

Executive Summary – Enforcement Matter – Case No. 51104
The Dow Chemical Company
RN100225945
Docket No. 2015-1242-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

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

Type of Operation:

Chemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 11, 2016

Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,188

Amount Deferred for Expedited Settlement: \$3,037

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$6,076

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$6,075

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

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

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Docket No. 2015-1242-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 23, 2015 through April 24, 2015, May 5, 2015 through May 19, 2015, and June 10, 2015 through June 24, 2015

Date(s) of NOE(s): July 28, 2015

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,999.53 pounds ("lbs") of propylene from the Lake Warder Brine Pond, Emission Point Number ("EPN") BSRPSR2L, and 397.97 lbs of carbon monoxide ("CO"), 179.37 lbs of nitrogen oxides ("NOx"), and 739.28 lbs of highly reactive volatile organic compounds ("HRVOC") from the Brine Flare 2, EPN BSRF401, during an avoidable emissions event (Incident No. 212118) that began on March 31, 2015 and lasted for two hours and 43 minutes. The event occurred in the Salt Dome Operations area when propylene entered a broken brine water pipeline, resulting in emissions to the atmosphere from the Brine Pond and from flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O2217, Special Terms and Conditions ("STC") No. 16, and New Source Review ("NSR") Permit No. 22072, Special Conditions ("SC") No. 1].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,632.64 lbs of HRVOC, 1,822.24 lbs of CO, 249.71 lbs of NOx, 2.84 lbs of hazardous air pollutants, and 1.09 lbs of other volatile organic compounds from the FS-1 Large Flare, EPN B60F3, during an avoidable emissions event (Incident No. 213425) that began on May 1, 2015 and lasted for two hours and 12 minutes. The event occurred when acetylene went off specifications due to process control starving the reactor of hydrogen, resulting in flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 688.25 lbs of propylene and 21.52 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207426) that began on December 12, 2014 and lasted for 52 hours. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30

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TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,754.44 lbs of propylene and 861.15 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207642) that began on December 17, 2014 and lasted for 21 hours and 36 minutes. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. On March 5, 2015, redesigned Heat Exchanger E-11 to counteract the high velocity cooling water, installed impingement rods to buffer the high velocity and increased nozzle diameter and length to provide more area for the cooling water which throttles the velocity, and reduced the high velocity of the cooling water to Heat Exchanger E-10 by closing back on the cooling water outlet valve to prevent recurrence of emissions events due to the same or similar causes as Incident Nos. 207426 and 207642;
- b. On August 22, 2015, revised the control logic to automatically close the brine Emergency Block Valve on Dow Well 11 storage well based on low brine density, added a brine control valve and a wash water control valve to better control flow and reduce casing vibration inside of Dow Well 11, and replaced the internal brine casing of Dow Well 11 with a more robust collared casing joint to reduce joint failure to prevent recurrence of emissions events due to the same or similar causes as Incident No. 212118; and
- c. By October 21, 2015, revised the process control code to allow for seamless swapping between the division hydrogen and internal hydrogen following planned maintenance work on the division hydrogen header and create a new operating discipline for both swapping between the internal and division hydrogen headers following maintenance work to reflect the new process control code to prevent recurrence of emissions events due to the same or similar causes as Incident No. 213425.

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Technical Requirements:

The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483

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

Respondent: Fran Quinlan Falcon, TXO Environmental Leveraged Delivery Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541
Jarod Davis, Regulatory Affairs Manager, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541

Respondent's Attorney: N/A

Attachment A
Docket Number: 2015-1242-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	The Dow Chemical Company
Penalty Amount:	Twelve Thousand One Hundred Fifty-One Dollars (\$12,151)
SEP Offset Amount:	Six Thousand Seventy-Five Dollars (\$6,075)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO ("AERCO")
Project Name:	<i>Clean Vehicles Partnership Project</i>
Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

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

1. Project Description

a. Project

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

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

The Dow Chemical Company
Agreed Order - Attachment A

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

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

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

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

b. Environmental Benefit

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

c. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

The Dow Chemical Company
Agreed Order - Attachment A

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

5. Publicity

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

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	14-Sep-2015	Screening	23-Sep-2015	EPA Due	
	PCW	8-Jan-2016				

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

CASE INFORMATION			
Enf./Case ID No.	51104	No. of Violations	4
Docket No.	2015-1242-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Amancio R. Gutierrez
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$18,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **0.0%** Enhancement **Subtotals 2, 3, & 7** **\$0**

Notes: Enhancement for 19 NOVs with same/similar violations, six NOVs with dissimilar violations, 13 orders containing a denial of liability, and four orders without a denial of liability. Reduction for 312 notices of intent to conduct an audit and 160 disclosures of violations. However, since the adjustment is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **-\$3,562**

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

Total EB Amounts	\$494
Estimated Cost of Compliance	\$23,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$15,188**

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

Reduces or enhances the Final Subtotal by the Indicated percentage.

Notes: [Empty box]

Final Penalty Amount **\$15,188**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$15,188**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$3,037**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$12,151**

Screening Date 23-Sep-2015

Docket No. 2015-1242-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 51104

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amanclo R. Gutierrez

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	19	95%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	13	260%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	312	-312%
	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>)	160	-320%

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) 0%

>> **Repeat Violator (Subtotal 3)**

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for 19 NOVs with same/similar violations, six NOVs with dissimilar violations, 13 orders containing a denial of liability, and four orders without a denial of liability. Reduction for 312 notices of intent to conduct an audit and 160 disclosures of violations. However, since the adjustment is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 0%

Screening Date 23-Sep-2015

Docket No. 2015-1242-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 51104

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") No. O2217, Special Terms and Conditions ("STC") No. 16, and New Source Review ("NSR") Permit No. 22072, Special Conditions ("SC") No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,999.53 pounds ("lbs") of propylene from the Lake Warder Brine Pond, Emission Point Number ("EPN") BSRPSR2L, and 397.97 lbs of carbon monoxide ("CO"), 179.37 lbs of nitrogen oxides ("NOx"), and 739.28 lbs of highly reactive volatile organic compounds ("HRVOC") from the Brine Flare 2, EPN BSRF401, during an avoidable emissions event (Incident No. 212118) that began on March 31, 2015 and lasted for two hours and 43 minutes. The event occurred in the Salt Dome Operations area when propylene entered a broken brine water pipeline, resulting in emissions to the atmosphere from the Brine Pond and from flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm		
	Release	Major	Moderate	Minor
	Actual			X
	Potential			

Percent 15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

Number of violation days 1

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

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$375

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

Notes The Respondent completed corrective measures on August 22, 2015, after the July 28, 2015 Notice of Enforcement ("NOE").

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$225

Violation Final Penalty Total \$3,375

This violation Final Assessed Penalty (adjusted for limits) \$3,375

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 51104
Reg. Ent. Reference No. RN100225945
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Equipment	\$1,000	31-Mar-2015	22-Aug-2015	0.39	\$1	\$26	\$28
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	31-Mar-2015	22-Aug-2015	0.39	\$197	n/a	\$197

Notes for DELAYED costs

Estimated cost to revise the control logic to automatically close the brine Emergency Block Valve on Dow Well 11 storage well based on low brine density, to add a brine control valve and a wash water control valve to better control flow and reduce casing vibration inside of Dow Well 11, and to replace the internal brine casing of Dow Well 11 with a more robust collared casing joint to reduce joint failure to prevent recurrence of emissions events due to the same or similar causes as Incident No. 212118. The Date Required is the date of the emissions event and the Final Dates are the dates of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$11,000
TOTAL
\$225

Screening Date 23-Sep-2015

Docket No. 2015-1242-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 51104

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,632.64 lbs of HRVOC, 1,822.24 lbs of CO, 249.71 lbs of NOx, 2.84 lbs of hazardous air pollutants ("HAPs"), and 1.09 lbs of other volatile organic compounds from the FS-1 Large Flare, EPN B60F3, during an avoidable emissions event (Incident No. 213425) that began on May 1, 2015 and lasted for two hours and 12 minutes. The event occurred when acetylene went off specifications due to process control starving the reactor of hydrogen, resulting in flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$375

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective measures on October 21, 2015, after the September 11, 2015 NOE.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$237

Violation Final Penalty Total \$3,375

This violation Final Assessed Penalty (adjusted for limits) \$3,375

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 51104
Reg. Ent. Reference No.: RN100225945
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-May-2015	21-Oct-2015	0.47	\$237	n/a	\$237

Notes for DELAYED costs

Estimated cost to revise the process control code to allow for seamless swapping between the division hydrogen and internal hydrogen following planned maintenance work on the division hydrogen header and create a new operating discipline for both swapping between the internal and division hydrogen headers following maintenance work to reflect the new process control code to prevent recurrence of emissions events due to the same or similar causes as Incident No. 213425. The Date Required is the date of the emissions event and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$237

Screening Date 23-Sep-2015

Docket No. 2015-1242-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 51104

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 688.25 lbs of propylene and 21.52 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207426) that began on December 12, 2014 and lasted for 52 hours. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Harm

Release	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

3 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$937

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective measures on March 5, 2015, before the May 19, 2015 NOE.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$32

Violation Final Penalty Total \$2,813

This violation Final Assessed Penalty (adjusted for limits) \$2,813

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 51104
Reg. Ent. Reference No. RN100225945
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$2,000	12-Dec-2014	5-Mar-2015	0.23	\$2	\$30	\$32
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to redesign Heat Exchanger E-11 to counteract the high velocity cooling water, to install impingement rods to buffer the high velocity and increase the nozzle diameter and length to provide more area for the cooling water which throttles the velocity, and to reduce the high velocity of the cooling water to Heat Exchanger E-10 by closing back on the cooling water outlet valve to prevent recurrence of emissions events due to the same or similar causes as Incident Nos. 207426 and 207642. The Date Required is the date the first emissions event began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$32

Screening Date 23-Sep-2015

Docket No. 2015-1242-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 51104

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,754.44 lbs of propylene and 861.15 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207642) that began on December 17, 2014 and lasted for 21 hours and 36 minutes. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual			X		30.0%
Potential					

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
				0.0%

Matrix Notes

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction \$1,875

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

Notes The Respondent completed corrective measures on March 5, 2015, before the May 19, 2015 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$5,625

This violation Final Assessed Penalty (adjusted for limits) \$5,625

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 51104
Reg. Ent. Reference No.: RN100225945
Media: Air
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic Benefit Included in Violation No. 3.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

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



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN600356976, RN100225945, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN600356976, The Dow Chemical Company	Classification:	SATISFACTORY	Rating:	0.27
Regulated Entity:	RN100225945, DOW TEXAS OPERATIONS FREEPORT	Classification:	HIGH	Rating:	0.00
Complexity Points:	113	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	2301 N BRAZOSPORT BLVD FREEPORT, TX 77541-3203, BRAZORIA COUNTY				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER BL0082R

AIR OPERATING PERMITS PERMIT 2204

AIR OPERATING PERMITS PERMIT 2207

AIR OPERATING PERMITS PERMIT 2210

AIR OPERATING PERMITS PERMIT 2212

AIR OPERATING PERMITS PERMIT 2214

AIR OPERATING PERMITS PERMIT 2216

AIR OPERATING PERMITS PERMIT 2218

AIR OPERATING PERMITS PERMIT 2220

AIR OPERATING PERMITS PERMIT 2311

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD000803270

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30106

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200535

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200531

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200528

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200027

WASTEWATER EPA ID TX0006483

AIR NEW SOURCE PERMITS PERMIT 3947

AIR NEW SOURCE PERMITS REGISTRATION 12173

AIR NEW SOURCE PERMITS PERMIT 20195

AIR NEW SOURCE PERMITS PERMIT 20432

AIR NEW SOURCE PERMITS PERMIT 20687

AIR NEW SOURCE PERMITS PERMIT 20776

AIR NEW SOURCE PERMITS PERMIT 22070

AIR NEW SOURCE PERMITS PERMIT 22072

AIR NEW SOURCE PERMITS REGISTRATION 22809

AIR NEW SOURCE PERMITS REGISTRATION 22851

AIR NEW SOURCE PERMITS REGISTRATION 22945

AIR NEW SOURCE PERMITS REGISTRATION 23076

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AIR NEW SOURCE PERMITS REGISTRATION 24101

AIR NEW SOURCE PERMITS PERMIT 26692

AIR NEW SOURCE PERMITS REGISTRATION 26035

AIR NEW SOURCE PERMITS PERMIT 28363

AIR NEW SOURCE PERMITS REGISTRATION 30018

AIR NEW SOURCE PERMITS REGISTRATION 30503

AIR NEW SOURCE PERMITS REGISTRATION 31992

AIR NEW SOURCE PERMITS REGISTRATION 33328

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AIR NEW SOURCE PERMITS REGISTRATION 36397

AIR OPERATING PERMITS PERMIT 2203

AIR OPERATING PERMITS PERMIT 2206

AIR OPERATING PERMITS PERMIT 2208

AIR OPERATING PERMITS PERMIT 2211

AIR OPERATING PERMITS PERMIT 2213

AIR OPERATING PERMITS PERMIT 2215

AIR OPERATING PERMITS PERMIT 2217

AIR OPERATING PERMITS PERMIT 2219

AIR OPERATING PERMITS PERMIT 2221

AIR OPERATING PERMITS PERMIT 2697

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD008092793

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50161

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200530

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200232

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200534

WASTEWATER PERMIT WQ0000007000

WASTEWATER EPA ID TX0006484

AIR NEW SOURCE PERMITS REGISTRATION 11832

AIR NEW SOURCE PERMITS PERMIT 19041

AIR NEW SOURCE PERMITS PERMIT 20285

AIR NEW SOURCE PERMITS PERMIT 20525

AIR NEW SOURCE PERMITS PERMIT 20775

AIR NEW SOURCE PERMITS PERMIT 20909

AIR NEW SOURCE PERMITS PERMIT 22071

AIR NEW SOURCE PERMITS REGISTRATION 22853

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AIR NEW SOURCE PERMITS REGISTRATION 23075

