

(805064)
Item 18* February 19, 2010** For Informational Purposes Only

(788116)
Item 19* February 23, 2010** For Informational Purposes Only

(831033)
Item 20* March 19, 2010** For Informational Purposes Only

(791934)
Item 21* April 05, 2010** For Informational Purposes Only

(790017)
Item 22 April 15, 2010** For Informational Purposes Only

(831034)
Item 23* April 16, 2010** For Informational Purposes Only

(792277)
Item 24 May 06, 2010** For Informational Purposes Only

(831035)
Item 25* May 19, 2010** For Informational Purposes Only

(801541)
Item 26* May 20, 2010** For Informational Purposes Only

(846316)
Item 27 June 17, 2010** For Informational Purposes Only

(803564)
Item 28 July 16, 2010** For Informational Purposes Only

(860906)
Item 29* July 20, 2010** For Informational Purposes Only

(844518)
Item 30 August 12, 2010** For Informational Purposes Only

(866882)
Item 31* August 20, 2010** For Informational Purposes Only

(830289)
Item 32* September 03, 2010** For Informational Purposes Only
(830317)
Item 33* September 07, 2010** For Informational Purposes Only
(860272)
Item 34 September 08, 2010** For Informational Purposes Only
(842225)
Item 35 September 09, 2010** For Informational Purposes Only
(866409)
Item 36 October 15, 2010** For Informational Purposes Only
(881549)
Item 37* October 20, 2010** For Informational Purposes Only
(863349)
Item 38* November 01, 2010** For Informational Purposes Only
(850330)
Item 39* November 03, 2010** For Informational Purposes Only
(871318)
Item 40 November 10, 2010** For Informational Purposes Only
(888071)
Item 41* November 18, 2010** For Informational Purposes Only
(902353)
Item 42 December 06, 2010** For Informational Purposes Only
(877717)
Item 43* December 10, 2010** For Informational Purposes Only
(896294)
Item 44* December 16, 2010** For Informational Purposes Only
(916388)
Item 45* January 20, 2011** For Informational Purposes Only
(870371)
Item 46 January 28, 2011** For Informational Purposes Only
(909137)
Item 47* February 19, 2011** For Informational Purposes Only
(924904)
Item 48* April 20, 2011** For Informational Purposes Only
(912955)
Item 49 April 22, 2011** For Informational Purposes Only
(892034)
Item 50 April 27, 2011** For Informational Purposes Only
(878151)
Item 51* May 06, 2011** For Informational Purposes Only
(938074)
Item 52* May 19, 2011** For Informational Purposes Only

		(921481)
Item 53*	May 24, 2011**	For Informational Purposes Only
		(923617)
Item 54	June 02, 2011**	For Informational Purposes Only
		(906737)
Item 55	June 07, 2011**	For Informational Purposes Only
		(919137)
Item 56*	June 16, 2011**	For Informational Purposes Only
		(922854)
Item 57*	June 29, 2011**	For Informational Purposes Only
		(932892)
Item 58*	July 11, 2011**	For Informational Purposes Only
		(952671)
Item 59*	July 20, 2011**	For Informational Purposes Only
		(922781)
Item 60	August 18, 2011**	For Informational Purposes Only
		(959357)
Item 61*	August 19, 2011**	For Informational Purposes Only
		(941337)
Item 62	August 22, 2011**	For Informational Purposes Only
		(971428)
Item 63*	October 20, 2011**	For Informational Purposes Only
		(943901)
Item 64*	October 26, 2011**	For Informational Purposes Only
		(955722)
Item 65*	October 27, 2011**	For Informational Purposes Only
		(962174)
Item 66	November 08, 2011**	For Informational Purposes Only
		(977585)
Item 67	November 17, 2011**	For Informational Purposes Only
		(984355)
Item 68*	December 20, 2011**	For Informational Purposes Only
		(990651)
Item 69*	January 19, 2012**	For Informational Purposes Only
		(998015)
Item 70	February 20, 2012**	For Informational Purposes Only
		(970438)
Item 71	February 29, 2012**	For Informational Purposes Only
		(1003541)
Item 72*	March 20, 2012**	For Informational Purposes Only
		(1010106)
Item 73*	April 19, 2012**	For Informational Purposes Only

