

**Executive Summary – Enforcement Matter – Case No. 51454  
Blanchard Refining Company LLC  
RN102535077  
Docket No. 2015-1609-AIR-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Unauthorized emissions which are excessive emissions events.

**Media:**

AIR

**Small Business:**

No

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

Blanchard Refining Galveston Bay Refinery, 2401 5th Avenue South, Texas City,  
Galveston County

**Type of Operation:**

Petroleum refinery

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No.: 2015-0668-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** January 15, 2016

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$25,000

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

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

**Total Paid to General Revenue:** \$25,000

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

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** \$25,000

**Applicable Penalty Policy:** April 2014

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** March 25, 2015

**Date(s) of NOE(s):** October 1, 2015

**Executive Summary – Enforcement Matter – Case No. 51454**  
**Blanchard Refining Company LLC**  
**RN102535077**  
**Docket No. 2015-1609-AIR-E**

***Violation Information***

Failed to prevent unauthorized emissions. This event was determined to be an excessive emissions event [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(c)(7), TEX. HEALTH & SAFETY CODE § 382.085(b) and Flexible Permit Nos. 47256 and PSDTX402M3, Special Conditions Nos. 1 and 30].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days, submit a corrective action plan (“CAP”) in accordance with the TCEQ letter dated October 1, 2015 to address the excessive emissions event that began on January 13, 2015 (Incident No. 208455);
- b. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the CAP submitted in connection with the January 13, 2015 excessive emissions event within 15 days after the date of such requests, or by any other deadline specified in writing;
- c. Within 45 days, submit written certification to demonstrate compliance with a.;
- d. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
- e. Within 15 days upon completion of the CAP implementation, submit written certification to demonstrate compliance with d.

***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

**Executive Summary – Enforcement Matter – Case No. 51454**  
**Blanchard Refining Company LLC**  
**RN102535077**  
**Docket No. 2015-1609-AIR-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Rajesh Acharya, Enforcement Division,  
Enforcement Team 4, MC 149, (512) 239-0577; Melissa Cordell, Enforcement Division,  
MC 219, (512) 239-2483

**TCEQ SEP Coordinator:** N/A

**Respondent:** Ray Brooks, Vice President / General Manager, Blanchard Refining  
Company LLC, P.O. Box 401, Texas City, Texas 77592-0401  
Mark Clingan, Environmental Superintendent-Air, Blanchard Refining Company LLC,  
P.O. Box 401, Texas City, Texas 77592-0401

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





# Penalty Calculation Worksheet (PCW)

TCEQ

<b>DATES</b>	<b>Assigned</b>	5-Oct-2015	<b>Screening</b>	26-Oct-2015	<b>EPA Due</b>	
	<b>PCW</b>	26-Oct-2015				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Blanchard Refining Company LLC		
<b>Reg. Ent. Ref. No.</b>	RN102535077		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	51454	<b>No. of Violations</b>	1
<b>Docket No.</b>	2015-1609-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Rajesh Acharya
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1**

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

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

**Compliance History**  Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for seven NOV's with same/similar violations, four NOV's with dissimilar violations, five orders with denial of liability, two orders without denial of liability, and one final judgment with denial of liability. Reduction for three notices of intent to conduct an audit.

**Culpability**   Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5**

**Economic Benefit**  Enhancement\* **Subtotal 6**

Total EB Amounts	\$666
Estimated Cost of Compliance	\$10,000

\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal**

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  Reduction **Adjustment**

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**

Screening Date 26-Oct-2015

Docket No. 2015-1609-AIR-E

PCW

Respondent Blanchard Refining Company LLC

Policy Revision 4 (April 2014)

Case ID No. 51454

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102535077

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

### 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> )	7	35%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of 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> )	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%

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 seven NOVs with same/similar violations, four NOVs with dissimilar violations, five orders with denial of liability, two orders without denial of liability, and one final judgment with denial of liability. Reduction for three notices of intent to conduct an audit.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100%

Screening Date 26-Oct-2015

Docket No. 2015-1609-AIR-E

PCW

Respondent Blanchard Refining Company LLC

Case ID No. 51454

Policy Revision 4 (April 2014)  
PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102535077

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3) and 116.715(c)(7), Tex. Health & Safety Code § 382.085(b) and Flexible Permit Nos. 47256 and PSDTX402M3, Special Conditions Nos. 1 and 30

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 100% opacity and released 6,681.68 pounds ("lbs") of carbon monoxide, 216,480.00 lbs of catalyst fines, 128.93 lbs of volatile organic compounds, 0.01 lb of hydrogen sulfide, 26.20 lbs of nitrogen oxides, and 0.55 lb of sulfur dioxide during an emissions event (Incident No. 208455) that began on January 13, 2015 and lasted 22 hours and 54 minutes. The release occurred from the Electrostatic Precipitator ("ESP") Stack, Emission Point Number ("EPN") 93, and Flare 4, EPN 331, due to the Fluid Catalytic Cracking Unit-1 reactor spent catalyst slide valve malfunctioning, which was caused by a misaligned gate that allowed large quantities of catalyst to flow from the reactor to the regenerator. The regenerator's level controls were unable to properly manage the level of catalyst and disabled the regenerator cyclones, allowing an increase in catalyst flow to the ESP. In response, the ESP was shut down to avoid a potential explosion and as a result the catalyst entering the ESP vented through the ESP stack and was released directly to the atmosphere. This event was determined to be an excessive emissions event.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1

1 Number of violation days

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

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/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 \$25,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$666

Violation Final Penalty Total \$50,000

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

**Economic Benefit Worksheet**

**Respondent** Blanchard Refining Company LLC  
**Case ID No.** 51454  
**Reg. Ent. Reference No.** RN102535077  
**Media** Air  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	13-Jan-2015	13-May-2016	1.33	\$666	n/a	\$666

Notes for DELAYED costs

Estimated cost to implement a corrective action plan. Date Required is the date of the emissions event.  
 Final Date is the estimated date of compliance.

**Avoided Costs**

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

13

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$666

The TCEQ is committed to accessibility.