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AIR NEW SOURCE PERMITS REGISTRATION 52201
AIR NEW SOURCE PERMITS REGISTRATION 50488
AIR NEW SOURCE PERMITS REGISTRATION 53897
AIR NEW SOURCE PERMITS REGISTRATION 71936
AIR NEW SOURCE PERMITS REGISTRATION 72671
AIR NEW SOURCE PERMITS REGISTRATION 72663
AIR NEW SOURCE PERMITS REGISTRATION 72794
AIR NEW SOURCE PERMITS REGISTRATION 74059
AIR NEW SOURCE PERMITS REGISTRATION 73781
AIR NEW SOURCE PERMITS REGISTRATION 74350
AIR NEW SOURCE PERMITS REGISTRATION 74853
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX994M1
AIR NEW SOURCE PERMITS REGISTRATION 76506
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AIR NEW SOURCE PERMITS REGISTRATION 77405
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AIR NEW SOURCE PERMITS REGISTRATION 76863
AIR NEW SOURCE PERMITS REGISTRATION 78008
AIR NEW SOURCE PERMITS REGISTRATION 78248
AIR NEW SOURCE PERMITS REGISTRATION 78286
AIR NEW SOURCE PERMITS REGISTRATION 78570
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AIR NEW SOURCE PERMITS REGISTRATION 15386
AIR NEW SOURCE PERMITS PERMIT 6911
AIR NEW SOURCE PERMITS PERMIT 19720
AIR NEW SOURCE PERMITS PERMIT 770
AIR NEW SOURCE PERMITS PERMIT 1472
AIR NEW SOURCE PERMITS REGISTRATION 1559
AIR NEW SOURCE PERMITS PERMIT 1658
AIR NEW SOURCE PERMITS PERMIT 2008A
AIR NEW SOURCE PERMITS PERMIT 2728
AIR NEW SOURCE PERMITS PERMIT 3347
AIR NEW SOURCE PERMITS REGISTRATION 52724
AIR NEW SOURCE PERMITS REGISTRATION 52999
AIR NEW SOURCE PERMITS REGISTRATION 53895
AIR NEW SOURCE PERMITS REGISTRATION 55032
AIR NEW SOURCE PERMITS PERMIT 83795
AIR NEW SOURCE PERMITS REGISTRATION 55537
AIR NEW SOURCE PERMITS REGISTRATION 76012
AIR NEW SOURCE PERMITS PERMIT 75751
AIR NEW SOURCE PERMITS REGISTRATION 76138
AIR NEW SOURCE PERMITS REGISTRATION 56833
AIR NEW SOURCE PERMITS REGISTRATION 70194
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AIR NEW SOURCE PERMITS EPA PERMIT N59
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AIR NEW SOURCE PERMITS REGISTRATION 52153
AIR NEW SOURCE PERMITS REGISTRATION 53903
AIR NEW SOURCE PERMITS REGISTRATION 53954
AIR NEW SOURCE PERMITS REGISTRATION 52884
AIR NEW SOURCE PERMITS REGISTRATION 54042
AIR NEW SOURCE PERMITS REGISTRATION 50576
AIR NEW SOURCE PERMITS REGISTRATION 53736
AIR NEW SOURCE PERMITS REGISTRATION 72884
AIR NEW SOURCE PERMITS REGISTRATION 72798
AIR NEW SOURCE PERMITS REGISTRATION 73732
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AIR NEW SOURCE PERMITS REGISTRATION 77521
AIR NEW SOURCE PERMITS REGISTRATION 77171
AIR NEW SOURCE PERMITS REGISTRATION 78257
AIR NEW SOURCE PERMITS REGISTRATION 78285
AIR NEW SOURCE PERMITS REGISTRATION 78471
AIR NEW SOURCE PERMITS REGISTRATION 78668
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AIR NEW SOURCE PERMITS REGISTRATION 91171
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AIR NEW SOURCE PERMITS REGISTRATION 86879
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX986
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AIR NEW SOURCE PERMITS REGISTRATION 97239
AIR NEW SOURCE PERMITS REGISTRATION 96184
AIR NEW SOURCE PERMITS REGISTRATION 96887
AIR NEW SOURCE PERMITS PERMIT 98806
AIR NEW SOURCE PERMITS REGISTRATION 101330
AIR NEW SOURCE PERMITS REGISTRATION 98110
AIR NEW SOURCE PERMITS REGISTRATION 101302
AIR NEW SOURCE PERMITS REGISTRATION 100322
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AIR NEW SOURCE PERMITS REGISTRATION 109820
AIR NEW SOURCE PERMITS REGISTRATION 105872
AIR NEW SOURCE PERMITS REGISTRATION 107037
AIR NEW SOURCE PERMITS REGISTRATION 107397
AIR NEW SOURCE PERMITS REGISTRATION 113594
AIR NEW SOURCE PERMITS REGISTRATION 129921
AIR NEW SOURCE PERMITS REGISTRATION 134401
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AIR NEW SOURCE PERMITS REGISTRATION 94028
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 AIR NEW SOURCE PERMITS REGISTRATION 123137
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 AIR NEW SOURCE PERMITS REGISTRATION 119685
 AIR NEW SOURCE PERMITS REGISTRATION 110551
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 AIR NEW SOURCE PERMITS REGISTRATION 123113
 AIR NEW SOURCE PERMITS REGISTRATION 118816
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 AIR NEW SOURCE PERMITS REGISTRATION 115916
 AIR NEW SOURCE PERMITS REGISTRATION 109104
 AIR NEW SOURCE PERMITS REGISTRATION 105878
 IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
 # (SWR) 30106
 STORMWATER PERMIT TXR15XS41
 STORMWATER PERMIT TXR15YE79
 STORMWATER PERMIT TXR150017541
 STORMWATER PERMIT TXR150011635
 STORMWATER PERMIT TXR150012250
 AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0082R

AIR NEW SOURCE PERMITS REGISTRATION 115993
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 AIR NEW SOURCE PERMITS REGISTRATION 115279
 AIR NEW SOURCE PERMITS REGISTRATION 107010
 AIR NEW SOURCE PERMITS REGISTRATION 137208
 AIR NEW SOURCE PERMITS AFS NUM 4803900041
 STORMWATER PERMIT TXR15UP11

STORMWATER PERMIT TXR15YE80
 STORMWATER PERMIT TXR15YE78
 STORMWATER PERMIT TXR150011636
 STORMWATER PERMIT TXR15XB45
 STORMWATER PERMIT TXR150013083
 POLLUTION PREVENTION PLANNING ID NUMBER
 P00182

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015
Date Compliance History Report Prepared: December 03, 2015
Agency Decision Requiring Compliance History: Enforcement
Component Period Selected: December 03, 2010 to December 03, 2015
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Amancio R. Gutierrez **Phone:** (512) 239-3921

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A

5) If **YES**, when did the change(s) in owner or operator occur? N/A

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

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

- 1 Effective Date: 03/07/2011 ADMINORDER 2010-1279-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Dow failed to prevent unauthorized emissions during Incident No. 137259.

- 2 Effective Date: 05/08/2011 ADMINORDER 2010-1450-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THSC Chapter 382 382.0518(a)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit an application for renewal prior to expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew Standard Permit No. 43417 before the permit expiration date of February 16, 2010, as documented during a record review investigation conducted on September 1, 2010.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THSC Chapter 382 382.0518(a)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit an application for renewal prior to the expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew New Source Review ("NSR") Permit No. 9046 before the permit expiration date of July 21, 2010, as documented during a record review investigation conducted on September 1, 2010.

- 3 Effective Date: 05/22/2011 ADMINORDER 2010-1781-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Condition 4(B) PERMIT
Description: Dow failed to keep the emissions capture equipment and abatement equipment in operation when emissions were routed to it during Incident No. 141646.

- 4 Effective Date: 08/13/2011 ADMINORDER 2011-0051-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC Chap III-1 PERMIT
Description: Failed to prevent unauthorized emissions during Incident No. 143416. Dow failed to maintain communications at the operator work stations during a startup. Dow also failed to maintain the operations of the ST-10 turbine during the startup.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC Chapter III-1 PERMIT
Description: Failure to prevent unauthorized emissions during Incident No. 144990. Dow failed to prevent the flaring of off-spec ethylene, when impure hydrogen was being supplied to the internal header system that supplies LHC-7.

- 5 Effective Date: 11/18/2011 ADMINORDER 2011-0581-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions due to obstruction of the filter screen on the oil supply to the oil driven Speed Governor Valve that regulates the compressor speed. Subcategory: A12(i)(6).

- 6 Effective Date: 06/08/2012 ADMINORDER 2011-1123-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(1)
5C THSC Chapter 382 382.085(b)
Description: Failed to incorporate Permit by Rule ("PBR") 30 Tex. Admin. Code § 106.263 in Federal Operating Permit ("FOP") No. 02217, as documented during an investigation conducted on April 14, 2011.
Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.263(g)

5C THSC Chapter 382 382.085(b)

Description: Failed to maintain records to demonstrate compliance with PBR 30 Tex. Admin. Code § 106.263 for maintenance activities performed on Refrigeration Unit 7001 from June 7 through June 30, 2010, as documented during an investigation conducted on April 14, 2011.

Classification: Moderate

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

Rqmt Prov: FOP No. O2217, Spec Terms & Cond 16 OP
SPECIAL CONDITION 1 PERMIT

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

Classification: Minor

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

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

Classification: Minor

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

Rqmt Prov: SPECIAL CONDITION 16 OP
SPECIAL CONDITION 2 PERMIT

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

Classification: Minor

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

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

7 Effective Date: 08/02/2012 ADMINORDER 2011-2269-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
ST&C 11 OP

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

9 Effective Date: 12/15/2012 ADMINORDER 2012-0897-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms & Conditions No. 11 OP

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. III-1 PERMIT
Special Terms & Conditions No. 19 OP

Description: Failed to prevent unauthorized emissions.
Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT
Special Terms & Conditions No. 11 OP

Description: Failure to prevent unauthorized emissions during Incident No. 164161.

10 Effective Date: 06/03/2013 ADMINORDER 2012-1672-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms & Conditions No. 21 OP

Description: Failed to prevent unauthorized emissions during Incident No. 166761.
Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms & Conditions No. 16 OP

Description: Failed to prevent unauthorized emissions during Incident No. 166822.
Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms & Conditions No. 21 OP

Description: Failed to prevent unauthorized emissions during Incident No. 167157.
Classification: Minor

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

Description: Failed to comply with the reporting requirements during Incident No. 167157.
Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT
Special Terms & Conditions No. 11 OP

Description: Failed to prevent unauthorized emissions during Incident No. 167526.
Classification: Moderate

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

Rqmt Prov: Special Condition No.1 PA
Special Terms & Conditions No. 11 OP

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

11 Effective Date: 08/03/2013 ADMINORDER 2012-2015-IHW-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

Rqmt Prov: PROVISION V.I.7.d. PERMIT

Description: Failure to perform operational testing on the automatic waste feed cutoff system for Boiler FTB-210 at least once every 7 days when hazardous waste is burned

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failure to demonstrate that containers were inspected weekly for leakage and deterioration
Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.195(g)

Description: Failure to have documentation indicating inspections were conducted for Tank ND-116 (NOR Unit No. 008 in Block A-18) on May 13, 2012 and Tank D-840 (NOR Unit No. 205 in Block B-46) on October 2, 2011.

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

Rqmt Prov: PROVISION V.I.3.b.(1) PERMIT

Description: Failure to meet the operating parameter limit for Boiler FTB-210 (Permit Unit No. 29, NOR Unit No. 154) for minimum scrubber water pH once during 2011 and maximum stack gas concentration of carbon monoxide on 24 occurrences during 2011 while there was hazardous waste in the unit

12 Effective Date: 10/05/2014 ADMINORDER 2013-2215-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1362(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions Nos. 1 and 11C PERMIT
Special Terms and Conditions No. 13 OP

Description: Failure to comply with maximum allowable hourly emission rate.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Term and Condition 14 OP

Description: Failure to comply with maximum allowable hourly emissions rates.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition Chapter III-1 PERMIT
Special Terms and Conditions No. OP

Description: Failure to prevent unauthorized emissions during Incident No. 185324.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT
ST&C 15 OP

Description: Failure to comply with maximum allowable hourly emissions rates.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms and Conditions No. 11 OP

Description: Failure to prevent unauthorized emissions during Incident No. 190559.

13 Effective Date: 10/05/2014 ADMINORDER 2014-0158-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.092 mg/L.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.081 mg/L.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM MCL 3Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2013 with a RAA of 0.088 mg/L.

14 Effective Date: 10/17/2014 ADMINORDER 2013-0736-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Terms & Conditions No. 11 OP
Description: Failure to prevent unauthorized emissions during Incident No. 173215.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition III-1 PA
Special Terms & Conditions No. 21 OP
Description: Failure to prevent unauthorized emissions during Incident No. 173591.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. III-1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failure to prevent unauthorized emissions during Incident No. 175802.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Description: Failure to submit a complete final record for Incident No. 175802.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. III-1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failed to prevent unauthorized emissions during Incident No. 176126.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. III-1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failed to prevent unauthorized emissions during Incident No. 177149.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a complete and accurate emissions event final record for Incident No. 177149.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. III-1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failure to prevent unauthorized emissions during Incident No. 177891.