		(1016497)
Item 74*	May 14, 2012**	For Informational Purposes Only
		(1003077)
Item 75*	May 23, 2012**	For Informational Purposes Only
		(1024220)
Item 76	June 20, 2012**	For Informational Purposes Only
		(1013279)
Item 77	June 21, 2012**	For Informational Purposes Only
		(1031612)
Item 78*	July 20, 2012**	For Informational Purposes Only
		(1037989)
Item 79*	August 17, 2012**	For Informational Purposes Only
		(1008123)
Item 80	August 28, 2012**	For Informational Purposes Only
		(1046726)
Item 81*	September 19, 2012**	For Informational Purposes Only
		(1061037)
Item 82*	October 12, 2012**	For Informational Purposes Only
		(1061038)
Item 83*	November 20, 2012**	For Informational Purposes Only
		(1061039)
Item 84*	December 20, 2012**	For Informational Purposes Only
		(1053001)
Item 85*	February 06, 2013**	For Informational Purposes Only
		(1079063)
Item 86*	February 20, 2013**	For Informational Purposes Only
		(1089356)
Item 87*	March 20, 2013**	For Informational Purposes Only
		(1095749)
Item 88*	April 18, 2013**	For Informational Purposes Only
		(1106674)
Item 89*	May 16, 2013**	For Informational Purposes Only
		(1050556)
Item 90	June 12, 2013**	For Informational Purposes Only
		(1110349)
Item 91*	June 20, 2013**	For Informational Purposes Only
		(1117234)
Item 92*	July 19, 2013**	For Informational Purposes Only
		(1094158)
Item 93	July 31, 2013**	For Informational Purposes Only
		(1124989)
Item 94*	August 05, 2013**	For Informational Purposes Only

Item 95	August 13, 2013**	(1106371) For Informational Purposes Only
Item 96*	September 19, 2013	(1129588) For Informational Purposes Only
Item 97*	October 17, 2013	(1135320) For Informational Purposes Only
Item 98	October 23, 2013	(1120912) For Informational Purposes Only
Item 99*	November 19, 2013	(1140718) For Informational Purposes Only
Item 100	November 21, 2013	(1127941) For Informational Purposes Only
Item 101*	December 03, 2013	(1123078) For Informational Purposes Only
Item 102*	December 19, 2013	(1147177) For Informational Purposes Only
Item 103*	January 20, 2014	(1153246) For Informational Purposes Only
Item 104*	February 18, 2014	(1133619) For Informational Purposes Only
Item 105*	February 20, 2014	(1160581) For Informational Purposes Only
Item 106	April 02, 2014	(1134893) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2008 and 08/31/2013.

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: CHEVRON PHILLIPS CHEMICAL COMPAN

Reg Entity Add: 1400 JEFFERSON ROAD

Reg Entity City: PASADENA

Reg Entity No: RN102018322

Customer Name: Chevron Phillips Chemical Company, LP **Customer No:** CN600303614

EPA Case No: 06-2012-3321

Order Issue Date (yyyymmdd): 20120927

Case Result:

Statute: CAA

Sect of Statute: 111

Classification: Minor

Program: New Source Performanc **Citation:**

Violation Type: New Source Performance
Standard

Cite Sect:

Cite Part:

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CHEVRON PHILLIPS CHEMICAL	§	
COMPANY LP	§	
RN102018322	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2014-0572-AIR-E