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



# TCEQ Compliance History Report

**PENDING** Compliance History Report for CN604166868, RN102535077, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

<b>Customer, Respondent, or Owner/Operator:</b>	CN604166868, Blanchard Refining Company LLC	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	51.41
<b>Regulated Entity:</b>	RN102535077, BLANCHARD REFINING GALVESTON BAY REFINERY	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	55.00
<b>Complexity Points:</b>	43	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	02 - Oil and Petroleum Refineries				
<b>Location:</b>	2401 5TH AVE S TEXAS CITY, TX 77590-8349, GALVESTON COUNTY				
<b>TCEQ Region:</b>	REGION 12 - HOUSTON				

## ID Number(s):

**POLLUTION PREVENTION PLANNING ID NUMBER**  
P00032  
**INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE**  
REGISTRATION # (SWR) 30139  
**AIR NEW SOURCE PERMITS PERMIT 2231**  
**AIR NEW SOURCE PERMITS PERMIT 2529**  
**AIR NEW SOURCE PERMITS PERMIT 2612**  
**AIR NEW SOURCE PERMITS PERMIT 3758**  
**AIR NEW SOURCE PERMITS PERMIT 6488**  
**AIR NEW SOURCE PERMITS PERMIT 6600**  
**AIR NEW SOURCE PERMITS PERMIT 9606**  
**AIR NEW SOURCE PERMITS REGISTRATION 10129**  
**AIR NEW SOURCE PERMITS REGISTRATION 10212**  
**AIR NEW SOURCE PERMITS REGISTRATION 11173**  
**AIR NEW SOURCE PERMITS REGISTRATION 11176**  
**AIR NEW SOURCE PERMITS REGISTRATION 15271**  
**AIR NEW SOURCE PERMITS PERMIT 19599**  
**AIR NEW SOURCE PERMITS REGISTRATION 24608**  
**AIR NEW SOURCE PERMITS PERMIT 47256**  
**AIR NEW SOURCE PERMITS REGISTRATION 47956**  
**AIR NEW SOURCE PERMITS REGISTRATION 49771**  
**AIR NEW SOURCE PERMITS REGISTRATION 51875**  
**AIR NEW SOURCE PERMITS AFS NUM 4816700001**  
**AIR NEW SOURCE PERMITS REGISTRATION 54721**  
**AIR NEW SOURCE PERMITS EPA PERMIT PSDTX402**  
**AIR NEW SOURCE PERMITS REGISTRATION 81516**  
**AIR NEW SOURCE PERMITS REGISTRATION 84658**  
**AIR NEW SOURCE PERMITS REGISTRATION 83759**  
**AIR NEW SOURCE PERMITS REGISTRATION 86677**  
**AIR NEW SOURCE PERMITS REGISTRATION 83424**  
**AIR NEW SOURCE PERMITS REGISTRATION 87193**  
**AIR NEW SOURCE PERMITS REGISTRATION 84396**  
**AIR NEW SOURCE PERMITS REGISTRATION 88697**  
**AIR NEW SOURCE PERMITS REGISTRATION 88241**  
**AIR NEW SOURCE PERMITS REGISTRATION 86558**  
**AIR NEW SOURCE PERMITS REGISTRATION 92953**  
**AIR NEW SOURCE PERMITS REGISTRATION 92671**  
**AIR NEW SOURCE PERMITS REGISTRATION 92273**  
**AIR NEW SOURCE PERMITS REGISTRATION 92586**

**INDUSTRIAL AND HAZARDOUS WASTE EPA ID**  
TXD008080533  
**AIR NEW SOURCE PERMITS PERMIT 1940**  
**AIR NEW SOURCE PERMITS PERMIT 2315**  
**AIR NEW SOURCE PERMITS REGISTRATION 2608**  
**AIR NEW SOURCE PERMITS PERMIT 2938**  
**AIR NEW SOURCE PERMITS PERMIT 4714**  
**AIR NEW SOURCE PERMITS PERMIT 6592**  
**AIR NEW SOURCE PERMITS PERMIT 7085**  
**AIR NEW SOURCE PERMITS REGISTRATION 10060**  
**AIR NEW SOURCE PERMITS REGISTRATION 10156**  
**AIR NEW SOURCE PERMITS REGISTRATION 10597**  
**AIR NEW SOURCE PERMITS REGISTRATION 11175**  
**AIR NEW SOURCE PERMITS REGISTRATION 11787**  
**AIR NEW SOURCE PERMITS REGISTRATION 18506**  
**AIR NEW SOURCE PERMITS PERMIT 22107**  
**AIR NEW SOURCE PERMITS PERMIT 46052**  
**AIR NEW SOURCE PERMITS REGISTRATION 47696**  
**AIR NEW SOURCE PERMITS REGISTRATION 47954**  
**AIR NEW SOURCE PERMITS ACCOUNT NUMBER GB0004L**  
**AIR NEW SOURCE PERMITS REGISTRATION 75507**  
**AIR NEW SOURCE PERMITS REGISTRATION 56657**  
**AIR NEW SOURCE PERMITS REGISTRATION 87463**  
**AIR NEW SOURCE PERMITS REGISTRATION 78120**  
**AIR NEW SOURCE PERMITS REGISTRATION 82308**  
**AIR NEW SOURCE PERMITS REGISTRATION 85670**  
**AIR NEW SOURCE PERMITS REGISTRATION 84454**  
**AIR NEW SOURCE PERMITS REGISTRATION 83422**  
**AIR NEW SOURCE PERMITS REGISTRATION 83941**  
**AIR NEW SOURCE PERMITS REGISTRATION 87883**  
**AIR NEW SOURCE PERMITS REGISTRATION 84567**  
**AIR NEW SOURCE PERMITS REGISTRATION 85681**  
**AIR NEW SOURCE PERMITS REGISTRATION 87825**  
**AIR NEW SOURCE PERMITS REGISTRATION 87296**  
**AIR NEW SOURCE PERMITS REGISTRATION 92956**  
**AIR NEW SOURCE PERMITS REGISTRATION 92587**  
**AIR NEW SOURCE PERMITS REGISTRATION 92585**  
**AIR NEW SOURCE PERMITS REGISTRATION 93742**

AIR NEW SOURCE PERMITS REGISTRATION 93697  
AIR NEW SOURCE PERMITS REGISTRATION 94424  
AIR NEW SOURCE PERMITS REGISTRATION 96506

AIR NEW SOURCE PERMITS REGISTRATION 94345  
AIR NEW SOURCE PERMITS REGISTRATION 95036  
AIR NEW SOURCE PERMITS REGISTRATION 97071

AIR NEW SOURCE PERMITS REGISTRATION 95591  
AIR NEW SOURCE PERMITS REGISTRATION 98466  
AIR NEW SOURCE PERMITS REGISTRATION 97644  
AIR NEW SOURCE PERMITS REGISTRATION 97519  
AIR NEW SOURCE PERMITS REGISTRATION 100730  
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AIR NEW SOURCE PERMITS REGISTRATION 98040  
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AIR NEW SOURCE PERMITS REGISTRATION 97249  
AIR NEW SOURCE PERMITS REGISTRATION 100721  
AIR NEW SOURCE PERMITS REGISTRATION 101884  
AIR NEW SOURCE PERMITS REGISTRATION 102758  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX119M3  
AIR NEW SOURCE PERMITS REGISTRATION 107970  
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AIR NEW SOURCE PERMITS REGISTRATION 109388  
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AIR NEW SOURCE PERMITS REGISTRATION 131546  
AIR NEW SOURCE PERMITS REGISTRATION 114957  
AIR NEW SOURCE PERMITS REGISTRATION 118213  
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AIR NEW SOURCE PERMITS REGISTRATION 117331  
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AIR NEW SOURCE PERMITS REGISTRATION 130379  
AIR NEW SOURCE PERMITS REGISTRATION 131705  
AIR NEW SOURCE PERMITS REGISTRATION 133926  
AIR NEW SOURCE PERMITS REGISTRATION 136200  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX23  
AIR NEW SOURCE PERMITS REGISTRATION 107735  
UNDERGROUND INJECTION CONTROL PERMIT WDW127  
UNDERGROUND INJECTION CONTROL PERMIT WDW214