15 Effective Date: 05/23/2015 ADMINORDER 2014-1053-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failed to prevent unauthorized emissions during an emissions event which occurred when fuel gas was vacuummed from a drum into the Cold Box system during a deriming maintenance activity. (Category A8.c.(2)(A)(ii))

16 Effective Date: 10/01/2015 ADMINORDER 2014-1881-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Terms and Conditions No. 21 OP

Description: Failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Special Terms and Conditions No. 21 OP
 Description: Failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: NSR 20432, SC 1 PERMIT
 Special Terms and Conditions No. 21 OP
 Description: Failed to prevent 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	December 06, 2010	(858073)
Item 2	December 16, 2010	(858064)
Item 3	December 23, 2010	(864695)
Item 4	January 03, 2011	(886741)
Item 5	January 05, 2011	(887237)
Item 6	January 20, 2011	(880092)
Item 7	January 26, 2011	(858057)
Item 8	January 27, 2011	(866395)
Item 9	February 01, 2011	(891718)
Item 10	February 07, 2011	(887922)
Item 11	February 08, 2011	(887902)
Item 12	February 09, 2011	(877393)
Item 13	February 16, 2011	(909112)
Item 14	February 24, 2011	(877954)
Item 15	March 02, 2011	(886566)
Item 16	March 04, 2011	(887744)
Item 17	March 31, 2011	(890913)
Item 18	April 06, 2011	(908529)
Item 19	April 07, 2011	(906237)
Item 20	April 20, 2011	(900011)
Item 21	April 25, 2011	(899436)
Item 22	May 11, 2011	(899440)
Item 23	May 19, 2011	(938051)
Item 24	June 13, 2011	(945419)
Item 25	June 24, 2011	(908598)
Item 26	July 01, 2011	(936448)
Item 27	July 08, 2011	(914054)
Item 28	July 19, 2011	(923035)
Item 29	July 22, 2011	(936842)
Item 30	August 16, 2011	(922596)
Item 31	August 22, 2011	(899754)
Item 32	August 23, 2011	(949740)
Item 33	August 24, 2011	(959331)
Item 34	August 31, 2011	(948288)
Item 35	September 15, 2011	(965364)
Item 36	October 19, 2011	(971403)
Item 37	November 16, 2011	(977561)
Item 38	December 09, 2011	(970299)
Item 39	December 15, 2011	(970613)
Item 40	December 16, 2011	(984331)
Item 41	December 19, 2011	(970662)
Item 42	December 20, 2011	(971102)
Item 43	January 05, 2012	(970635)
Item 44	January 18, 2012	(970657)
Item 45	January 24, 2012	(980403)
Item 46	February 01, 2012	(969281)

Item 47	February 14, 2012	(987436)
Item 48	February 16, 2012	(987704)
Item 49	February 17, 2012	(987272)
Item 50	February 21, 2012	(997990)
Item 51	February 24, 2012	(971185)
Item 52	February 27, 2012	(988947)
Item 53	March 19, 2012	(1003517)
Item 54	April 03, 2012	(993988)
Item 55	April 13, 2012	(993681)
Item 56	April 18, 2012	(1010082)
Item 57	April 24, 2012	(995660)
Item 58	April 25, 2012	(994686)
Item 59	May 01, 2012	(996737)
Item 60	May 04, 2012	(997785)
Item 61	May 11, 2012	(994143)
Item 62	May 15, 2012	(989453)
Item 63	May 18, 2012	(948856)
Item 64	May 22, 2012	(994688)
Item 65	May 24, 2012	(994684)
Item 66	June 08, 2012	(1007990)
Item 67	June 15, 2012	(1024195)
Item 68	June 20, 2012	(1008522)
Item 69	June 21, 2012	(1008508)
Item 70	June 25, 2012	(1009180)
Item 71	June 28, 2012	(1015072)
Item 72	July 02, 2012	(1013035)
Item 73	July 18, 2012	(1009237)
Item 74	July 30, 2012	(1013952)
Item 75	August 07, 2012	(996853)
Item 76	August 09, 2012	(1015142)
Item 77	August 15, 2012	(1001054)
Item 78	August 21, 2012	(1037965)
Item 79	September 14, 2012	(1008318)
Item 80	September 18, 2012	(1031360)
Item 81	September 19, 2012	(1046698)
Item 82	September 24, 2012	(1020461)
Item 83	October 22, 2012	(1060952)
Item 84	October 26, 2012	(1029292)
Item 85	November 06, 2012	(1041226)
Item 86	November 15, 2012	(1035647)
Item 87	November 19, 2012	(1060953)
Item 88	December 03, 2012	(1044422)
Item 89	December 04, 2012	(1046084)
Item 90	December 12, 2012	(1036299)
Item 91	December 14, 2012	(1037471)
Item 92	December 20, 2012	(1060954)
Item 93	January 08, 2013	(1041022)
Item 94	January 18, 2013	(1035654)
Item 95	January 21, 2013	(1079014)
Item 96	January 23, 2013	(1036297)
Item 97	January 29, 2013	(1054979)
Item 98	February 13, 2013	(1050260)
Item 99	February 21, 2013	(1079013)
Item 100	February 22, 2013	(1059544)
Item 101	February 25, 2013	(1035692)
Item 102	February 26, 2013	(1008881)
Item 103	February 28, 2013	(1001639)
Item 104	March 06, 2013	(1050252)
Item 105	March 20, 2013	(1089331)
Item 106	April 03, 2013	(1060008)
Item 107	April 04, 2013	(1059940)
Item 108	April 10, 2013	(1058915)
Item 109	April 12, 2013	(1075521)
Item 110	April 22, 2013	(1095725)
Item 111	April 29, 2013	(951840)
Item 112	May 24, 2013	(1106650)
Item 113	June 14, 2013	(1086656)
Item 114	June 20, 2013	(1110325)
Item 115	June 25, 2013	(1095339)
Item 116	July 18, 2013	(1117210)
Item 117	August 05, 2013	(1099245)
Item 118	August 07, 2013	(1103277)
Item 119	August 14, 2013	(1103369)
Item 120	August 19, 2013	(1124965)

Item 121	August 29, 2013	(1099911)
Item 122	September 13, 2013	(1087996)
Item 123	September 23, 2013	(1129565)
Item 124	September 26, 2013	(1103825)
Item 125	October 21, 2013	(1105811)
Item 126	November 06, 2013	(1058974)
Item 127	November 08, 2013	(1120629)
Item 128	November 21, 2013	(1140694)
Item 129	November 25, 2013	(1121004)
Item 130	December 04, 2013	(1134449)
Item 131	December 19, 2013	(1134635)
Item 132	January 07, 2014	(1133980)
Item 133	January 15, 2014	(1133862)
Item 134	January 16, 2014	(1153222)
Item 135	January 23, 2014	(1140170)
Item 136	February 10, 2014	(1138528)
Item 137	February 18, 2014	(1123371)
Item 138	February 19, 2014	(1145193)
Item 139	March 06, 2014	(1139397)
Item 140	March 11, 2014	(1152691)
Item 141	March 19, 2014	(1167202)
Item 142	April 09, 2014	(1158019)
Item 143	April 21, 2014	(1174335)
Item 144	May 05, 2014	(1156495)
Item 145	May 20, 2014	(1180523)
Item 146	May 21, 2014	(1134887)
Item 147	May 23, 2014	(1163971)
Item 148	May 28, 2014	(1165338)
Item 149	May 30, 2014	(1152642)
Item 150	June 02, 2014	(1171593)
Item 151	June 04, 2014	(1163572)
Item 152	June 20, 2014	(1173907)
Item 153	June 24, 2014	(1177824)
Item 154	July 08, 2014	(1165917)
Item 155	July 11, 2014	(1178348)
Item 156	July 17, 2014	(1165261)
Item 157	July 21, 2014	(1139379)
Item 158	July 24, 2014	(1170772)
Item 159	July 31, 2014	(1179225)
Item 160	August 15, 2014	(1172125)
Item 161	September 15, 2014	(1116302)
Item 162	September 18, 2014	(1205826)
Item 163	September 23, 2014	(1196175)
Item 164	October 07, 2014	(1198124)
Item 165	October 13, 2014	(1198276)
Item 166	October 22, 2014	(1203876)
Item 167	October 27, 2014	(1202501)
Item 168	November 07, 2014	(1163549)
Item 169	November 17, 2014	(1209283)
Item 170	November 20, 2014	(1218490)
Item 171	November 24, 2014	(1210203)
Item 172	December 03, 2014	(1170318)
Item 173	December 05, 2014	(1193169)
Item 174	December 17, 2014	(1224269)
Item 175	December 19, 2014	(1211893)
Item 176	December 22, 2014	(1211963)
Item 177	January 06, 2015	(1211960)
Item 178	January 20, 2015	(1212015)
Item 179	January 26, 2015	(1210942)
Item 180	February 17, 2015	(1242306)
Item 181	February 23, 2015	(1224083)
Item 182	February 24, 2015	(1227568)
Item 183	February 25, 2015	(1228990)
Item 184	March 20, 2015	(1248635)
Item 185	March 30, 2015	(1222054)
Item 186	April 14, 2015	(1241592)
Item 187	April 16, 2015	(1229930)
Item 188	April 20, 2015	(1255535)
Item 189	April 28, 2015	(1217459)
Item 190	April 30, 2015	(1241317)
Item 191	May 07, 2015	(1229955)
Item 192	May 20, 2015	(1241386)
Item 193	May 21, 2015	(1262245)
Item 194	June 12, 2015	(1258822)

Item 195	June 17, 2015	(1241410)
Item 196	June 23, 2015	(1269414)
Item 197	July 03, 2015	(1242049)
Item 198	July 09, 2015	(1255238)
Item 199	July 10, 2015	(1254554)
Item 200	July 16, 2015	(1265464)
Item 201	July 23, 2015	(1254550)
Item 202	July 31, 2015	(1255282)
Item 203	August 19, 2015	(1283137)
Item 204	September 22, 2015	(1290276)
Item 205	October 13, 2015	(1273236)
Item 206	October 14, 2015	(1282117)
Item 207	November 16, 2015	(1275991)
Item 208	November 18, 2015	(1275989)
Item 209	November 23, 2015	(1287405)

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: 01/16/2015 (1211964) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 20432, SC 1 PERMIT
Description: Dow failed to prevent unauthorized emissions during an emissions event when a leak in a pyrolysis furnace convection coil caused increased CO and NOx in the furnace stack (Category B14).

- 2 Date: 01/23/2015 (1212008) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 834, SC 1 PERMIT
Description: Dow failed to prevent unauthorized emissions when a runaway reaction in the R-201 Reactor Train resulted in a dump of ethylene to the atmosphere (Category B14).

- 3 Date: 02/11/2015 (1211377) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 15 PERMIT
Special Term and Condition 22 OP
Description: Failure to maintain the 6 minute average temperature. (EPNs: OC3so1 and OC3COU1) (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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PERMIT
Special Term and Condition 1A OP
Special Term and Condition 22 OP
Description: Failure to equip open ended lines (OELs). (EPN: OC3FU1) (Category C4)

- 4 Date: 02/20/2015 (1210927) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 15E PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP
Description: Failure to plug, cap, or otherwise seal one open-ended line for EPN B13GBFU3. (Category C10)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Special Condition 3 PERMIT
Special Term and Condition 16 OP
Description: Failure to monitor chlorine concentration in the B13GBFU3 pipeline upon opening and degassing of the line. (Category C1)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(a)
5C THSC Chapter 382 382.085(b)

Special Term and Condition 1A OP
Special Term and Condition 7F OP
Description: Failure to maintain documentation of quarterly vent header inspection. (Category C3)

5 Date: 02/27/2015 (1193078) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 15 PERMIT
Special Terms and Conditions (ST&C) 13 OP
Description: Failure to maintain vinyl chloride vent gas flow to A32STHROX/A32TO560 below permitted limit [Category B13]
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions (GT&C) OP
Description: Failure to report all deviations in the deviation report for the deviation period during which they occurred. (Category C3 violation)

6 Date: 03/03/2015 (1211270) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 8 PERMIT
ST&C 1A & 16 OP
Description: Failure to prevent the occurrence of open-ended lines (Category C10, EPN A22FU1).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
5C THSC Chapter 382 382.085(b)
SC 10E PERMIT
SC 5E PERMIT
SC 7E PERMIT
SC 8E PERMIT
ST&C 1A and 16 OP
Description: Failure to document AVO (Audio, Visual, Olfactory) inspections (Category C3, EPNs: A22FPFUST, A28FPFUST, A30FU02, A30MRFU6, A30POFU05, A35MRFU2, A38MRFU5, A40MRFU36, A9FU1)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.985(a)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to meet the minimum required desorption factor for the pressure swing adsorber (Category C3, EPN: A22CB1CB2).

7 Date: 03/10/2015 (1211304) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 3A(iv)(1) OP
Description: Failure to conduct visible emission observations for magsilicate process for Tank D-601 vent and loading hopper. (Category B1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

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

Description: Failure to report all instances of deviations within the reporting compliance period.
(Category B3)

- 8 Date: 03/31/2015 (1217435) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 1. PERMIT
Description: Dow failed to prevent unauthorized emissions when leaks from heat exchangers
resulted in a release of propylene from the cooling tower (Category B14).
- 9 Date: 04/15/2015 (1227890) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)
Description: The facility failed to prevent the discharge of leachate from a non-hazardous
waste landfill.
- 10 Date: 04/28/2015 (1211537) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 1. PERMIT
Description: Dow failed to prevent unauthorized emissions when a compromised floating tank
roof resulted in a release of emissions from the tank, vent flare, and a portable
thermal oxidizer (Category B14).
- 11 Date: 05/15/2015 (1211166) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(c)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
FOP Special Term & Condition 1A OP
NSR Special Condition 4D PERMIT
Description: Failure to document weekly visual inspections on two pumps (Tag # MP-702A &
MP-702B). (Category B3)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 1A OP
Description: Failure to maintain the flares (EPN B70F801) tip velocity below the calculated
maximum permitted velocity. (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 18 OP
NSR Special Condition 5 PERMIT
Description: Failure to prevent unauthorized VOC emissions from a pressure safety valve.
(Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
NSR Special Condition 12B PERMIT
Description: Failure to route block (EPN B-6800) tank truck loading rack (EPN B68LR1)
emissions to a common header. (Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 1A OP
FOP Special Terms & Condition 18 OP

Description: NSR Special Condition 11A PERMIT
Failure to maintain the flares (EPN B70F1) heating value above 300 Btu/scf.
(Category C4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
FOP Special Term & Condition 1A OP
NSR Special Condition 15E PERMIT

Description: Failure to equip an open-ended valve or line with a cap, blind flange, plug, or a second valve. [Category C10]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
FOP Special Term & Condition 1A OP
NSR Special Condition 16F PERMIT

Description: Failure to conduct quarterly monitoring on nine (9) valves. [Category C1]

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
FOP Special Term & Condition 1A OP
NSR Special Condition 16E PERMIT

Description: Failure to conduct initial and periodic monitoring on 17 connectors. [Category B1]

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP General Term & Condition OP

Description: Failure to report all deviations. [Category B3]

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition 18 OP
FOP Special Term & Condition 1A OP
NSR Special Condition 16A PERMIT

Description: Failure to identify 17 connectors. [Category B3]

12

Date: 05/29/2015 (1229953) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
SC 16H PERMIT
STC No. 1A and 21 OP

Description: Failure to confirm the repair of a connector in unit A36MDFU2 on December 29, 2013. (Category C1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 8 PERMIT
STC No. 1A and 21 OP

Description: Failure to maintain the minimum firebox temperature of the THROX (B44VOTO100) on April 14, 2014, and May 15, 2014. (Category B19 (g)(1) Violation)

Self Report? NO Classification: Moderate

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

5C THSC Chapter 382 382.085(b)
Special Condition No. 11 PERMIT
STC No. 1A and 21 OP

Description: Failure to maintain the in-stack CO concentration of the THROX (EPN B44VOTO100) at 100 ppmv on January 3, 2014 and May 15, 2014. (Category B1 Violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
STC No. 1A and 21 OP

Description: Failure to maintain the hourly CO permit limit in the THROX (B44VOTO100) Unit on January 3, 2014. (Category B1 Violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
STC No. 1A and 21 OP

Description: Failure to maintain the hourly CO permit limit in the A36MDTO520 Unit on January 7, 2014. (Category B1 Violation)

13 Date: 06/05/2015 (1229947) CN600356976

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(c)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to document weekly visual HON pump inspections.(Category C1)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)
5C THSC Chapter 382 382.085(b)
SC 12E OP
SC 12F OP
SC 13E OP
SC 13F OP
ST&C 13 OP
ST&C 1A OP

Description: Failure to monitor components in VOC service.(Category C1)

14 Date: 06/22/2015 (1245650)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, Dow failed to prevent unauthorized emissions when a flow meter failed and opened a propylene dump valve before alerting operators (Category B13).