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

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a plastics manufacturing plant at 1400 Jefferson Road in Pasadena, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to conduct initial leak detection and repair ("LDAR") monitoring on three hazardous air pollutant ("HAP") connectors. Specifically, Tag No. P708026.1 in gas/vapor service and Tag Nos. P708027.1 and P708027.2 in light liquid service were not initially monitored by May 10, 2009.
4. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to conduct initial LDAR monitoring on three HAP/volatile organic compounds ("VOC") connectors. Specifically, Tag Nos. 00058793.3, 00058793.4, and 00058793.5 in light liquid service were not initially monitored by April 1, 2006.
5. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to comply with the maximum allowable emissions rates ("MAERs") for the Flare System, Emission Point Numbers ("EPNs") 216, 308, and 408. Specifically, the Respondent exceeded the 300.94 tons per year ("tpy") carbon monoxide ("CO") limit, the 35.10 tpy nitrogen oxides ("NOx") limit, and the 50.88 tpy VOC limit for off-gas based on a rolling 12-month period from January 2013 through December 2013, resulting in an unauthorized release of 93.57 tons of CO, 10.92 tons of NOx, and 14.75 tons of VOC.
6. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to comply with the MAER of 37.26 pounds per hour ("lbs/hr") of VOC from off-gas flaring for EPNs 308 and 408. Specifically, from 10:00 a.m. to 11:00 a.m. on November 28, 2012 and April 5, 2013, the flares emitted 80.87 lbs and 107.05 lbs of off-gas VOC, respectively, resulting in a total of 113.40 lbs of unauthorized VOC emissions.
7. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to conduct quarterly visible emissions observations no earlier than one hour after sunrise, no later than one hour before sunset, while the emissions units are in service, and during the quarter the observations are intended to cover. Specifically, visible emissions observations were not properly conducted in the fourth quarter of 2012 for one filter associated with EPN 305, one filter associated with EPN 311, and one filter associated with EPN 454; in the first quarter of 2013 for six filters associated with EPN 206, one filter associated with EPN 207, nine filters associated with EPN 210, one filter associated with EPN 219, six filters associated with EPN 252, one filter associated with EPN 253, one filter associated with EPN 255, 10 filters associated with EPN 257, three filters associated with EPN 302, 16 filters associated with EPN 304, two filters associated with EPN 313, and five filters associated with EPN 354; in the second quarter of 2013 for one filter associated with EPN 352 and one filter associated with EPN 404; and in the third quarter of 2013 for one filter associated with EPN 454.

8. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to maintain records of all maintenance performed on car-sealed valves. Specifically, monthly car-seal inspections in Polyethylene Unit 8 were not documented for the month of October 2012.
9. During a record review conducted from February 17, 2014 through March 12, 2014, TCEQ staff documented that the Respondent failed to conduct monthly fabric filter inspections. Specifically, eight filters associated with EPN 304 and eight filters associated with EPN 354 were not inspected in July 2013.
10. The Respondent received notice of the violations on April 4, 2014.
11. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By November 13, 2012, added connectors with Tag Nos. P708026.1, P708027.1, and P708027.2 to the LDAR database and conducted the initial monitoring of these connectors;
 - b. By May 28, 2013, installed and implemented advance process controls on EPN 216, which included installing a new British thermal unit analyzer and cabinet, to prevent the recurrence of hourly VOC emissions limit exceedances due to the same cause as the exceedances that occurred on November 28, 2012 and April 5, 2013;
 - c. By October 8, 2013, added connectors with Tag Nos. 00058793.3, 00058793.4, and 00058793.5 to the LDAR database and conducted the initial monitoring of these connectors; and
 - d. By February 12, 2014, provided training to supervisors that oversee visible emissions observations and implemented procedures to begin reviewing observation records to ensure that quarterly visible emissions observations are conducted properly.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to conduct initial LDAR monitoring on three HAP connectors, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") §§ 63.1027(a) and 63.2480(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O1315, Special Terms and Conditions ("STC") No. 1A.