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX402M3  
AIR NEW SOURCE PERMITS REGISTRATION 100681  
AIR NEW SOURCE PERMITS REGISTRATION 99544  
AIR NEW SOURCE PERMITS REGISTRATION 97043  
AIR NEW SOURCE PERMITS REGISTRATION 98703  
AIR NEW SOURCE PERMITS REGISTRATION 98134  
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AIR NEW SOURCE PERMITS REGISTRATION 99917  
AIR NEW SOURCE PERMITS REGISTRATION 98719  
AIR NEW SOURCE PERMITS REGISTRATION 101487  
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AIR NEW SOURCE PERMITS REGISTRATION 101323  
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AIR NEW SOURCE PERMITS REGISTRATION 112076  
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AIR NEW SOURCE PERMITS REGISTRATION 118792  
AIR NEW SOURCE PERMITS REGISTRATION 131659  
AIR NEW SOURCE PERMITS REGISTRATION 114330  
AIR NEW SOURCE PERMITS REGISTRATION 113394  
AIR NEW SOURCE PERMITS REGISTRATION 134247  
AIR NEW SOURCE PERMITS REGISTRATION 110915  
AIR NEW SOURCE PERMITS REGISTRATION 115760  
AIR NEW SOURCE PERMITS REGISTRATION 108773  
AIR NEW SOURCE PERMITS REGISTRATION 115849  
AIR NEW SOURCE PERMITS REGISTRATION 118087  
AIR NEW SOURCE PERMITS REGISTRATION 117319  
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AIR NEW SOURCE PERMITS REGISTRATION 136392  
AIR NEW SOURCE PERMITS REGISTRATION 111626  
AIR NEW SOURCE PERMITS REGISTRATION 129712  
AIR NEW SOURCE PERMITS REGISTRATION 115895  
AIR NEW SOURCE PERMITS REGISTRATION 115881  
AIR NEW SOURCE PERMITS REGISTRATION 120375  
AIR NEW SOURCE PERMITS REGISTRATION 108602  
AIR NEW SOURCE PERMITS REGISTRATION 117025  
AIR NEW SOURCE PERMITS REGISTRATION 131516  
AIR NEW SOURCE PERMITS REGISTRATION 132867  
AIR NEW SOURCE PERMITS REGISTRATION 118789  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX402M2  
AIR NEW SOURCE PERMITS REGISTRATION 131543  
AIR NEW SOURCE PERMITS REGISTRATION 131545  
AIR NEW SOURCE PERMITS REGISTRATION 120621  
AIR NEW SOURCE PERMITS REGISTRATION 118838  
AIR NEW SOURCE PERMITS REGISTRATION 119654  
AIR NEW SOURCE PERMITS REGISTRATION 107175  
UNDERGROUND INJECTION CONTROL PERMIT WDW080  
UNDERGROUND INJECTION CONTROL PERMIT WDW128  
UNDERGROUND INJECTION CONTROL PERMIT WDW215

WASTEWATER PERMIT TXG670211  
AIR OPERATING PERMITS PERMIT 1541  
WASTEWATER PERMIT WQ0000443000

AIR OPERATING PERMITS ACCOUNT NUMBER GB0004L  
AIR OPERATING PERMITS PERMIT 2328  
WASTEWATER EPA ID TX0003522

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION  
# (SWR) 30139  
AIR EMISSIONS INVENTORY ACCOUNT NUMBER GB0004L

STORMWATER PERMIT TXR05B076

Compliance History Period: September 01, 2010 to August 31, 2015      Rating Year: 2015      Rating Date: 09/01/2015

Date Compliance History Report Prepared: October 14, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 14, 2010 to October 14, 2015

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

Name: Rajesh Acharya

Phone: (512) 239-0577

**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: 05/08/2011      ADMINORDER 2010-1527-IWD-E (Findings Order-Agreed Order Without Denial)  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Eff. Lim. and Mon. Req. No. 1 PERMIT  
Description: failed to prevent the unauthorized discharge of a nonpermitted wastewater source through Outfall 005 and failed to comply with permitted effluent limits  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Effluent Lim. and Mon. Req. No. 1 PERMIT  
Description: failed to comply with permitted effluent limits for Outfall Nos. 001, 005 and 006  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
Rqmt Prov: Permit Conditions No. 2.g PERMIT  
Description: Failure to prevent the unauthorized discharge of industrial waste into or adjacent to water in the state. During an investigation conducted on March 17, 2010, and March 24, 2010, TCEQ staff documented that on January 27, 2010, a leak in the biosludge pipeline discharged approximately 750 gallons of nonhazardous biosludge into Borrow Ditch.
- 2      Effective Date: 11/18/2011      ADMINORDER 2011-0615-IWD-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Eff. Lim. & Mon. Req. No 1, Outfall 007 PERMIT  
Description: Failure to comply with the permitted effluent limits for total residual chlorine. Specifically, the total residual chlorine monthly maximum exceeded the permit limit of 0.1 milligrams per liter ("mg/L") for the months of October 2010 (0.22 mg/L), November 2010 (0.11 mg/L), and December 2010 (0.24 mg/L).
- 3      Effective Date: 12/20/2011      COURTORDER (Final Judgement-Agreed Order With Denial)  
Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: TCEQ AIR PERMIT #3170, SC #1 PERMIT  
Description: BP violated TCAA § 382.085 and Permit 3170 by emitting the air contaminants listed in paragraph 6.2

without authorization.  
Classification: Major  
Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 2231, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 2231 by exceeding the permit limit for emissions of benzene.  
Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 8.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated the TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in Paragraph 7.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 9.1 without authorization.

Classification: Minor

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

Description: BP also violated 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before September 29, 2006. To date, BP has not submitted all of the requested information to the TCEQ.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

47256, Special Condition 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 13.1 without authorization.

Classification: Minor

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

Description: BP also violated 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before November 30, 2006. To date, BP has not submitted all of the requested information to the TCEQ.

Classification: Minor

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

Description: BP also violated 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before December 8, 2006. To date, BP has not submitted the requested information.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 10.1 without authorization.

Classification: Minor

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

Description: BP also violated 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested that BP submit additional information on or before December 8, 2006. To date, BP has not submitted all of the requested information.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 11.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(b)

30 TAC Chapter 101, SubChapter F 101.201(f)

Description: BP also violated 30 TAC § 101.201(f) by failing to provide requested information regarding the Emission Event within the time set forth in the request. The TCEQ requested the information be submitted on or before December 8, 2006. To date, BP has not submitted all of the requested information to the TCEQ.

Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 12.1 without authorization.

Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: 2005-0224-AIR-E, Order Provision 2.a.ii. ORDER  
47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Pennit 47256 by emitting the air contaminants listed in paragraph 14.1 without authorization. BP also violated TCAA § 382.085 and Pennit 47256 by exceeding the permitted opacity limit of 20 percent averaged over a six-minute period.

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

Description: BP also violation 30 TAC §101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before February 23, 2007. To date, BP has not submitted all of the requested information.

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC §101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery. BP discovered that the startup developed into an Emissions Event on or before December 12, 2006. To date, BP has not submitted an initial report for the Emissions Event. BP submitted a final report on February 28, 2007.

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

Description: BP also violation 30 TAC §101.201(b) by failing to submit its final notification of an Emissions Event within two weeks of the end of the event. The event ended on December 12, 2006, however, BP submitted its final report to the TCEQ on February 28, 2007.

Classification: Moderate  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 16.1 without authorization.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

Description: BP also violation 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. On February 26, 2007, the TCEQ requested that BP submit additional information about the event on or before March 12, 2007. To date, BP has not submittal all of the information requested by the TCEQ.

Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 17.1 without authorization.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

Description: BP also violationd 30 TAC § 101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before March 1, 2007. To date, BP has not submitted the information.

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violation 30 TAC §101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery. The event began on or before November 13, 2006; BP submitted its initial report of the event to the TCEQ on November 27, 2006.

Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
TCEQ Flexible Permit No. 47256 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 15.1 without authorization.

Classification: Major  
Citation: 5C THSC Chapter 382 382.085  
Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 18.1 without authorization.

Classification: Minor

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

Description: BP also violated TCAA § 382.085 and Permit 47256 by exceeding the permitted opacity limit of 20 percent averaged over a six-minute period. BP reported an opacity of 94 percent.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 19.1 without authorization.

Classification: Minor

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

Description: BP also violated 30 TAC §101.201(f) by failing to provide requested information regarding the Emissions Event within the time set forth in the request. The TCEQ requested the information be submitted on or before July 11, 2007. To date, BP has not submitted all of the information requested by the TCEQ.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Description: BP also violated TCAA § 382.085 and Permit 47256 by exceeding the permitted opacity limit of 20 percent averaged over a six-minute period. BP reported an opacity of 51 percent.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 20.1 without authorization. BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery. BP discovered the event on or before May 15, 2007, at 5 p.m. The initial notification of the Emissions Event was not submitted to the TCEQ until May 25, 2007, at 3:41 p.m.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(b)

Description: BP also violated 30 TAC 101.201(b) by failing to submit its final report of an Emissions Event no later than fourteen days after the end of the event. BP reported that the Emissions Event ended on May 18, 2007, at 4 a.m. BP submitted its final notification to the TCEQ on June 8, 2007, at 1:09 p.m.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)

Description: BP also violated 30 TAC § 101.201(b)(1)(G) by failing to include a list of the reportable and non-reportable individual air contaminants released in its final report of this Emissions Event, which was due on June 21, 2007.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

Description: BP also violated 30 TAC § 101.201(b)(1)(H) by failing to include the estimated total quantities for those listed air contaminants in its final report of this Emissions Event, which was due on June 21, 2007.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 21.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Flexible Air Permit No. 47256, SC#1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 22.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)

Description: BP also violated 30 TAC § 101.201(b)(1)(G) by failing to include all the reportable and non-reportable emissions of individually-listed air contaminants in its final report of this Emissions Event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery. The event began on or before June 18, 2007, at 3:10 p.m.; BP submitted its initial

report of the event to the TCEQ on June 26, 2007, at 1:23 p.m.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 23.1

without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 24.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. The event began on or before July 10, 2007, at 2:10 p.m.; BP submitted its initial report of the event to the TCEQ on July 11, 2007, at 4:15 p.m.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 25.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery. The event began on or before July 31, 2007, at 8:00 a.m.; BP submitted its initial report on August 1, 2007, at 9:45 a.m.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 26.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 27.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

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

30 TAC Chapter 101, SubChapter F 101.223(a)(2)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. The event began on or before August 4, 2007, at 10:50 a.m. BP submitted its initial report of the event to the TCEQ on August 17, 2007, at 2:20 p.m. BP also violated 30 TAC § 101.223(a)(1) and 101.223(a)(2) by failing to submit a CAP within 60 days of receiving notification and questions from TCEQ's.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 28.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 29.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Air Flexible Permit #47256, SC#1 PA

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 32.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 30.1 without authorization.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. The event began on or before November 18, 2007, at 4:00 a.m.; BP submitted its initial report of the event to the TCEQ on November 27, 2007, at 5:36 p.m.

Classification: Major

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

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
47256 SC 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 31.1 without authorization. BP also violated 30 TAC § 101.20 I (a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after discovery.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 47256 SC 38 PERMIT

Description: BP also violated TCAA § 382.085 and Permit 47256 by exceeding the permitted opacity limit of 20 percent averaged over a six-minute period. BP reported an opacity of 94 percent.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 33.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 34.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 35.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER  
TCEQ Air Flexible Permit 47256, SC#1 PA

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 361.1 without authorization.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. BP discovered that the startup developed into an Emissions Event on or before January 30, 2008. BP did not submit an initial report, but submitted a final report on February 19, 2009.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 2315, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 39.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Air Permit #47256, SC#1 PA

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 38.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 40.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 47256, Special Condition 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 44.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 2612, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 41.1 without authorization.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. The event began on or before May 16, 2008, at 3:50 p.m.; BP submitted its initial report of the event to the TCEQ on May 20, 2008, at 2:15 p.m.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 49.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 50.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: Special Condition 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 48.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 51.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 43.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 19599, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 19599 by emitting the air contaminants listed in paragraph 45.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 6488, Special Condition #2 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 42.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 46.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: Special Condition 1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 47.1

without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 56.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 53.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 55.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 47256 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 58.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 54.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Air Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 56.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 59.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 52.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 60.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition #1, PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 61.1 without authorization.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC § 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. The event began on or before March 7, 2009, when the actual startup emissions exceeded the original estimated emissions. BP did not submit an initial notification for the Emissions Event to the TCEQ. BP submitted a final report on March 20, 2009.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP also violated 30 TAC 101.201(a)(1)(B) by failing to submit its initial notification of an Emissions Event no later than 24 hours after its discovery. According to a report submitted by BP, the event began on or before January 9, 2009, when the actual startup emissions exceeded the original estimated emissions. BP submitted its initial report of the event to the TCEQ on January 23, 2009.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 62.1

without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 64.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition #1, PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 66.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Permit No. 2231, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 2231 by emitting the air contaminants listed in paragraph 63.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 65.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 67.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 69.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 70.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

No. 47256, Special Condition #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 68.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 72.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 71.1 without authorization.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: TCEQ Flexible Permit NO. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 73.1 without authorization.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP violated TCAA § 382.085 and Permit 47256 by emitting the air contaminants listed in paragraph 74.1 without authorization.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter B 112.32

Description: BP violated 30 TAC § 112.32 by emitting H2S in such amount and concentration as to exceed the limits set forth therein (concentrations exceeded 0.12 ppm over a 30-minute period).