15 Date: 06/30/2015 (1276960) CN600356976

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

16 Date: 07/09/2015 (1245755)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, Dow failed to prevent emissions when an operator pierced a mobile storage tank with a forklift (Category B13).

- 17 Date: 07/10/2015 (1248346) CN600356976
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR SC 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, Dow failed to prevent emissions when an operator pierced a mobile storage tank with a forklift (Category B13).
- 18 Date: 07/17/2015 (1254552) CN600356976
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 24A PERMIT
 Special Term and Condition 1A and 21 OP
 Description: Failure to prevent visible emissions from Flare, EPN OC6F1000. (Category C4 violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term and Condition 21 OP
 Description: Failure to prevent unauthorized emissions of volatile organic compounds (VOC) from Cooling Tower, EPN OC6CT800. (Category B14 violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 24A PERMIT
 Special Terms and Conditions 1A and 21 OP
 Description: Failure to maintain the minimum net heating value for flare, EPN OC6F1. (Category C4 violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart A 60.18(c)(4)(I)
 5C THSC Chapter 382 382.085(b)
 Special Condition 24A PERMIT
 Special Terms and Conditions 1A and 21 OP
 Description: Failure to maintain flare (EPN OC6F1000) exit velocity below the maximum allowable value. (Category C4 violation).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to sample within the initial 10-hour period when the highly reactive VOC (HRVOC) analyzer on flare (EPN OC6F1018) was down for more than eight consecutive hours. (Category C1 violation).
 Self Report? NO Classification: Moderate
 Citation: 20432 Special Condition 16E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 1A and 21 OP
 Description: Failure to seal one open ended line on a valve (tag number 413766.2) in VOC service. (Category C10 violation).
- 19 Date: 08/11/2015 (1254627) CN600356976
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 10B PERMIT
 ST& C14 PERMIT
 Description: Failure to conduct AVO (Audio, Visual, Olfactory) Inspection. (Category C1)
- 20 Date: 08/26/2015 (1259720) CN600356976

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15
Description: Failure to accurately complete waste management inspection logs.

21 Date: 08/28/2015 (1210965) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 11E PERMIT
SPECIAL TERMS AND CONDITIONS 1A AND 11 PERMIT

Description: Failure to seal one open-ended line (OEL) (Category C10).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 11E PERMIT
SPECIAL CONDITION 18E PERMIT
SPECIAL TERMS AND CONDITIONS 1A AND 11 PERMIT

Description: Failure to perform weekly audio/visual/olfactory inspections (Category C3).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 11F PERMIT
SPECIAL TERM AND CONDITION 11 PERMIT

Description: Failure to keep records for weekly pressure sensor monitoring (Category C3).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 11A PERMIT
SPECIAL CONDITION 23A(1) PERMIT
SPECIAL TERM AND CONDITION 11 PERMIT

Description: Failure to perform VOC analyzer calibrations (Category C3).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 17 PERMIT
SPECIAL TERM AND CONDITION 11 PERMIT

Description: Failure to perform daily filter inspections (Category C3).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(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 A 60.18(c)(3)(II)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 5A PERMIT
SPECIAL TERMS AND CONDITIONS 1A AND 11 OP
Description: Failure to keep the net heating value at the flare at or above 300 BTU/scf (Category C4).

22 Date: 10/13/2015 (1273783)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, Dow failed to prevent emissions when a pinhole leak released process fluid to the ground (Category B13).

23 Date: 11/10/2015 (1274486)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to identify all emission points involved in an emissions event, include the estimated total quantities emitted, and the NSR authorization in a Final Incident

Report (Category C3).
Self Report? NO Classification: Moderate
Citation: 2606, NSR SC 6 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions, specifically, Dow failed to prevent emissions when a failed pump seal caused a leak of vinylidene chloride (Category B14).

24 Date: 11/19/2015 (1275972) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 8E PERMIT
Special Term and Condition 1A and 16 OP
Description: Failure to plug, cap, or otherwise seal one open-ended line for EPN A70ECFU1. (Category C10)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 20F PERMIT
Special Condition 21 PERMIT
Special Condition 8F PERMIT
Special Term and Condition 1A and 16 OP
Description: Failure to monitor ten fugitive components (EPNs: OCSU5FU1 and A70ECFU3). (Category C1)

25 Date: 11/23/2015 (1276039) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
ST&C 18 OP
Description: Failure to control CO Exceedances from Thermal Oxidizers (Category B14 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
Special Condition 28H PERMIT
ST&C 18 OP
Description: Failure to properly repair leaking connector in VOC service. (Category C1 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
5C THSC Chapter 382 382.085(b)
Special Condition 28F PERMIT
ST&C 18 OP
Description: Failure to monitor valves in VOC service (Category C1 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)
5C THSC Chapter 382 382.085(b)
Special Condition 29 PERMIT
ST&C 18 OP
Description: Failure to monitor connectors in VOC service (Category C1 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: General Terms & Conditions OP
Failure to authorize fugitive components in VOC service. (Category B19g1 Violation)

F. Environmental audits:

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

Disclosure Date: 02/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

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

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

Disclosure Date: 03/29/2011

Viol. Classification: Minor

Rqmt Prov: PERMIT Special Condition 8E and 8G

Description: Failure to consistently record the date and time of the audio/visual/olfactory inspections for components in heavy liquid VOC service.

Viol. Classification: Minor

Rqmt Prov: PERMIT Special Condition 8G

Description: Failure to include the monthly summary record for Tank D-108 within the monthly emission record for all storage tanks and loading operations.

Notice of Intent Date: 04/16/2010 (800774)

Disclosure Date: 04/12/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)

Rqmt Prov: PERMIT Special Condition 5

Description: Failure to conduct monitoring under a prescribed leak detection and repair program for 57 valves and 211 connectors.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)

Description: Failure to submit Annual Certification of Federal Operating Permit O-02212 for the time period beginning July 7, 2009 and ending August 4, 2009.

Notice of Intent Date: 04/19/2010 (800794)

Disclosure Date: 04/25/2011

Viol. Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT S.C. 13

OP S.C. 20

Description: Failure to maintain appropriate control devices to prevent unauthorized emissions from control valves.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT S.C. 17

Description: Failure to document stack sampling and other testing required to demonstrate compliance with NOx emission limits.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.116

Description: Failure to provide a complete VOC speciation in the permit application for the thermal heat recovery oxidizer (EPN A16S1).

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 63, Subpart H 63.168

40 CFR Part 63, Subpart H 63.174

Rqmt Prov: PERMIT S.C. 12

PERMIT S.C. 13

Description: Failure to include 36 valves, 156 connectors and 3 relief valves to the fugitive monitoring program as part of a prescribed Leak Detection and Repair Program and failure to monitor these components.

Viol. Classification: Minor

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

Description: Failure to maintain the Notice of Registration (NOR), specifically, not all items that should be removed from the NOR have been removed.

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

Disclosure Date: 03/21/2011

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16B
Description: Failed to maintain records of the continuous fire box temperatures defined as 6 minute data for the thermal oxidizers.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16C3
Description: Failed to keep records of continuous vent flow rates and analyzer excess oxygen levels, as defined as 6 minute data, for the thermal oxidizers.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)
30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
Description: Failed to locate the monitoring plan for Pressure Safety Valves in HRVOC service. No evidence of performance of the quarterly inspections for Pressure Safety Valves in HRVOC service was available.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(1)
Description: Failed to produce documentation authorizing four diesel engines and four associated diesel tanks. Engine FINS: OC5U5GE500, OC1U1GE12, OC1U1GE500, A70ECGE503. Associated Diesel Tank FINS: OC5U5ST500, OC1U1ST12, OC1I1ST500, A70ECST503.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2343(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2396(e)(2)
Description: Failed to identify one unloading operation in the original Notice of Compliance Status for the Organic Liquids Distribution (OLD) MACT. The EDC/VCM Unit 1 facility was not identified in the OLD MACT.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT NSR Permit No. 19041, SC 20
PERMIT NSR Permit No. 941, SC 5
Description: Failed to monitor a total of nine fugitive components: OC5FU1 (one component), OC5FU2 (4 components), OC5FU7 (1 component), OC5FU4 (3 components).

Notice of Intent Date: 05/26/2010 (826923)
Disclosure Date: 05/05/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PERMIT Special Condition 1
Description: Failure to meet the hourly rate and yearly emission limits for additive vessels V411 and V412 as listed in the Maximum Allowable Emission Rates Table.

Notice of Intent Date: 06/03/2010 (846000)
Disclosure Date: 06/08/2011
Viol. Classification: Minor
Rqmt Prov: PERMIT NSR Permit Special condition I-13
Description: Failure to complete MSS recordkeeping for EPN B52MSS1 EPN B39MSS1.
Viol. Classification: Moderate
Rqmt Prov: PERMIT NSR General Condition 2 and 40 CFR 63
Description: Failure to monitor 26 components, which is approximately 0.05% of total components subject to fugitive monitoring.

Notice of Intent Date: 07/23/2010 (843903)
Disclosure Date: 06/22/2011
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)(2)
Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 61 Subpart FF (NESHAP FF) that were sent off-site.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter A 115.10
Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 63 Subpart XX (as referenced by 40 CFR 63 YY (Ethylene MACT)) that were sent off-site.

Viol. Classification: Major
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1100
Description: Failure to submit a certification letter to TCEQ stating that the Texas Operations Kiln will receive and treat waste subject to 40 CFR 63 Subpart XX [as referenced by 40 CFR 63 Subpart YY (Ethylene MACT)] in accordance with the applicable requirements.

Notice of Intent Date: 07/28/2010 (848864)
Disclosure Date: 08/03/2011
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT Special Condition 1
Description: Failure to permit the increased water circulation rate and its resulting particulate matter emissions from cooling tower CT1041 at the Polyethylene 3 Plant.

Notice of Intent Date: 07/29/2010 (848881)
Disclosure Date: 02/24/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 14
Description: Failure to ensure adequate monitoring of carbon canisters. Specifically, 16 of 20 monthly carbon canister analyses performed to determine breakthrough of the initial carbon canister showed elevated levels of VOC. This is being reported as an exceedance of the MAERT limit for the EPN B15CBM3.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter A 115.10
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
Rqmt Prov: PERMIT Special Conditions 8&9
Description: Failure to monitor all valves and connectors under a prescribed Leak Detection and Repair Program.

Notice of Intent Date: 08/04/2010 (849315)
Disclosure Date: 08/03/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT Special Condition 17
PERMIT Special Condition I-12
Description: Failure to prevent emissions from EPG Process Tank D-753.

Notice of Intent Date: 08/12/2010 (860736)
Disclosure Date: 07/15/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6
Description: Failure to include Sumps containing waste water in the RCRA Notice of Registration.

Notice of Intent Date: 09/10/2010 (870173)
Disclosure Date: 04/21/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Part 63, Subpart H 63.165
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)(2)
Rqmt Prov: PERMIT HW50161, Section X
PERMIT NSR Permit No. 20909
PERMIT NSR Permit No. 313
PERMIT NSR Permit No. 46428
PERMIT Title V Permit No. O2211
Description: Failed to include some pressure relief devices in the fugitive monitoring program: 1 at the B-35 Wastewater Treatment Plant, 6 at the B-3400 SOHO/FTO, 2 at the B-8 Thermal Oxidizer, and 6 at the B-33 Kiln.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(d)(4)
Rqmt Prov: PERMIT Title V Permit No. O2211
Description: Failed to provide records of inspections on pressure relief devices for the B-34 SOHO and B-33 Kiln areas.

Notice of Intent Date: 09/14/2010 (870178)
Disclosure Date: 04/24/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iv)

Rqmt Prov: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(v)
PERMIT Special Condition 2, 28 MID F&I
PERMIT Special Condition 2, 28 MID(G)
PERMIT Special Condition 2, 28 MID(H)
Description: Failure to monitor or/and report 668 Connectors, 3 Pumps, 210 Valves and 2 Relief Devices or include the emission calculations beginning January 9, 1998.

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

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

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

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

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

Disclosure Date: 02/07/2011

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Minor

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1111(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(ii)

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

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1106(b)

Description: Maintenance wastewater plan was unavailable prior to MON compliance date. The current maintenance

wastewater plan for MON is possibly insufficient to cover all maintenance wastewater activates associated with the Cyanide MACT process.

Viol. Classification: Moderate

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

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

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

Disclosure Date: 01/24/2011

Viol. Classification: Moderate

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

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

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

Disclosure Date: 04/12/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

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

Viol. Classification: Minor

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

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

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.134

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.354

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

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152

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

Disclosure Date: 04/13/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

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

Viol. Classification: Minor

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

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

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310

30 TAC Chapter 117, SubChapter B 117.345
Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110
Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10
Description: Failure to include all required emission points in the air emission inventory report.
Viol. Classification: Major
Citation: 30 TAC Chapter 122, SubChapter B 122.134
Description: Failure to include several facilities into the application for the Title V permit O-02217.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.354
Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.
Viol. Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter F 335.152
Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.
Disclosure Date: 10/25/2011
Viol. Classification: Minor
Citation: 4F TWC Chapter 63, SubChapter A 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.
Viol. Classification: Minor
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)
Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310
30 TAC Chapter 117, SubChapter B 117.345
Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110
Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10
Description: Failure to include all required emission points in the air emission inventory report.
Viol. Classification: Major
Citation: 30 TAC Chapter 122, SubChapter B 122.134
Description: Failure to include several facilities into the application for the Title V permit O-02217.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.354
Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.
Viol. Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter F 335.152
Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.

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

Disclosure Date: 11/07/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1063
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)(3)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(3)

Rqmt Prov: PERMIT Special Conditions No. 13F
OP Special Terms and Conditions No. 6

Description: Failed to conduct daily calibrations. Specifically, fugitive components authorized by multiple NSR permits

did not meet the requirements of Method 21 since daily calibrations were not conducted on 36 occasions between January 3, 2008 and December 10, 2010.