3. As evidenced by Findings of Fact No. 4, the Respondent failed to conduct initial LDAR monitoring on three HAP/VOC connectors, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 115.354(11), and 122.143(4), 40 CFR §§ 63.1027(a) and 63.2480(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC No. 1A.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to comply with the MAERs for the Flare System, EPNs 216, 308, and 408, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit Nos. 4437A, PSDTX808, and No14M1, Special Conditions (“SC”) No. 1, Standard Permit Registration No. 109690, and FOP No. O1315, STC No. 13.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to comply with the MAER of 37.26 lbs/hr of VOC from off-gas flaring for EPNs 308 and 408, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and No14M1, SC No. 1, and FOP No. O1315, STC Nos. 13 and 16A.
6. As evidenced by Findings of Fact No. 7, the Respondent failed to conduct quarterly visible emissions observations no earlier than one hour after sunrise, no later than one hour before sunset, while the emissions units are in service, and during the quarter the observations are intended to cover, in violation of 30 TEX. ADMIN. CODE § 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC Nos. 3A(iv)(1) and (4).
7. As evidenced by Findings of Fact No. 8, the Respondent failed to maintain records of all maintenance performed on car-sealed valves, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and 122.143(4), 40 CFR § 60.565(b)(2)(ii), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1315, STC No. 1A.
8. As evidenced by Findings of Fact No. 9, the Respondent failed to conduct monthly fabric filter inspections, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 4437A, PSDTX808, and No14M1, SC No. 8B(3), and FOP No. O1315, STC Nos. 13 and 16A.
9. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission’s jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
10. An administrative penalty in the amount of One Hundred Ninety-Two Thousand Six Hundred Twenty-Six Dollars (\$192,626) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Ninety-Six Thousand Three Hundred Thirteen Dollars (\$96,313) of the administrative penalty and Ninety-Six Thousand Three Hundred Thirteen Dollars

(\$96,313) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP")."

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of One Hundred Ninety-Two Thousand Six Hundred Twenty-Six Dollars (\$192,626) as set forth in Section II, Paragraph 10 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP, Docket No. 2014-0572-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 10 above, Ninety-Six Thousand Three Hundred Thirteen Dollars (\$96,313) 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. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and/or procedures to ensure documentation of monthly car-seal inspections is maintained;
 - ii. Implement measures and/or procedures to ensure that fabric filter inspections are conducted on a monthly basis; and
 - iii. Certify compliance with the annual emissions rates based on a 12-month rolling period for NO_x, CO, and VOC from the Flare System, which

consists of EPNs 216, 308, and 408, in accordance with NSR Permit Nos. 4437A, PSDTX808, and No14M1, as described in Ordering Provision No. 3.d. below, or submit an administratively complete permit amendment application for NSR Permit Nos. 4437A, PSDTX808, and No14M1 to increase the annual emissions rates for NO_x, CO, and VOC from the Flare System, in accordance with 30 TEX. ADMIN. CODE § 116.111 to:

Air Permits Division, MC 162
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- b. Within 45 days of the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. and 3.a.ii., and 3.a.iii. if a permit amendment application is submitted;
- c. If a permit amendment application is submitted, then respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit amendment application within 30 days of such requests, or by any deadline specified in writing; and
- d. If a permit amendment application is submitted, then within 180 days after the effective date of this Agreed Order, submit written certification that either the permit amendment to increase the NO_x, CO, and VOC annual emissions rates for the Flare System, consisting of EPNs 216, 308, and 408, has been obtained or that unauthorized emissions from the Flare System have ceased until such time that appropriate authorization is obtained. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, 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. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Rennie J
For the Executive Director

2/17/15
Date

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

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

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

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

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

Michael Gilbert
Signature

8/7/2014
Date

MICHAEL GILBERT
Name (Printed or typed)
Authorized Representative of
Chevron Phillips Chemical Company LP

PLANT MANAGER
Title

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

Attachment A

Docket Number: 2014-0572-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Chevron Phillips Chemical Company LP
Penalty Amount:	One Hundred Ninety-Two Thousand Six Hundred Twenty-Six Dollar (\$192,626)
SEP Offset Amount:	Ninety-Six Thousand Three Hundred Thirteen Dollars (\$96,313)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO ("AERCO")
Project Name:	<i>Clean Vehicles Partnership Project</i>
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	

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** 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.

Chevron Phillips Chemical Company LP
Agreed Order - Attachment A

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 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:

Chevron Phillips Chemical Company LP
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. Recognition

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.