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

Description: BP violated the 2006 Order by failing to timely submit a Flaring Root Cause Report. The 2006 Order required BP to submit a Flaring Root Cause Report for this Emissions Event because it involved the release of over 500 lbs of SO2 in a period of 24 hours from Flare No. 2 (EPN 311), a device listed in the 2006 Order. Ordering Provision 4.a.ii. of the 2006 Order required BP to submit the Flaring Root Cause Report to the TCEQ by April 20, 2008.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E ORDER

Description: BP violated the 2006 Order by failing to timely submit a Flaring Root Cause Report. The 2006 Order required BP to submit a Flaring Root Cause Report for this Emissions Event because it involved the release of over 500 lbs of SO2 in a period of 24 hours from Flare No. 1 (EPN 301), a device listed in the 2006 Order. Ordering Provision 4.a.ii. of the 2006 Order required BP to submit the Flaring Root Cause Report to the TCEQ by October 2, 2007.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

Description: BP violated the 2006 Order by failing to timely submit a Flaring Root Cause Report. The 2006 Order required BP to submit a Flaring Root Cause Report for this Emissions Event because it involved the release of over 500 lbs of SO2 in a period of 24 hours from Flare No. 1 (EPN 301), a device listed in the 2006 Order. Ordering Provision 4.a.ii. of the 2006 Order required BP to submit the Flaring Root Cause Report to the TCEQ by January 2, 2008.

Classification: Major

Citation: 5C THSC Chapter 382 382.085

Rqmt Prov: 2005-0224-AIR-E, Order Provision 4.a.ii. ORDER

Description: BP violated the 2006 Order by failing to timely submit a Flaring Root Cause Report. The 2006 Order required BP to submit a Flaring Root Cause Report for this Emissions Event because it involved the release of over 500 lbs of SO2 in a period of 24 hours from Flare No. 1 (EPN 301), a device listed in the 2006 Order. Ordering Provision 4.a.ii. of the 2006 Order required BP to submit the Flaring Root Cause Report to the TCEQ by October 10, 2008.

4 Effective Date: 02/10/2013 ADMINORDER 2012-0839-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Minor

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

Description: The Respondent failed to submit an initial notification for Incident No. 162823 not later than 24 hours after the discovery of an emissions event on December 8, 2011.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 1 PERMIT

SC 16 OP

Description: The Respondent failed to prevent unauthorized emissions during an emissions event on December 8, 2011 (Incident No. 162823).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SC 16 OP  
SPECIAL CONDITION 1 PERMIT

Description: The Respondent failed to prevent unauthorized emissions during an excessive emissions event on December 10, 2011 (Incident No. 162658),

5 Effective Date: 03/06/2014 ADMINORDER 2013-1754-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions.

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	October 25, 2010	(864605)
Item 2	November 10, 2010	(881462)
Item 3	December 03, 2010	(857421)
Item 4	December 07, 2010	(871650)
Item 5	December 08, 2010	(879803)
Item 6	January 10, 2011	(880576)
Item 7	February 10, 2011	(890880)
Item 8	February 15, 2011	(878085)
Item 9	February 16, 2011	(878081)
Item 10	March 14, 2011	(924737)
Item 11	March 16, 2011	(894249)
Item 12	April 20, 2011	(924738)
Item 13	May 12, 2011	(937982)
Item 14	May 19, 2011	(879858)
Item 15	May 24, 2011	(919797)
Item 16	June 06, 2011	(923359)
Item 17	June 16, 2011	(913682)
Item 18	July 11, 2011	(923481)
Item 19	July 20, 2011	(952581)
Item 20	July 27, 2011	(933497)
Item 21	July 29, 2011	(933423)
Item 22	August 01, 2011	(936243)
Item 23	August 11, 2011	(937224)
Item 24	August 12, 2011	(942193)
Item 25	August 15, 2011	(944257)
Item 26	August 19, 2011	(959263)
Item 27	August 22, 2011	(936280)
Item 28	August 24, 2011	(944819)
Item 29	September 07, 2011	(941177)
Item 30	September 15, 2011	(965292)
Item 31	September 21, 2011	(956243)
Item 32	October 12, 2011	(958183)
Item 33	October 13, 2011	(949148)
Item 34	October 19, 2011	(971335)
Item 35	November 02, 2011	(956280)
Item 36	November 15, 2011	(977493)
Item 37	December 01, 2011	(900824)
Item 38	December 08, 2011	(969205)
Item 39	December 19, 2011	(974623)

Item 40	December 22, 2011	(975598)
Item 41	January 05, 2012	(974914)
Item 42	January 09, 2012	(974839)
Item 43	January 20, 2012	(990561)
Item 44	February 06, 2012	(944943)
Item 45	February 16, 2012	(997925)
Item 46	March 08, 2012	(983800)
Item 47	March 20, 2012	(1003445)
Item 48	March 21, 2012	(993999)
Item 49	April 19, 2012	(1010009)
Item 50	May 08, 2012	(1001873)
Item 51	May 17, 2012	(1016405)
Item 52	May 22, 2012	(1006645)
Item 53	May 23, 2012	(990089)
Item 54	June 05, 2012	(962393)
Item 55	June 06, 2012	(963427)
Item 56	June 07, 2012	(1008710)
Item 57	June 11, 2012	(1008099)
Item 58	June 13, 2012	(1009278)
Item 59	June 25, 2012	(1008873)
Item 60	June 29, 2012	(1015268)
Item 61	July 02, 2012	(1009727)
Item 62	July 09, 2012	(1008877)
Item 63	July 16, 2012	(1007009)
Item 64	July 17, 2012	(1019336)
Item 65	July 24, 2012	(962577)
Item 66	August 06, 2012	(968582)
Item 67	August 29, 2012	(970641)
Item 68	September 20, 2012	(1046621)
Item 69	October 16, 2012	(1036636)
Item 70	October 17, 2012	(1034625)
Item 71	October 18, 2012	(1060732)
Item 72	October 29, 2012	(1035407)
Item 73	November 07, 2012	(1009934)
Item 74	November 20, 2012	(1060733)
Item 75	November 28, 2012	(1037740)
Item 76	December 05, 2012	(1040982)
Item 77	December 10, 2012	(1043635)
Item 78	December 17, 2012	(1060734)
Item 79	December 21, 2012	(1043678)
Item 80	January 03, 2013	(1051525)
Item 81	January 10, 2013	(1045915)
Item 82	January 11, 2013	(1050838)
Item 83	January 15, 2013	(1078879)
Item 84	January 23, 2013	(1042965)
Item 85	January 25, 2013	(1052734)
Item 86	February 08, 2013	(1056500)
Item 87	February 12, 2013	(1054111)
Item 88	February 15, 2013	(1054112)
Item 89	February 20, 2013	(1078878)
Item 90	February 28, 2013	(1042867)
Item 91	March 12, 2013	(1073132)
Item 92	March 13, 2013	(1089263)
Item 93	March 16, 2013	(1055390)
Item 94	April 01, 2013	(1054109)
Item 95	April 10, 2013	(1055358)
Item 96	April 17, 2013	(1095657)
Item 97	April 25, 2013	(1075096)
Item 98	May 02, 2013	(1078460)
Item 99	May 14, 2013	(1087514)