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

Disclosure Date: 12/12/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.32
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173

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

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

Disclosure Date: 05/19/2011

Viol. Classification: Moderate

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

Rqmt Prov: OP Special Condition 17
PERMIT Special Condition 18

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

Viol. Classification: Major

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

Rqmt Prov: OP Signature Page

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

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

No DOV Associated

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

Disclosure Date: 10/24/2011

Viol. Classification: Moderate

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

Rqmt Prov: OP Special Condition 11
PERMIT Special Condition 8

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

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

Disclosure Date: 11/07/2011

Viol. Classification: Moderate

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

Rqmt Prov: OP Periodic Monitoring

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

Viol. Classification: Minor

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

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

Viol. Classification: Minor

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

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

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.452

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

Viol. Classification: Moderate

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

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

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

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

No DOV Associated

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

No DOV Associated

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

Disclosure Date: 04/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)

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

Rqmt Prov: PERMIT Title V Permit No. O2211

Description: Discrepancies were discovered in the excess emissions report for sets of 10 exceedances of an emission standard or operating requirement while hazardous waste remained in the combustion chamber during a 60-day block period due to the time periods being reviewed for these events. 40 CFR 63.1206(c)(2)(v)(A)(3)(ii) requires for each set of 10 exceedances of an emission standard or operating requirement while hazardous waste remains in the combustion chamber during a 60-day block period, to include

Notice of Intent Date: 01/24/2011 (900001)

Disclosure Date: 04/21/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No O2211

Description: Failed to have the person responsible sign computerized summaries of monitoring and inspection data (per X.B.I.2.i.3 ofRCRA Permit HW -5016 as required by Title V permit O2211).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No. O2211

Description: Failed to take out of service or repair leaking equipment by the end of the next daylight shift, as required by X.B.I.2.h of RCRA Permit HW-50161 and by Title V permit O2211.

Notice of Intent Date: 02/03/2011 (900175)

No DOV Associated

Notice of Intent Date: 02/07/2011 (900178)

No DOV Associated

Notice of Intent Date: 02/10/2011 (900180)

No DOV Associated

Notice of Intent Date: 02/22/2011 (905410)

No DOV Associated

Notice of Intent Date: 02/21/2011 (905414)

Disclosure Date: 02/17/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: 318 Slaughter Road/Well No 40; 122 Slaughter Road/Well No 41; 3434 Austin Lane/Well No 39; 3504 Austin Lane/Well No 38; 3226 CR217/Well No 44; Tract 2-3/Well No 45; Tract 7Q/Well No 42; Lot 2A/Well No 28; and CR 217--SLRO/Well No 43.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hagerman Road Area: 801 Hagerman/Well No. 31; 719 Hagerman/Well No. 22-2; 735 HagermanI Well No. 21; 210 Hagerman/Well No. 18; 630 Hagerman/Well No. 32; 418 Hagerman/Well No.33; and 214 Hagerman/ Well No. 35.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hanley Road Area: 606 Exline/Well No. 37; Tract D/Well No. 36; Tract-I1(CR 338)/Well No. 16; Tract 1D/Well No. 11; Tract I2/ Well No. 15; 4230 Hanley/Well No. 17-3; 435 Hanley/Well No. 3; 435 Hanley/Well No. 4; Hanley-Lot 3A/Well No. 15; and Hanley-523 Smith (#47).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Property A-49, BIC Divisions 14, Lots 3,4,5 Block B of the Crescent Heights Subdivision (2103 Frontage Road in Clute, Teas 77541): 2103 Frontage Road/ Well No. FR1; 1903 Crescent Heights Drive/Well No. FR2; and 1903 Crescent Heights Drive/Well No. FR3.

Notice of Intent Date: 02/25/2011 (905418)

Disclosure Date: 07/26/2012

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(6)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(c)(6)
Description: Failure to locate or keep record of the signature of the owner/operator (or designate) whose decision it was that repair of a leaking component could not be affected without a process unit shutdown. According to DOV letter dated 07/26/2012, there were 348 occasions in which no record can be located of the signature of the owner/operator (or designate) whose decision it was that repair of a leaking component could not be affected without a process unit shutdown.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(D)
30 TAC Chapter 115, SubChapter H 115.786(d)

Description: Failure to retain records for the expected VOC emissions if the associated process unit is shutdown for repair of components or other equipment including the total emissions, the calculations used, and the engineering assumptions applied. This happened on 2368 occasions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)(ii)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(g)(4)(v)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(5)

Rqmt Prov: PERMIT SC 1.I

PERMIT SC 11.I

PERMIT SC 17.I

PERMIT SC 19.I

PERMIT SC 3.I

PERMIT SC 5.H

PERMIT SC 6.H

PERMIT SC 8.H

PERMIT SC 9.I

Description: Failure to repair 229 leaking components within the 15 days required by regulation. These components had been improperly placed on delay of repair.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.786(d)(2)

Rqmt Prov: PERMIT SC 10.I

PERMIT SC 11.H

PERMIT SC 11.I

PERMIT SC 13.I

PERMIT SC 16.H

PERMIT SC 19.I

PERMIT SC 26.1

PERMIT SC 9.I

Description: Failure to update calculations of the daily emissions for components on delay of repair within ten days for compliance with the associated facility New Source Review permit conditions or within 5 business days for compliance with the HRVOC regulation after a leaking component was determined to require a process unit shutdown to repair. This happened on 1,411 occasions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(1)(B)(I)(I)

Rqmt Prov: PERMIT SC 10.I

PERMIT SC 11.I

PERMIT SC 19.I

PERMIT SC 9.I

Description: Failure to maintain cumulative daily emissions from all components on delay of repair lower than total estimated emissions for shutdown of the associated process unit. No notification was made to the TCEQ Regional Manager or any local programs. This occurred on 65 occasions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)

30 TAC Chapter 115, SubChapter H 115.782(b)(2)

Description: Failure to repair HRVOC component leaking >10,000 ppm within 7 days required by regulation on 10 occasions. These components had been improperly placed on delay of repair late.

Viol. Classification: Minor

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

Description: Failure to retain records regarding the date that a leaking component was taken out of service. This happened on 7 occasions.

Notice of Intent Date: 03/01/2011 (905421)
No DOV Associated

Notice of Intent Date: 03/01/2011 (905577)
Disclosure Date: 07/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 1472, SC 18

Description: Failed to comply with bottom and/or submerged loading of applicable tank-truck loading and railcar loading as required by NSR Permit No. 1472, Special Condition No. 18.

Notice of Intent Date: 03/08/2011 (906673)
Disclosure Date: 04/24/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)

Rqmt Prov: PERMIT NSR Permit No. 20432, Special Conditions
PERMIT O2208

Description: Failed to monitor 585 Valves, 19 relief devices, 1307 connectors and 16 pumps. These valves, relief devices, connectors and pumps were not monitored and/or not reported or included in the emission calculations beginning January 9, 1998.

Notice of Intent Date: 03/14/2011 (914160)

Disclosure Date: 04/26/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)(i)

Description: Failure to complete evaluation and comply with MON requirements if applicable. Specifically, The batch process vent off the heat exchanger system, Bank A-E143/E101A and Bank B-E143/E101B, were not evaluated against the batch vent provisions of the Miscellaneous Organic National Emissions Standard for Hazardous Air Pollutants (MON) rule.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)(i)

Description: Failure to maintain documentation to support a claim that vessel D-133 is exempt from MON requirements and failure to comply with MON requirements if applicable.

Viol. Classification: Moderate

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

Description: Failure to conduct quarterly inspections of pressure relief valves and their associated monitors that are subject to the highly Reactive Volatile Organic Compound (HRVOC) rule.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)

Description: Failure to complete repair of 3 leaking fugitive components within the regulatory timeline. Component 424268 was found leaking on 3/10/09; Component EAI146773 was found leaking on 6/8/09; Component EAI147113 was found leaking on 3/12/09. In each case, the repair was not completed within the time required by HRVOC rules.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)

Rqmt Prov: PERMIT Special Conditions 11F and 12

Description: Failure to monitor sixteen fugitive connectors, tags 411851 through 411866. These connectors were erroneously marked as exempt from monitoring in the monitoring recordkeeping system. These components had not been monitored since their installation in September 2010.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT special condition 18

Description: Failure to comply with permit requirements. Specifically, the requirement of permit 8567 special condition 13 to either conduct an audio, visual, olfactory (AVO) inspection monthly or conduct annual method 21 fugitive monitoring of the flare capture system were not met. Most of the components in the system were monitored using method 21 but components were found that should have been included but were not.

Viol. Classification: Moderate

Citation: 40 CFR Part 60, Subpart A 60.18

Description: The vapor pressure calculations to determine applicability of requirements under the "Standards of Performance for Volatile Organic Liquid Storage Vessels" (40 CFR 60, Subpart Kb) were not done at the temperature specified in the definition of "maximum true vapor pressure" as required. Tanks T-1, T-5, T-8, T-10 and T-11 had been evaluated at lower ambient temperatures. This violation is for not having a correct record showing applicability to Subpart Kb.

Viol. Classification: Minor

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

Description: The HRVOC Monitoring Plan for this plant did not include all the pressure relief valves that discharge to the air or to a control device other than the plant flare as required by 30 TAC 115.725(c)(3)(e).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052(a)(1)

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057(a)

Description: One fugitive component (pump tagged EAI149368), currently monitored on a quarterly frequency should have been monitored monthly to meet requirements of Resource Conservation and Recovery Act (RCRA) Subpart BB. The recordkeeping system did not indicate any components subject to RCRA Subpart BB. A more detailed review determined that an additional 110 components had not been monitored for RCRA

Subpart BB.

Notice of Intent Date: 03/24/2011 (914157)
Disclosure Date: 04/18/2011
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions No. 4
Description: Failed to perform calculations converting conductivity measurement data into hourly and annual particulate emissions as specified by the NSR permit at the required frequency.

Notice of Intent Date: 03/21/2011 (914196)
No DOV Associated

Notice of Intent Date: 03/24/2011 (950301)
Disclosure Date: 04/20/2011
Viol. Classification: Moderate
Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)
Description: Failure to keep training records for the life of the facility.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(b)
40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)
Description: Failure to complete training by all personnel as required by 40CFR 167.16(1)(c).
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
Description: Failure to remove waste stored for more than 90 days from the A-36 plant, on August 14, 2010 and September 25, 2010.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174
Description: Failure to possess railroad area inspection paperwork from November 2007 to middle August 2009.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.100
Rqmt Prov: PERMIT 40 CFR 266 Appendix IX
Description: Failure to have daily CEMS inspections for B-901, B-902, and B-903 for June 19, 2010 and October 30, 2010 for B-902.

Notice of Intent Date: 04/05/2011 (914179)
Disclosure Date: 11/07/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
Description: Failed to list PBR 106.473 on a New Source Review Permit.

Notice of Intent Date: 04/04/2011 (914183)
No DOV Associated

Notice of Intent Date: 04/04/2011 (914192)
Disclosure Date: 04/10/2012
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.126(3)(B)
30 TAC Chapter 115, SubChapter B 115.126(3)(C)
Description: Failed to have available documentation of exempted vents to demonstrate compliance with Chapter 115 Vent Gas requirements.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.134(b)(2)
Description: Failed to include 30 TAC § 115 Vent Gas requirements in the Title V Permit 0-02202.

Notice of Intent Date: 04/18/2011 (922638)
No DOV Associated

Notice of Intent Date: 04/26/2011 (922618)
Disclosure Date: 09/28/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 13 D (2) and 14
Description: Failure to comply with a Special Condition of the facility's NSR Permit. Specifically, the Respondent failed to measure the VOC vapor concentration after clearing equipment to control for maintenance, in violation of NSR Permit No. 20776, Special Condition 13(D)(2).

Notice of Intent Date: 04/28/2011 (922795)
No DOV Associated

Notice of Intent Date: 04/27/2011 (923389)
Disclosure Date: 07/14/2011

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT NSR Permit No. 1472, SC 15
Description: Failed to capture particulate emissions and route them to the designated control device (A26SV615) through the dust collection system. The particulate emissions are not escaping to the environment as the system is enclosed in a building.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
Description: Failed to conduct Initial Method 21 monitoring when the regulation was implemented for 21 valves, 100 connectors, and 2 relief devices that were incorrectly identified as Difficult to Monitor (DTMs).

Notice of Intent Date: 04/24/2011 (923396)

Disclosure Date: 10/24/2011

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 6
Description: Failure to conduct an intensive directed maintenance program as required by the 28 MID fugitive monitoring program for leaking components in the EO distribution (B-5400) area.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
Description: Failure to monitor on a quarterly basis all of the valves in gas/vapor or light liquid service in the B-54 area.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.725(c)(3)
30 TAC Chapter 115, SubChapter H 115.726(c)
Description: Failure to have records of the quarterly inspections of the HRVOC pressure relief valves and their associated monitors.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)
Description: Failure to change the method of compliance from annual monitoring to semiannual monitoring for the valves in gas/vapor and light liquid service. In addition, the percent leak rate for valves is not being reported correctly and is difficult to reproduce.

Notice of Intent Date: 04/27/2011 (923418)

No DOV Associated

Notice of Intent Date: 05/05/2011 (922777)

Disclosure Date: 10/26/2011

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.500
30 TAC Chapter 113, SubChapter C 113.890
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(k)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(3)
Description: Failure to establish a correct minimum water flow rate for flowmeter on T-600 water inlet.

Notice of Intent Date: 05/11/2011 (923424)

No DOV Associated

Notice of Intent Date: 05/17/2011 (922812)

Disclosure Date: 10/26/2011

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.890
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2460
Description: Failure to reduce by 98%, the collective uncontrolled organic HAP emissions from the sum of all batch process vents within the Solid Epoxy Resin (SER) process unit as per MON compliance requirements.

Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: OP S.C. 1 (Applicable Requirements Summary)
PERMIT S.C. 8
Description: Failure to operate the Solid Epoxy Resin (SER) process within permit limits and failure to accurately represent process. Specifically, SER reactors exceeded emissions representations in permit application for uncontrolled emissions to the atmosphere. Also, SER process permit application did not include representation for emissions from the hot resin at the belt flaker. Results from industrial hygiene sampling started in June 2011 showed some amount of VOC present at the point where resin is d

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.127(a)
Rqmt Prov: PERMIT S.C. 2E
OP Special Terms and Conditions
Description: Failure to conduct proper maintenance and operation to prevent open-ended lines. Specifically, one open ended line discovered on 8/26/11 and bullplug was replaced immediately upon discovery.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(b)

Rqmt Prov: PERMIT Chapter 1

Description: Failure to keep the MSS HRVOC emissions under the required amount by the permit MSS HRVOC tons per rolling 12 month emission cap in NSR flexible permit #20432 Chapter 1.