Item 100	June 10, 2013	(1085415)
Item 101	June 19, 2013	(1110258)
Item 102	July 11, 2013	(1120055)
Item 103	July 30, 2013	(1055614)
Item 104	August 07, 2013	(1101900)
Item 105	August 19, 2013	(1127884)
Item 106	September 03, 2013	(1102125)
Item 107	September 17, 2013	(1129499)
Item 108	September 27, 2013	(1113263)
Item 109	October 17, 2013	(1138103)
Item 110	October 21, 2013	(1109813)
Item 111	October 29, 2013	(1113999)
Item 112	October 31, 2013	(1122256)
Item 113	November 06, 2013	(1120418)
Item 114	November 18, 2013	(1140628)
Item 115	November 20, 2013	(1132558)
Item 116	November 22, 2013	(1124822)
Item 117	December 09, 2013	(1124236)
Item 118	December 18, 2013	(1147085)
Item 119	January 06, 2014	(1134521)
Item 120	January 20, 2014	(1153155)
Item 121	January 23, 2014	(1124093)
Item 122	January 30, 2014	(1134363)
Item 123	February 20, 2014	(1160491)
Item 124	March 18, 2014	(1167136)
Item 125	March 24, 2014	(1139886)
Item 126	April 22, 2014	(1174269)
Item 127	April 24, 2014	(1102680)
Item 128	May 05, 2014	(1138228)
Item 129	May 06, 2014	(1157404)
Item 130	May 14, 2014	(1180457)
Item 131	May 19, 2014	(1133194)
Item 132	May 21, 2014	(1158370)
Item 133	May 23, 2014	(1164041)
Item 134	May 28, 2014	(1160263)
Item 135	June 18, 2014	(1187354)
Item 136	July 08, 2014	(1163872)
Item 137	July 17, 2014	(1171346)
Item 138	July 21, 2014	(1195529)
Item 139	August 19, 2014	(1179650)
Item 140	September 08, 2014	(1183686)
Item 141	September 19, 2014	(1205760)
Item 142	October 17, 2014	(1177600)
Item 143	October 30, 2014	(1187082)
Item 144	November 03, 2014	(1185599)
Item 145	November 07, 2014	(1073644)
Item 146	November 19, 2014	(1205244)
Item 147	November 20, 2014	(1193148)
Item 148	December 08, 2014	(1196715)
Item 149	December 18, 2014	(1224203)
Item 150	December 31, 2014	(1215467)
Item 151	January 02, 2015	(1197997)
Item 152	January 07, 2015	(1210461)
Item 153	January 19, 2015	(1230731)
Item 154	January 27, 2015	(1217097)
Item 155	February 10, 2015	(1223868)
Item 156	February 11, 2015	(1223303)
Item 157	February 17, 2015	(1227241)
Item 158	February 19, 2015	(1224081)
Item 159	February 20, 2015	(1227113)

Item 160	February 26, 2015	(1215460)
Item 161	March 15, 2015	(1228823)
Item 162	March 19, 2015	(1248570)
Item 163	April 20, 2015	(1255469)
Item 164	May 08, 2015	(1215960)
Item 165	May 11, 2015	(1221998)
Item 166	May 12, 2015	(1240088)
Item 167	May 20, 2015	(1265323)
Item 168	June 01, 2015	(1247601)
Item 169	June 15, 2015	(1240037)
Item 170	June 19, 2015	(1269348)
Item 171	July 16, 2015	(1276894)
Item 172	August 20, 2015	(1286121)
Item 173	September 16, 2015	(1261308)
Item 174	September 17, 2015	(1268230)
Item 175	September 18, 2015	(1267759)

**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: 10/31/2014 (1218423) CN604166868  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 2 Date: 11/25/2014 (1191824)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
SC-1 PERMIT  
Description: Failure to demonstrate an affirmative defense for the unauthorized emissions during Inc. # 201498 [Subcategory B14]
- 3 Date: 03/20/2015 (1218072) CN604166868  
Self Report? NO Classification: Major  
Citation: 30 TAC Chapter 101, SubChapter A 101.4  
5C THSC Chapter 382 382.085(b)  
Description: Failure to control a nuisance condition
- 4 Date: 04/30/2015 (1262179) CN604166868  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 5 Date: 05/06/2015 (1227280) CN604166868  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.345(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term and Condition 1A OP  
Description: Failure to submit a verbal notification at least 15 days prior to the EPN 55 RATA test date in accordance with 30 TAC 117. (Category C3).
- 6 Date: 07/09/2015 (1229769) CN604166868  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. [Subcategory B13]
- 7 Date: 07/14/2015 (1246760) CN604166868  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Description: Failure to show the unit met the demonstration criteria for an affirmative defense  
for unauthorized emissions during an emissions event. [Subcategory B13]

8 Date: 07/31/2015 (1283072) CN604166868  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

9 Date: 08/31/2015 (1211230) CN604166868  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGGa 60.592a(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 10E PERMIT  
NSR Special Condition 11E PERMIT  
NSR Special Condition 4E PERMIT  
NSR Special Condition 51E PERMIT  
NSR Special Condition 60 PERMIT  
NSR Special Condition 6E PERMIT  
NSR Special Condition 9E PERMIT  
Description: Failure to seal 45 open ended lines with a cap, plug, or blind flange, or second  
valve. (Category C10)  
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)  
FOP Special Term & Condition 1A OP  
Description: Failure to operate a GC monitoring system at least 95% of the time when cooling  
towers were operational. (Category B19g1)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP  
Description: Failure to perform cylinder gas audits on multiple HRVOC Cooling Towers GC  
monitoring systems. (Category B1)  
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 61, SubChapter C, PT 61, SubPT FF 61.346(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.647(a)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 15B OP  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 3D PERMIT  
Description: Failure to adequately equip 6 drains with water seal controls. (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)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(i)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iii)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.647(a)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 130 OP  
FOP Special Term & Condition 15B OP  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 3D PERMIT

Description: Failure to perform quarterly inspections of 1 clean-out, 3 drains, and 13 junction boxes during the 4th quarter of 2013. (Category B1)

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 60.13(c)(2)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 39E PERMIT

Description: Failure to submit final stack test reports within 60 days after sampling is completed. (Category C3)

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 60.8(d)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 42E PERMIT