Notice of Intent Date: 05/17/2011 (923407)

Disclosure Date: 08/29/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT NSR Permit No. 35022 SC 7E & 10
PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to correct open ended lines. An open ended line in light liquid was found on 06/14/2011 and immediately corrected by installing a plug.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(A)(1)

Rqmt Prov: PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to keep the daily average value within permitted range. Daily average flow on 02/10/11 was 298 lbs/hr which is below the daily average limit of 300 lbs/hr established during performance testing.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(d)

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

Rqmt Prov: PERMIT NSR Permit No. 35022, SC 10H, 10I
PERMIT Title V Permit No. O2207, SC 8

Description: Failed to repair in a timely manner a flange in light liquid service. Late first repair attempt of a flange in light liquid service, from 10-28-11 to 12-6-11. The flange was observed to be leaking by AVO method on 10-23-11. A first attempt was due on 10-28-11 but was not completed with monitoring until 12-6-11.

Viol. Classification: Moderate

Citation: 40 CFR Part 63, Subpart H 63.174

Rqmt Prov: PERMIT NSR Permit No. 35022, SC 12

PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to conduct monitoring. Missed monitoring on one (1) flange in light liquid service from July 1, 2005 to December 06, 2011.

Notice of Intent Date: 05/25/2011 (932734)

No DOV Associated

Notice of Intent Date: 05/31/2011 (932725)

Disclosure Date: 10/17/2011

Viol. Classification: Minor

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

Rqmt Prov: ORDER S.C. 3

Description: Failure to adequately conduct visible emissions observations.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT M 61.144(b)(3)

Description: Failure to record all necessary visible emissions observation data from each potential source of asbestos emissions from any part of the manufacturing facility.

Viol. Classification: Minor

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.14(e)

Description: Failure to store used fluorescent lamps/bulbs without proper labels as required.

Notice of Intent Date: 05/31/2011 (932740)

No DOV Associated

Notice of Intent Date: 06/08/2011 (933580)

Disclosure Date: 09/06/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.1

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

30 TAC Chapter 116, SubChapter B 116.116(b)

Rqmt Prov: PERMIT General Condition 8

Description: Failure to complete Method 21 monitoring of fugitive components in Acetone service represented in permit application.

Notice of Intent Date: 06/14/2011 (934687)

Disclosure Date: 10/04/2011

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1

OP Special Condition 16

Description: Failure to comply with permit limits. VOC hourly emission limit (EPN A40FD4) in NSR Permit 6932 was exceeded during the period of 1/3/2006-11/15/2011.

Viol. Classification: Moderate

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

Rqmt Prov: 30 TAC Chapter 122, SubChapter B 122.143(4)
OP Special Condition 16
PERMIT Special Condition 4
Description: Failure to connect the vapor collection system to 38 barges (EPN A35BL13) during the period of 4/11/08-6/23/11 which generated a total of 37609 lbs of uncontrolled VOC emissions.

Disclosure Date: 05/08/2012

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition 5E
PERMIT Special Condition 12E
OP Special Condition 16
PERMIT Special condition 7E
PERMIT Special condition 8E

Description: Failure to maintain records. Specifically, records cannot be found that indicate that each AVO inspection has been performed on a weekly basis.

Viol. Classification: Moderate

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

Rqmt Prov: OP New Source Review Authorization Referenc

Description: Failure to include the following emissions units in Title V Permit O-02217: A28ST1202, A28DL01, A16SV4, A22MRBL22, A30MRBL8, A40FU1, A40CB36, A27RRSV1, A27RRCB, A27RREO1.

Notice of Intent Date: 06/13/2011 (934735)

Disclosure Date: 02/13/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT SC 1

Description: Failure to have allowable emission rates for the VOC gas that is emitting from the seals of the Train 1 and Train 2 extruders.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)
30 TAC Chapter 115, SubChapter H 115.786(e)
30 TAC Chapter 115, SubChapter H 115.786(g)

Description: Failure to keep Train 1 and Train 2 extruders are not included in the recordkeeping requirements of 115.356(3)(C) and 115.786(e) and (g).

Notice of Intent Date: 06/24/2011 (936660)

Disclosure Date: 09/21/2011

Viol. Classification: Major

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

Rqmt Prov: PERMIT Special Condition 1
OP Whole permit

Description: A VOC material was found in a nitrogen padded oil exchange vessel resulting in unauthorized emissions of 3 pounds of VOC.

Notice of Intent Date: 06/24/2011 (936671)

No DOV Associated

Notice of Intent Date: 06/22/2011 (936684)

Disclosure Date: 11/03/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: Failure to keep records authorized and maintained for outside abrasive blast cleaning.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter A 116.10

Description: Failure to review, approve and track coating applications.

Notice of Intent Date: 06/20/2011 (936704)

Disclosure Date: 06/14/2012

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 27

Description: Failure to record the performance of MSS activities and emissions associated with the activities and the rolling 12 month emissions have not been updated on a monthly basis associated with EPN B8FU180.

Viol. Classification: Major

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

Description: Failure to identify and authorize several planned maintenance activities with an air permit.

Notice of Intent Date: 06/28/2011 (937071)

Disclosure Date: 06/28/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.13
30 TAC Chapter 335, SubChapter A 335.6

30 TAC Chapter 335, SubChapter C 335.61
30 TAC Chapter 335, SubChapter C 335.62
30 TAC Chapter 335, SubChapter C 335.65
30 TAC Chapter 335, SubChapter C 335.66
30 TAC Chapter 335, SubChapter C 335.67
30 TAC Chapter 335, SubChapter C 335.69
30 TAC Chapter 335, SubChapter C 335.70
30 TAC Chapter 335, SubChapter C 335.71
30 TAC Chapter 335, SubChapter A 335.9

Description: Failure to manage and abide by the RCRA hazardous waste requirements. Also failure to abide by the acceptable benzene concentration on property.

Notice of Intent Date: 06/30/2011 (941145)

Disclosure Date: 07/20/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.1230
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9015(a)

Rqmt Prov: OP O-01388
OP O-0211

Description: Failure to conduct performance testing as required.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)

Rqmt Prov: OP O-01388
OP O-02211

Description: Failure to fully conduct a compliance performance test and to establish the necessary operating parameters as required by the HCI MACT.

Notice of Intent Date: 06/30/2011 (941160)

Disclosure Date: 06/29/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)(A)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)(B)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)(C)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: Failure to keep complete records of stationary emergency diesel engine operation at Unit 1, Unit 5, and EDCNPA.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.725(c)(2)
30 TAC Chapter 115, SubChapter H 115.725(c)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: Failure to keep a monitoring plan for Pressure Safety Valves in HRVOC service. Failure to conduct inspections of pressure safety valves in HRVOC service as required at EDCNPA.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.210(a)

Description: Failure to include four emergency diesel engines (OC5U5GE500, OC1U1GE500, OC1U1GE12, A70ECGE503) were not incorporated into the title V permit.

Notice of Intent Date: 06/30/2011 (941322)

No DOV Associated

Notice of Intent Date: 07/07/2011 (941331)

Disclosure Date: 08/04/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT Special Condition 26E

Description: Failure to properly seal three open ended lines (OELs) found on August 2, 2011.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(iii)

Description: Failure to report the monthly percent leak rate for pumps in light liquid service in the Subpart H (HON) Periodic Report submitted on may 19, 2011 for the reporting period October 1, 2010 through March 31, 2011.

Notice of Intent Date: 07/15/2011 (942399)

No DOV Associated

Notice of Intent Date: 07/11/2011 (942439)

No DOV Associated

Notice of Intent Date: 07/12/2011 (942461)

Disclosure Date: 10/26/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)(1)

Rqmt Prov: PERMIT Chapter I General Requirements 1 E.

Description: One open ended line in VOC service discovered as a result of fugitive assessment on 9/14/2011.

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.356
30 TAC Chapter 115, SubChapter D 115.356(3)(A)
40 CFR Part 63, Subpart H 63.165
40 CFR Part 63, Subpart H 63.168
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181

Rqmt Prov: PERMIT Special Conditions 1.E and 1.F

Description: Missed fugitive monitoring on 759 newly reworked components; approximately 3.6 % of total components. In addition, 37 unsafe to monitor components were also identified.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356
30 TAC Chapter 115, SubChapter D 115.357(2)

Description: One relief device on a tank was discovered to have inadequate fugitive monitoring exemption records.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.148
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660

Rqmt Prov: OP Special Terms and Condition 27

Description: The Title V permit (O-0227) Permit Shield is incorrect on applicability NSPS NNN for the following units: B62DU101, B62DU102, B62DU103, B62DU111A, B62DU114, B62DU151, B62DU152.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.148
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.700

Rqmt Prov: OP Special Terms and Condition 27

Description: Reactors R-104 and R-108 were in violation of 30 TAC 122.148 and Permit O-02207, Special Condition #27. Note: The reactors (R-104 and R-108) were deemed correct to listed on the Permit shield against 40 CFR 60.700 (NSPS RRR). However, references in the Permit Shield for the "Basis of Determination" applied to 40 CFR 60.700 (NSPS RRR), are incorrect.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(I)

Description: Failure to submit NSPS NNN semiannual reports submitted for Epoxy II since June 19, 1995.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.111
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146(b)(1)

Description: The HON Subpart G Notification of Compliance Status for process wastewater submitted in 1999 only lists "B-62 waste from D-299" (wastewater tank) as a Group 2 process wastewater stream. The point of determination listed in the NOCS as "B-62 waste from D-299" appears to be in the incorrect location. The actual point of determination should be prior to mixing with other streams in wastewater tank. In addition, there also appears to be another potential process wastewater point of determination

Notice of Intent Date: 07/29/2011 (948818)

Disclosure Date: 02/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9 & 10
PERMIT NSR Permit No. 5661, SC 5

Description: Failure to calibrate one flow monitoring device on T-I at the annual frequency. Failure to calibrate two pH probes on T-2 weekly. Failure to calibrate one flow monitoring device on S-20 at least annually as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform visual inspections on two internal floating roof tanks (EPN A30ST6 and A30STI 0) within the 12 months required instead of on a calendar year frequency.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SF 16F

Description: Documentation of monthly tank throughputs were not available as required at the time of this audit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9, 10, 11C
PERMIT NSR Permit No. 5661, SC 5

Description: Failure to estimate missed measurements using engineering judgment.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
 Rqmt Prov: PERMIT NSR Permit No. 2606, SC 12
 PERMIT NSR Permit No. 5340, SC 13
 Description: Failure to properly conduct LDAR monitoring. 46 Valves, 203 connectors were identified which were not monitored via Method 21 under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115
 Rqmt Prov: PERMIT NSR Permit No. 2606, SC 5 & 11
 PERMIT NSR Permit No. 48478, SC 2C
 PERMIT NSR Permit No. 5339, SC 10B, 11C, 19
 PERMIT NSR Permit No. 5661, SC 6B
 Description: Failure to maintain records demonstrating compliance with the representations for maintenance activities as listed on confidential page C-10 dated April 28, 2004. Failure to maintain monthly emission records of VOC from loading operations. Failure to consistently maintain records of all repairs and replacements made as a result of leaks identified by Audible, Visual or Olfactory detection. Failure to maintain consistent records of maintenance, startup and shutdown activities using water scrub

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115
 Rqmt Prov: PERMIT NSR Permit No. 48479, SC 3
 Description: Failure to maintain filling rate of tank, T-61J within 48,000 gallons per hour.

Viol. Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115
 Rqmt Prov: PERMIT NSR Permit No. 5339, SC 13C
 Description: Failure to reduce monitoring data to hourly average concentrations at least once every hour and then reducing to units of the permit allowable emissions rate in pounds per hour at least once every hour.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115
 Rqmt Prov: PERMIT NSR Permit No. 5339, SC 19
 Description: Failure to record maintenance activity emissions for authorization under PBR 106.263 when the activity was not authorized in NSR 5339.

Notice of Intent Date: 08/01/2011 (949052)
 Disclosure Date: 08/01/2012
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT CC 265.1084(d)
 Description: Failure to have records of required Method 21 Fugitive emission monitoring available.

Notice of Intent Date: 08/08/2011 (949165)
 Disclosure Date: 09/21/2011
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
 Rqmt Prov: PERMIT Special Condition 17
 Description: Failure to develop and implement a complete written QC program.

Notice of Intent Date: 08/08/2011 (949239)
 No DOV Associated

Notice of Intent Date: 08/26/2011 (964109)
 No DOV Associated

Notice of Intent Date: 08/31/2011 (964105)
 Disclosure Date: 04/24/2012
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1360
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2334
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.683
 Rqmt Prov: PERMIT Special Condition 17
 Description: Failure to implement Method 21 monitoring on 68 fugitive components.

Notice of Intent Date: 09/12/2011 (968262)
 No DOV Associated

Notice of Intent Date: 09/19/2011 (964505)
 Disclosure Date: 09/18/2012
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Description: Abandoned wells. See Description for details. Total of 16 wells.

Notice of Intent Date: 10/03/2011 (964111)

Disclosure Date: 09/20/2012

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)

Description: Failed to consider three satellite areas near the point of generation.

Notice of Intent Date: 10/03/2011 (964641)

Disclosure Date: 05/14/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13

Rqmt Prov: PERMIT SC21C

PERMIT SC27D

Description: Failed to include all in-house destruction of carbon tetrachloride (a Class I ozone depleting substance) in quarterly Ozone Depleting Substance Production Reports submitted to EPA. The reporting failure did not result in any unauthorized net production of carbon tetrachloride or any unreported depletion of corporate carbon tetrachloride production allowances.

Notice of Intent Date: 10/12/2011 (968435)

Disclosure Date: 10/11/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2382(d)(2)

Description: Failed to submit an accurate design evaluation in the notice of compliance status (NOCS) for the organic liquid distribution MACT. The minimum water flow in the scrubber should have been set higher than the 20 gpm indicated in the NOCS

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346

Description: Failed to have the scrubber operate at efficient levels when the minimum water flow was set at 40 gpm

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit 18561

Description: Failed to prevent emission rate limits from exceeding when the minimum water flow was set at 40 gpm.

Notice of Intent Date: 10/12/2011 (968439)

Disclosure Date: 05/21/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to identify the T-790 scrubber in the Pesticide Active Ingredient Production (PAIP MACT) Notification of Compliance Status (NOCS) report as a control device.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(6)

Description: Failure to complete a performance test for the T-790 scrubber as a control device in series with the TOX and/or THROX and therefore, monitoring parameters were not established for this scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)

Description: Failure to monitor, and record instrument calibration requirements for the T-790 scrubber.

Viol. Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(C)

Description: Failure to meet periodic reporting requirements for the T-790 scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(a)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)

Description: Failure to include the T-790 or continuous monitoring systems in the Startup, Shutdown, and Malfunction (SSM) Plan.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to correctly identify the operating parameters specified in the NOCS and did not reflect the parameter limits established in the pre-compliance report.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(h)(2)(i)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(f)

Description: Failure to conduct an Initial Method 21 inspection of a portion of the closed vent system going from the T-790 scrubber to DF-501 knock-out pot was not conducted during implementation of the PAIP MACT.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1361

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

Description: Failure to include required information in the NOCS about storage tank D-106D.

Notice of Intent Date: 10/17/2011 (968437)

Disclosure Date: 04/26/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.982(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983

Description: The Closed vent system requirements for the closed vent system associate with the T-20 phosgene scrubber were not met. There are no bypasses on the closed vent system; therefore, the bypass provisions do not apply. The CVS is not operated under negative pressure; therefore, the exemption in 40 CFR 63.983 (a) does not apply.

Notice of Intent Date: 10/25/2011 (968444)

No DOV Associated

Notice of Intent Date: 10/26/2011 (968461)

Disclosure Date: 01/19/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.215(2)

Description: Failed to properly test a series of control devices in accordance with applicable test methods. A reduction efficiency of 30% was claimed on scrubbers used to control emissions from a tank loading operation in the Reg 5 Loading Control Plan for the site. However, the series of control devices have not been tested in

accordance with the test methods specified in Chapter 115 (Reg 5) Loading I Unloading to demonstrate compliance with the vapor control system efficiency claim.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.222(k)(2)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Failed to include the new applicable requirements in the off-permit notification for Title V permit 02219 for the TMG process.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Description: Documentation for the initial pressure testing of the facility was incomplete.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(3)

Description: Reg 5 process vent exemption documentation is not available for three process vent streams.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2382(d)(2)(v)

Description: Failed to update the OLD MACT Notification of Compliance Status to identify the toluene isotainer unloading operation and overlapping subpart.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2460(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)

Description: Failed to consider all organic HAP emissions that may be present in the batch process vent emission calculations for the TMG facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)

Description: Not all batch process vents were identified in the NOCS.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)

Description: Required recordkeeping for batch vents was not kept.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failed to identify continuous vents as such in the NOCS. TRE calculations and analysis data were not included in the NOCS. Required recordkeeping for continuous vents were not kept.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124(5)

Description: Failure to comply with 106.124 emission limits.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8

Description: Failure to maintain records adequate to demonstrate compliance with permit by rule limits.

Notice of Intent Date: 11/02/2011 (974752)

No DOV Associated

Notice of Intent Date: 11/02/2011 (974756)

No DOV Associated

Notice of Intent Date: 01/13/2012 (989602)

Disclosure Date: 02/13/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)
30 TAC Chapter 115, SubChapter H 115.727

Description: Failure to complete HRVOC exemption criteria documentation for the lab hoods at B-1814 and B-1811.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)
30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failure to do quarterly inspections of the continuous monitoring systems for the B-3814 and B-3831 batch reactors, continuous monitoring of the operational parameters not completed, and the plant did not operate within the specific limits of the operational parameter.

Viol. Classification: Moderate

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

Description: Failure to either perform or document required inspection of the waste container storage area during the following weeks: 3/22/09, 3/28/09, 5/3/09, 5/9/09, 5/10/09, 5/16/09, 10/11/09, 10/17/09, 10/18/09, 10/24/09, 10/25/09, 10/31/09, 12/20/09, 12/26/09, 12/27/09, 1/2/10, 2/14/10, 2/20/10.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.16(a)(4)

Description: Failure to perform annual RCRA training for four individuals.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter A 106.4(a)(2)
30 TAC Chapter 106, SubChapter A 106.8

Description: Failure to document compliance with federal new source review applicability.

Notice of Intent Date: 01/12/2012 (994614)

Disclosure Date: 04/12/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.126(3)(B)
30 TAC Chapter 115, SubChapter B 115.126(3)(C)

Description: Failed to provide documentation of exempted vents to demonstrate compliance with Chapter 115 Vent Gas Requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.134(b)(2)

Description: Failed to include 30 TAC § 115 Vent Gas requirements in the Title V Permit O-02202.

Viol. Classification: Minor

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

Description: Failure to either perform or document required inspection of the waste container storage area during the following weeks: 12-26-10, 1--11-11, 8-8-10, 8-14-10, 6-20-10, 6-26-10.

Notice of Intent Date: 01/13/2012 (994618)

Disclosure Date: 02/13/2012

Viol. Classification: Minor

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

Description: Failure to have a permanent label summarizing the operating requirements for a solvent cleaning unit in the B-3827 area.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the electric burn out oven located in B-3827.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the dry abrasive blasting station located in B-1470 Lab 10.

Notice of Intent Date: 01/17/2012 (994620)

Disclosure Date: 04/27/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.727(c)(2)

Description: Failure to have an accurate quarterly visual monitoring plan for process safety valves. Failure to keep records of quarterly visual inspections. Failure to maintain HRVOC exemption records.

Notice of Intent Date: 01/24/2012 (989674)

No DOV Associated

Notice of Intent Date: 01/30/2012 (995362)

Disclosure Date: 06/15/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)

Description: Failure to keep the training records for the life of the facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(a)
40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)

Description: Failure to complete required training by all required personnel.

Viol. Classification: Minor

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

Description: Failure to complete some weekly inspections of waste storage areas as required by 264.174.

Viol. Classification: Moderate

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

Description: Failure to close without proper notification waste storage tanks and areas that are listed on the NOR.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT XX 60.503(b)

Description: Failure to monitor one bull plug using Method 21.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057

Description: Failure to monitor some valves as required.

Notice of Intent Date: 02/07/2012 (994823)

Disclosure Date: 05/15/2012

Viol. Classification: Moderate

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

30 TAC Chapter 115, SubChapter H 115.782(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)

Rqmt Prov: PERMIT General Conditions 1.H and 1.I

Description: Failed to ensure the following items were in compliance when reviewing LHC-7 leaking Fugitive Emission components. 1) Six components were missing leaker tags. 2) One component had a leaker tag present without the most recent re-monitor date and reading written on the tag. 3) One Delay of Repair did not have the shutdown box marked on the tag.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Rqmt Prov: PERMIT Special Condition III-13

Description: Failed to conduct a required quarterly monitoring of all accessible uninsulated connectors.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(g)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)

Description: Failed to have a written plan for DTM (difficult-to-monitor) and unsafe-to-monitor components.

Viol. Classification: Minor

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

Description: Failed to have several records for recordable emissions events contain the Regulated Entity Number as required by the TCEQ General Air Rules.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)

Description: Failure of the HRVOC flare gas analyzer calibration gases to meet the criteria in Performance Specification 9 for the low and mid level concentrations compared to actual flare gas concentrations.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT General Condition 1.E.

Description: Failed to plug or cap 17 open ended lines.

Notice of Intent Date: 02/14/2012 (994603)

Disclosure Date: 05/15/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(4)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(4)(ii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(4)(ii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(4)(ii)(C)

Description: Failed to establish the required Liquid to Gas ratio (L/G) operating parameter for the Acid Absorbers T-401 and T-402, and failed to perform the monitoring and recordkeeping for these Acid Absorbers.

Viol. Classification: Minor

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

Rqmt Prov: OP Special Condition 15

PERMIT Special Condition 22D

Description: Failed to include equipment repair information for two HCI component leaks as required.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352

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

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

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: OP Special Condition 15

PERMIT Special Condition 20E

Description: Failed to close one open ended line.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.62(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.62(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.63(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.64(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.64(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.64(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.64(d)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.68(a)

Rqmt Prov: OP Special Condition 15
PERMIT Special Condition 6

Description: Failed to use a vinyl chloride monitoring system to ensure compliance with the 10 ppm concentration used to monitor on a continuous basis the fugitive emission sources required to be ducted to a control device.

Viol. Classification: Moderate

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

Rqmt Prov: OP Special Condition 15
PERMIT Special Condition 16C

Description: Failed to account for all excess oxygen measurements. Analyzing malfunctions on the Flameless Thermal Oxidizers caused valid excess oxygen measurements in excess of 5% of operating time during the rolling 12 month period to be missed. Plant process data indicated excess oxygen remained within required ranges during this period.

Viol. Classification: Moderate

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

Rqmt Prov: OP Special Condition 15
PERMIT Special Condition 4C (1) & (2)

Description: Failed to record the time of the LEL meter calibration during daily and monthly calibrations.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1
OP Special Condition 15

Description: Failure of the thermal oxidizers to perform as anticipated with respect to CO and NOx emission rates.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(a)
30 TAC Chapter 117, SubChapter B 117.310(a)(2)
30 TAC Chapter 117, SubChapter B 117.310(a)(2)(A)
30 TAC Chapter 117, SubChapter B 117.340

Rqmt Prov: OP Special Condition 19

Description: Failed to conduct NOx retesting within 60 days after a like for like media replacement on two thermal oxidizers (OC5S01, OC5S02).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Rqmt Prov: OP Special Condition 15
PERMIT Special Conditions 7, 20, and 21

Description: Failure to account for all monitoring fugitive components.

Notice of Intent Date: 02/14/2012 (994611)

Disclosure Date: 09/24/2012

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1
OP Special Condition 15

Description: Failure to remain within the NSR 48715 Maximum Allowable Emission Rate (MAER) for VOC, NOx and CO from Emission Point Number (EPN) A70F1.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1
OP Special Condition 15

Description: Failure to include representations of barge and ship unloading into tanks V-800A and V-800B in the current NSR 48715.

Viol. Classification: Minor

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

Rqmt Prov: OP Special Condition 15

Description: Failure to monitor 15 connectors and 1 valve on a new section of replaced pipe on time.

Viol. Classification: Minor

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

Rqmt Prov: OP Special Condition 15
PERMIT Special Condition 4C (1) & (2)

Description: Failure to record the time of the LEL meter calibration during daily and monthly calibrations.

Viol. Classification: Minor

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

Rqmt Prov: OP Special Condition 15

Description: Failure to monitor all fugitive components.

Notice of Intent Date: 02/22/2012 (1021546)

Disclosure Date: 06/28/2012
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(B)
Description: Failure to complete construction via permit at the CMP plant, which led to unauthorized storage of methylene chloride and there was unauthorized emissions.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT Special Conditions 13 and 13E
Description: Failure to fix or maintain open ended lines that were found on the site.

Notice of Intent Date: 03/07/2012 (994629)
No DOV Associated

Notice of Intent Date: 03/15/2012 (1022054)
Disclosure Date: 04/27/2012
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(B)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(C)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(D)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(E)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(F)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(G)
30 TAC Chapter 115, SubChapter H 115.727(c)(3)(H)
Description: Failure to maintain records. Specifically, correct HRVOC lab fume exemption documentation was not maintained.

Notice of Intent Date: 03/20/2012 (996100)
No DOV Associated

Notice of Intent Date: 03/22/2012 (996103)
Disclosure Date: 04/02/2013
Viol. Classification: Minor
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
Description: Failed to properly label one unlabeled hazardous drum that was found in the B-23 loading area.

Notice of Intent Date: 05/03/2012 (1020664)
No DOV Associated

Notice of Intent Date: 04/30/2012 (1022109)
No DOV Associated

Notice of Intent Date: 05/07/2012 (1020608)
Disclosure Date: 01/11/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions 6 - 9
Description: Failed to monitor fifteen fugitive components as required by the permit.

Notice of Intent Date: 05/07/2012 (1022296)
No DOV Associated

Notice of Intent Date: 05/10/2012 (1022460)
Disclosure Date: 07/13/2012
Viol. Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP No. O2211
Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
Rqmt Prov: OP FOP No. O2211, GTC
Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.
Disclosure Date: 07/16/2012
Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to properly maintain the records of runtime of the Kiln Auxillary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the house of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxillary Diesel Drive Engine B33INGEAUX Indicate that the engine was run prior to noon on March 3, 2012.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)

Rqmt Prov: OP FOP No. O2211, GTC

Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.
Disclosure Date: 10/24/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to properly maintain the records of runtime of the Kiln Auxillary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP No. O2211

Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the house of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxillary Diesel Drive Engine B33INGEAUX Indicate that the engine was run prior to noon on March 3, 2012.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)

Rqmt Prov: OP FOP No. O2211, GTC

Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(v)

Rqmt Prov: OP FOP No. O2211

Description: Failed to maintain the Startup/Shutdown/Maintenance plan at the site and failed to maintain each previous (superseded) Startup/Shutdown/Maintenance plan on site for at least five years when a revision was made. Specifically, several procedures referenced in a Startup/Shutdown/Maintenance plan were not available, or were revised without maintaining the superseded version for five years. This violation occurred at the B-3300 facility.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(e)(1)

Rqmt Prov: OP FOP No. O2211

Description: Failed to perform vapor pressure calculations at the highest calendar month average temperature for tanks V-8000, V-8010, D-410, D-420, D-430, D-440, D-450, and D-460.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Permit No. WQ0000007000, Cond. 7(I)(I)

Description: Failed to perform weekly visual inspections on the designated day as required by the Stormwater Pollution Prevention Plan for a construction project in the B-7300 block. Specifically, the weekly visual inspections are to be performed on Thursdays, however, on two occasions the inspection was performed on different days of the week. Additionally, the SW3P does not contain a current list of Erosion Control inspectors.

Viol. Classification: Moderate

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

Description: Failed to comply with the 90-day storage limit for hazardous waste accumulated on-site without a permit or without having interim status. Specifically, there was one container in the B-3300 northeast 90-day storage area stored in this location for longer than 90 days.

Viol. Classification: Minor

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

Description: Failed to maintain a complete final record of each non-reportable emissions event. Specifically, two records of emissions events that involved the B-3500 Wastewater Treatment Plant do not contain a complete record of all of the required elements for emissions event recordkeeping.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)
Rqmt Prov: OP FOP No. O2211
Description: Failed to conduct monthly inspections of the closed vent system at the B-8 block and its bypasses.