Description: Failure to conduct a 30-day notification prior to performing a RATA on CEMS analyzers for Power Station No. 2 and SRU Incinerator C and D. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
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)  
FOP Special Term & Condition 1A OP  
FOP Special Term & Condition 23 ORDER  
FOP Special Term & Condition 26A OP  
NSR Special Condition 10A PERMIT  
NSR Special Condition 14A PERMIT  
NSR Special Condition 67D(1) PERMIT

Description: Failure to maintain the flare heating values above 300 Btu/scf. (Category C4)

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)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT N 63.344(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 14B PERMIT

Description: Failure to maintain the pilot flame monitoring data for multiple flares by a thermocouple or infrared monitor. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP

Description: Failure to maintain CO emissions below the 400 ppm limit on a rolling 24-hour average (Category B13)

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)  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 67A(2) PERMIT

Description: Failure to monitor for VOC breakthrough during CAS operation on an hourly basis. (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)

5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 63A PERMIT  
 Description: Failure to operate a vacuum truck without the proper control device or controlled recovery system. (Category B19g1)  
 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)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 63C(3) PERMIT  
 NSR Special Condition 67A(5)(b) PERMIT

Description: Failure to monitor the vacuum truck before or at the end of each transfer. (Category C1)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP

Description: Failure to maintain the Alky 3 Cooling Tower annual average circulation rate below 43 kgpm. (Category B13)  
 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)(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 10F PERMIT  
 NSR Special Condition 2 PERMIT  
 NSR Special Condition 4F PERMIT  
 NSR Special Condition 4H PERMIT  
 NSR Special Condition 51F PERMIT  
 NSR Special Condition 51H PERMIT  
 NSR Special Condition 8B PERMIT

Description: Failure to identify, tag and monitor refinery fugitives components. (Category B19g1)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(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)  
 FOP Special Condition 26A OP  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 NSR Special Condition 30 PERMIT

Description: Failure to prevent the opacity from exceeding the 20% opacity limit during a six minute period for the Fluid Catalytic Cracking Unit 1 Regenerator Stack (EPN: 93) Electrostatic Precipitator. (Category B19g1)  
 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)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 26 PERMIT

Description: Failure to maintain the 30-minute retention time. (Category C4)  
 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)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 25 PERMIT

Description: Failure to maintain the 3-day retention time. (Category C4)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
NSR Special Condition 1 PERMIT

Description: Failure to prevent exceedance of CO lbs/hr limit for heaters. (Category B13)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
NSR Special Condition 1 PERMIT

Description: Failure to prevent exceedances of NOx lb/hr limit for heaters. (Category B13)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
NSR Special Condition 5 PERMIT  
NSR Special Condition 8 PERMIT  
NSR Special Condition 9 PERMIT

Description: Failure to prevent exceedances of NOx lb/MMBtu limit for heaters. (Category B13)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT W 61.272(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP  
FOP Special Term & Condition 23 OP  
NSR Special Condition 3 PERMIT

Description: Failure to perform annual storage tank inspections. (Category C1)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
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 60.7(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP  
FOP Special Term & Condition 23 OP  
FOP Special Term & Condition 26A OP  
NSR Special Condition 2 PERMIT  
NSR Special Condition 3 PERMIT

Description: Failure to submit 40 CFR 60, Subpart Kb applicability notifications within 30 days.  
(Category C3)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(I)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(iii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(3)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 1A OP

Description: Failure to prevent Tank 1052 (EPN: T280-1052) floating roof from landing.  
(Category B19g1)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
NSR Special Condition 1 PERMIT

Description: Failure to prevent exceedances of VOC lb/hr limit for two flares. (Category B13)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP Special Term & Condition 23 OP  
NSR Special Condition 1 PERMIT

Description: Failure to prevent exceedances of SO2 lb/hr limit for heaters. (Category B13)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 Description: Failure to maintain the operation of the Shop and Warehouse Generator within 100 hours in 2013. (Category C1)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 Description: Failure to prevent the operation of the Fire House Generator between the restricted hours of 6:00 a.m. and noon. (Category C4)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 NSR Special Condition 16C PERMIT  
 Description: Failure to calibrate the Isostripper Reboiler Furnace fuel flow meter. (Category C1)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 NSR Special Condition 4 PERMIT  
 Description: Failure to maintain and operate the alkalinity monitor that measures caustic scrubbing solution. (Category B1)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 Description: Failure to prevent exceedances of Volatile Organic Compounds (VOC) throughput limits for storage tanks. (Category B13)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1H OP  
 Description: Failure to maintain oxygen (O2) concentration below the established limits for Isostripper Reboiler Furnace (F-1001) (EPN: 521), Heater B-405 (EPN: 216), Heater B-301 (EPN: 394), Atmospheric Tower Heater (EPN: RHU-501B), Vacuum Tower Heater (EPN: RHU-502B), Heater B-404 (EPN: 215), and Heaters B-402A, B, C (EPN: 213). (Category B19g1)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 2C PERMIT  
 NSR Special Condition 5 PERMIT  
 Description: Failure to prevent exceedance of the hydrogen sulfide (H2S) concentration of 162 ppm limit based on a 1-hour and 3-hour averages for heaters and flare. (Category B13)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(d)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 Description: Failure to take HRVOC samples for CFHU Cooling Tower (EPN: 426), UU3 Cooling Tower (EPN: 421), UU4 Cooling Tower (EPN: 422) and Coker Cooling Tower (EPN: 412). (Category C1)

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 60.7(a)(4)

5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 NSR Special Condition 6 PERMIT  
 Description: Failure to submit 40 CFR 60, Subpart Kb applicability notification within 60 days of modification. (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)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 66B PERMIT

Description: Failure to maintain CO emissions below the 1,500 ppm limit on a rolling 24-hour average. (Category B13)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 31B PERMIT

Description: Failure to maintain NOx concentration limit below the 60 ppm limit on a 7-day rolling average. (Category B13)

Self Report? NO Classification: Moderate  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)  
 5C THSC Chapter 382 382.085(b)

Description: Failure to maintain CO concentration below the 500 ppm limit. (Category B13)

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 J 60.104(a)(2)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 2C PERMIT

Description: Failure to maintain SO2 concentration below the 250 ppm limit. (Category B13)

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 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(2)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 32 PERMIT

Description: Failure to maintain gas pressure drop minimum limit of 3.9 psi. (Category B13)

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 UUU 63.1569(a)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 4B PERMIT

Description: Failure to maintain the pH of the caustic scrubber above 6.6 on a daily average. (Category B13)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(a)(9)(E)(iv)(III)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter C 122.210(a)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 1A OP

Description: Failure to prevent the exceedance of the NOx emission limit of 3.3 g/hp-hr during initial testing of LAMPUMP (EPN: LAMPUMP). (Category B13)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 43 PERMIT  
 Description: Failure to perform an annual stack test for nitrogen oxides (NOx) and carbon monoxide (CO) emissions of the ULC 105BA/BB Heaters (EPN: 206), DDU B201/202 Heaters (EPN: 392) and CFHU 101B/102B Heaters (EPN: CFHU-101B/102B). (Category B1)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter C 122.222  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 Description: Failure to obtain authorization/representation of equipment prior to construction (Category B4)  
 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)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 14C PERMIT  
 Description: Failure to operated a flare without visible emissions. (Category C4)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 NSR Special Condition 4 PERMIT  
 Description: Failure to maintain the daily average firing rates of 20.0 MMBtu/hr for Heater B-404. (Category B13)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 23 OP  
 FOP Special Term & Condition 26A OP  
 NSR Special Condition 61B1 PA  
 Description: Failure to control degassing until the VOC concentration is less than 10,000 ppm or 10 percent of the LEL. Category B13  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Term & Condition 22 OP  
 Description: Failure to maintain benzene concentration below the 1 ppm limit for carbon canisters for water separators. (Category B13)

10 Date: 09/01/2015 (1211180) CN604166868  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Terms & Conditions OP  
 NSR Special Condition 4 PERMIT  
 Description: Failure to maintain TK1052 throughput limit below 845,000,000 gallons in 2014. (Category B13)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP Special Terms & Condition 23 OP  
 NSR Special Condition 21 PERMIT  
 Description: Failure to maintain SRU Incinerator C/D (EPN: 384) above 1,200 degrees Fahrenheit on March 5, 2015. (Category C4)

11 Date: 09/18/2015 (1261046) CN604166868  
 Self Report? NO Classification: Moderate  
 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. [Subcategory B13]

**F. Environmental audits:**

Notice of Intent Date: 10/30/2012 (1088407)  
No DOV Associated

Notice of Intent Date: 02/18/2013 (1088825)  
No DOV Associated

Notice of Intent Date: 04/18/2013 (1088710)  
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

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**Addendum to Compliance History Federal Enforcement Actions**

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**Reg Entity Name:** BP PRODUCTS NORTH AMERICA

**Reg Entity Add:** 2401 5TH AVENUE SOUTH

**Reg Entity City:** TEXAS CITY

**Reg Entity No:** RN102535077

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**EPA Case No:** 06-2000-0910 **Order Issue Date (yyyymmdd):** 20131104

**Case Result:** Final Order with Penalty **Statute:** CAA **Sect of Statute:** 111

**Classification:** Moderate **Program:** National Emission Stand **Citation:** 40CFR

**Violation Type:** Prevention Of Significant Deterioration **Cite Sect:** 2 **Cite Part:** 52

**Enforcement Action:** Consent Decree or Court Order Resolving a Civil

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**EPA Case No:** 06-2013-3329 **Order Issue Date (yyyymmdd):** 20130325

**Case Result:** Final Order With Penalty **Statute:** CAA **Sect of Statute:** 112[R][1]

**Classification:** Minor **Program:** Risk Management Progr **Citation:**

**Violation Type:** **Cite Sect:** **Cite Part:**

**Enforcement Action:** Administrative Penalty Order With or Without Inj

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**Reg Entity Name:** TEXAS CITY REFINERY

**Reg Entity Add:** 2401 FIFTH AVENUE SOUTH

**Reg Entity City:** TEXAS CITY

**Reg Entity No:** RN102535077

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**EPA Case No:** HQ-2011-5054 **Order Issue Date (yyyymmdd):** 20111123

**Case Result:** **Statute:** RCRA **Sect of Statute:** 3008H

**Classification:** Minor **Program:** Gen Hazardous Waste M **Citation:**

**Violation Type:** **Cite Sect:** **Cite Part:**

**Enforcement Action:** Administrative Penalty Order With or Without Inj

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



<b>IN THE MATTER OF AN</b>	<b>§</b>	<b>BEFORE THE</b>
<b>ENFORCEMENT ACTION</b>	<b>§</b>	
<b>CONCERNING</b>	<b>§</b>	<b>TEXAS COMMISSION ON</b>
<b>BLANCHARD REFINING COMPANY</b>	<b>§</b>	
<b>LLC</b>	<b>§</b>	
<b>RN102535077</b>	<b>§</b>	<b>ENVIRONMENTAL QUALITY</b>

**AGREED ORDER**  
**DOCKET NO. 2015-1609-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 Blanchard Refining Company LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it 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 petroleum refinery located at 2401 5th Avenue South in Texas City, Galveston County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on March 25, 2015, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent experienced 100% opacity and released 6,681.68 pounds ("lbs") of carbon monoxide, 216,480.00 lbs of catalyst fines, 128.93 lbs of volatile organic compounds, 0.01 lb of hydrogen sulfide, 26.20 lbs of nitrogen oxides, and 0.55 lb of sulfur dioxide during an emissions event (Incident No. 208455) that began on January 13, 2015 and lasted 22 hours and 54 minutes. The release occurred from the Electrostatic Precipitator ("ESP") Stack, Emission Point Number ("EPN") 93, and Flare 4, EPN 331, due to the Fluid Catalytic Cracking Unit-1 reactor spent catalyst slide valve malfunctioning, which was caused by a misaligned gate that allowed large quantities of catalyst to flow from the reactor to the regenerator. The regenerator's level controls were unable to properly manage the level of catalyst and disabled the regenerator cyclones, allowing an increase in catalyst flow to the ESP. In response, the ESP was shut down to avoid a potential explosion and as a result the catalyst entering the ESP vented through the ESP stack and was released directly to the atmosphere. TCEQ staff determined that this event was an excessive emissions event.
4. The Respondent received notice of the violations on October 6, 2015.

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(c)(7), TEX. HEALTH & SAFETY CODE § 382.085(b) and Flexible Permit Nos. 47256 and PSDTX402M3, Special Conditions Nos. 1 and 30. This event was determined to be an excessive emissions event.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Twenty-Five Thousand Dollar (\$25,000) administrative penalty.

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Blanchard Refining Company LLC, Docket No. 2015-1609-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 undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, submit a corrective action plan ("CAP") in accordance with the TCEQ letter dated October 1, 2015 to address the excessive emissions event that began on January 13, 2015 (Incident No. 208455);
  - b. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the CAP submitted in connection with the January 13, 2015 excessive emissions event within 15 days after the date of such requests, or by any other deadline specified in writing;
  - c. Within 45 days after the effective date of this Agreed Order, submit written certification, as described in Ordering Provision No. 2.e. below, to demonstrate compliance with Ordering Provision No. 2.a.;
  - d. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
  - e. Within 15 days upon completion of the CAP implementation, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Air Section Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

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

6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

*[Handwritten Signature]*

*2/18/16*

For the Executive Director

Date

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

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

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

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

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

Signature

*[Handwritten Signature]*



Date

*12-4-15*

Name (Printed or typed)

*Ray Brooks*

Title

*VP / General Manager*

Authorized Representative of  
Blanchard Refining Company LLC

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