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(a)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6590(c)(6)
Rqmt Prov: OP FOP No. O2211
Description: Failed to maintain certification documentation that two engines subject to the NESHAPs for Stationary Reciprocating Internal Combustion Engines are certified to meet the emission standard.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)
Description: Failed to maintain a complete Safe Drinking Water monitoring plan. Specifically, the Respondent failed to include a complete plant schematic in the plan.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
Rqmt Prov: PERMIT NSR No. 46428, SC No. 6
Description: Failed to monitor 55 fugitive components (valves) at the B-34 fugitive area and 100 fugitive components at the B-35 fugitive area. Specifically, these components were not included in the Method 21 monitoring programs for these areas.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)
Description: Failed to evaluate wastewater streams at the appropriate point of determination. This violation is for the B-800 Thermal Oxidizer facility.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)
Rqmt Prov: OP FOP No. O2211, STC No. 1G
PERMIT HW Permit No. 50161, Condition V.H.2.b
Description: Failed to accurately calculate the Maximum Total and Pumpable Low Volative Metal ("LVM") feed rate for all potential feed streams, which is used for compliance with emissions limitations and, therefore, resulted in excess emissions. Specifically, the calculations did not include the LVM contribution from solid waste being fed in packs. This violation occurred in the B-3300 block.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP ST&C 20
Description: The pressure gauge between the rupture disk and relief valve of a storage tank is not being monitored and documented at an appropriate inspection frequency. There were no relief valve discharges during this period. The TCEQ will give immunity for the Title V citation but not the 40 CFR 68.56(d) citation.

Disclosure Date: 04/24/2013
Viol. Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP No. O2211
Description: Failed to properly maintain the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX. Specifically, a portion of these records did not consistently contain the engine start/stop times and/or the runtime meter reading.

Viol. Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP No. O2211
Description: Failed to comply with the operating restriction that states that no person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the house of 6:00 a.m. and noon. Specifically, one of the records of runtime of the Kiln Auxiliary Diesel Drive Engine B33INGEAUX indicate that the engine was run prior to noon on March 3, 2012.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
Rqmt Prov: OP FOP No. O2211, GTC
Description: Failed to maintain records of inspections of the B33EISC329 solvent degreaser for the last five years.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(v)
Rqmt Prov: OP FOP No. O2211
Description: Failed to maintain the Startup/Shutdown/Maintenance plan at the site and failed to maintain each previous (superseded) Startup/Shutdown/Maintenance plan on site for at least five years when a revision was made.

Specifically, several procedures referenced in a Startup/Shutdown/Maintenance plan were not available, or were revised without maintaining the superseded version for five years. This violation occurred at the B-3300 facility.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(e)(1)

Rqmt Prov: OP FOP No. O2211

Description: Failed to perform vapor pressure calculations at the highest calendar month average temperature for tanks V-8000, V-8010, D-410, D-420, D-430, D-440, D-450, and D-460.

Viol. Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT Permit No. WQ000007000, Cond. 7(I)(I)

Description: Failed to perform weekly visual inspections on the designated day as required by the Stormwater Pollution Prevention Plan for a construction project in the B-7300 block. Specifically, the weekly visual inspections are to be performed on Thursdays, however, on two occasions the inspection was performed on different days of the week. Additionally, the SW3P does not contain a current list of Erosion Control Inspectors.

Viol. Classification: Moderate

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

Description: Failed to comply with the 90-day storage limit for hazardous waste accumulated on-site without a permit or without having Interim status. Specifically, there was one container in the B-3300 northeast 90-day storage area stored in this location for longer than 90 days.

Viol. Classification: Minor

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

Description: Failed to maintain a complete final record of each non-reportable emissions event. Specifically, two records of emissions events that involved the B-3500 Wastewater Treatment Plant do not contain a complete record of all of the required elements for emissions event recordkeeping.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)

Rqmt Prov: OP FOP No. O2211

Description: Failed to conduct monthly inspections of the closed vent system at the B-8 block and its bypasses.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(a)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6590(c)(6)

Rqmt Prov: OP FOP No. O2211

Description: Failed to maintain certification documentation that two engines subject to the NESHAPs for Stationary Reciprocating Internal Combustion Engines are certified to meet the emission standard.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)

Description: Failed to maintain a complete Safe Drinking Water monitoring plan. Specifically, the Respondent failed to include a complete plant schematic in the plan.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)

Rqmt Prov: PERMIT NSR No. 46428, SC No. 6

Description: Failed to monitor 55 fugitive components (valves) at the B-34 fugitive area and 100 fugitive components at the B-35 fugitive area. Specifically, these components were not included in the Method 21 monitoring programs for these areas.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)

Description: Failed to evaluate wastewater streams at the appropriate point of determination. This violation is for the B-800 Thermal Oxidizer facility.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)

Rqmt Prov: OP FOP No. O2211, STC No. 1G
PERMIT HW Permit No. 50161, Condition V.H.2.b

Description: Failed to accurately calculate the Maximum Total and Pumpable Low Volatile Metal ("LVM") feed rate for all potential feed streams, which is used for compliance with emissions limitations and, therefore, resulted in excess emissions. Specifically, the calculations did not include the LVM contribution from solid waste being fed in packs. This violation occurred in the B-3300 block.

Viol. Classification: Moderate

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

Rqmt Prov: OP ST&C 20

Description: The pressure gauge between the rupture disk and relief valve of a storage tank is not being monitored and documented at an appropriate inspection frequency. There were no relief valve discharges during this period. The TCEQ will give immunity for the Title V citation but not the 40 CFR 68.56(d) citation.

Disclosure Date: 10/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 116, SubChapter F 116.615
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(b)(4)
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(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)

Rqmt Prov: PERMIT SC 19F
PERMIT SC 5E

Description: Failed to monitor 409 fugitive components with Method 21 monitoring.

Notice of Intent Date: 05/14/2012 (1020620)

Disclosure Date: 10/26/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(d)

Description: Failed to establish the liquid to gas ratio (L/G) for scrubber D-733 in the performance test.

Viol. Classification: Moderate

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

Description: Failed to complete and follow properly the Startup, Shutdown, and Malfunction Plan (SSMP) for hte plant THROX and its associated scrubbers.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(2)(iii)

Description: Failure to document a list of surge control vessels.

Viol. Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(3)(i)

Description: Failure to maintain an accurate list of pressure relief valves.

Viol. Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(3)(ii)

Description: Failure to maintain an accurate list of pressure relief devices equipped with a rupture disk.

Notice of Intent Date: 05/14/2012 (1022433)

No DOV Associated

Notice of Intent Date: 06/15/2012 (1013979)

No DOV Associated

Notice of Intent Date: 06/15/2012 (1014689)

No DOV Associated

Notice of Intent Date: 06/18/2012 (1014008)

Disclosure Date: 09/25/2012

Viol. Classification: Minor

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

Rqmt Prov: PERMIT NSR Permit No. 46306, SC 23J

Description: Failed to properly maintain records. Records of Audio, Visual, Olfactory (AVO) inspections from the time period of 10-10-12 - 5-10-13 include incomplete or missing records.

Notice of Intent Date: 06/19/2012 (1014982)

No DOV Associated

Notice of Intent Date: 06/18/2012 (1016233)

No DOV Associated

Notice of Intent Date: 06/18/2012 (1019680)

Disclosure Date: 06/18/2012

Viol. Classification: Moderate

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

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

Description: Failed to identify the vent line and the associated components for Tank D-750 as regulated equipment under 40 CFR 63 Subpart H; therefore fugitive monitoring was not completed on 42 connectors. All valves

were monitored per another applicable regulation [RCRA BB].

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failed to identify or include a Group 2 transfer rack associated with loading a vacuum truck from D-750 in the Notice of Compliance Status for 40 CFR 63 Subpart G.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(b)

Rqmt Prov: PERMIT Condition 12.E
OP Special Condition 20

Description: Failure to comply with permit requirements. Three open-ended lines/valves were discovered.

Notice of Intent Date: 06/27/2012 (1016063)

Disclosure Date: 07/24/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(j)(2)(ii)

Description: Failure to comply with the destruction and removal efficiency standard and failure to comply with this limit on a hourly rolling average basis. See description for more details.

Viol. Classification: Moderate

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

Description: Failure to conduct operability testing at least monthly. Specifically, At the B-23 Epoxy Intermediates facility, there was incomplete documentation of the 7-day AWFCO testing for F-210. The testing was completed as required, but the documentation had an incomplete list of the AWFCOs that are required to be tested each week. In August, 2012, it was discovered that the forms had not been updated to include the HWC MACT AWFCOs that went into effect on December 14, 2008.

Notice of Intent Date: 06/26/2012 (1016208)

Disclosure Date: 01/11/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 27 through 33

Description: Records of MSS activities from July 26, 2011 to December 26, 2012 did not include all the information required by permit special conditions 27 through 33.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 28

Description: The concentration of the vapor being degassed from equipment was not consistently measured and recorded as required by Special Condition 28.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 28 and 29

Description: The concentration of the vapor being degassed from equipment prior to October 11, 2012 as required by Special Condition 28 was measured and recorded using a method approved in Special Condition 29 but that had not been given the daily functionality test required by that special condition.

Notice of Intent Date: 06/29/2012 (1016221)

Disclosure Date: 03/13/2013

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247(d)

Description: Failure to notify the Administrator that the facility had elected to comply with the requirements of Option 2, Alternative standards for valves: skip period leak detection and repair 90 days prior to implementing the alternative standard.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)

Rqmt Prov: PERMIT S.C. 13
PERMIT S.C. 5
PERMIT S.C. 6
PERMIT S.C. 7
PERMIT S.C. 9

Description: Failure to monitor fugitive components associated with load arms in service at the Freeport Marine and Terminal.

Notice of Intent Date: 07/16/2012 (1016177)

Disclosure Date: 04/24/2013

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(c)(2)(iv)
Description: Failed to maintain the total annual average concentration of Table 8 HAP's at acceptable levels. The Table 8 HAPs were greater than 1000 ppmw with the annual average flow rate greater than 1 liter/min. A process upset in January 2012 caused the solvent stripping tower to not perform as designed.

Notice of Intent Date: 07/27/2012 (1016198)

Disclosure Date: 05/23/2013

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGGGG 63.7953(b)

Description: Failure to maintain records. Specifically, the paperwork from two events, 3/10/2009 and 2/17/2010 have been lost during the relocation of the library.

Notice of Intent Date: 07/26/2012 (1016217)

Disclosure Date: 10/26/2012

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 7

Description: Failed to remain in the fill rate allowed by the permit.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT MAERT

Description: Failed to remain in the emission rate set by the Maximum Allowable Emission Rate Table (MAERT).

Notice of Intent Date: 07/25/2012 (1022667)

Disclosure Date: 11/11/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

30 TAC Chapter 122, SubChapter B 122.143

Rqmt Prov: OP O2217

PERMIT SC 3.D

Description: Failed to track MSS activities correctly by not including start time or duration as specified in the FRMO MSS Permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

30 TAC Chapter 122, SubChapter B 122.143

Rqmt Prov: OP O2217

PERMIT SC 4.D(1)

Description: Failed to have records available for 10% LEL for MSS activities identified in Attachment B of the FTMO MSS Permit.

Notice of Intent Date: 08/14/2012 (1020670)

Disclosure Date: 12/13/2012

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to have authorization for six product silos, six product hoppers, one dust remover and a packaging operation used to package product pellets produced by the Polyethylene 4 plant. They are not authorized by a permit or permit by rule.

Notice of Intent Date: 08/24/2012 (1035246)

No DOV Associated

Notice of Intent Date: 09/06/2012 (1035334)

No DOV Associated

Notice of Intent Date: 09/06/2012 (1035339)

No DOV Associated

Notice of Intent Date: 09/14/2012 (1035361)

No DOV Associated

Notice of Intent Date: 09/10/2012 (1035362)

No DOV Associated

Notice of Intent Date: 09/27/2012 (1037247)

Disclosure Date: 11/13/2012

Viol. Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit No. 22072, SC No. 4

Description: Failed to operate an on-line analyzer system capable of collecting samples that are representative of the combined gas combusted in the flare system. Specifically, the supplemental fuel line going to the Stevens

Main Flare (BSRFMNF) entered the line to the flare after the on-line analyzers, thereby underestimating the BTUs going to the flare.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit No. 22072, SC No. 1

Description: Failed to comply with HCL and CL2 emissions limits for Brine Flare 2 (BSRF401).

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)

30 TAC Chapter 115, SubChapter D 115.354(3)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)

Rqmt Prov: PERMIT NSR Permit No. 22072, SC Nos. 5 & 6

Description: Failed to monitor three compressor seals (3 of 13; 23.1%), 460 connectors (460 of 24,003; 1.9%), and 158 valves (158 of 6,082; 2.6%).

Disclosure Date: 05/06/2013

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)

30 TAC Chapter 115, SubChapter D 115.354(3)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)

Rqmt Prov: PERMIT NSR Permit No. 22072, SC Nos. 5 & 6

Description: Failed to monitor three compressor seals (3 of 13; 23.1%), 460 connectors (460 of 24,003; 1.9%), and 158 valves (158 of 6,082; 2.6%).

Viol. Classification: Minor

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)

Description: Failed to maintain an accurate list of equipment subject to 40 CFR Ch. 61. Specifically, 22 components [4 valves of 296 (1.4%), 18 connectors of 913 (2.0%)] were incorrectly identified for stream and regulations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failed to obtain a permit amendment before varying from any permit representation or condition. Specifically, a review of the fugitive equipment component counts in the fugitive monitoring database against representations in the air permit emission calculations found differences in the number of components for each fugitive area.

Notice of Intent Date: 09/27/2012 (1037248)

No DOV Associated

Notice of Intent Date: 09/25/2012 (1037254)

No DOV Associated

Notice of Intent Date: 10/01/2012 (1043651)

Disclosure Date: 04/25/2013

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.107

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.117

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.149

Description: The D-3 and D-7 wash tanks in the oxidation section of the Phenol/ Acetone process were incorrectly classified during HON implementation as surge control vessels not subject to control. D-3 should have been evaluated as a Group 2 continuous process vent not subject to control under HON and reported in the HON Subpart G Notification of Compliance Status (NOCS). D-7 should have been classified as an organic/water that is exempt from HON control requirements because it is already controlled as str

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: The Hazardous Organic NESHAP (HON) Subpart G Notification of Compliance Status (NOCS) report submitted on September 19, 1997 and later Supplemental NOCS reports did not include the emission point group determination for the diphenyloxide (DPO) storage tank (V-78) or the associated DPO transfer rack used to load railcars and tank trucks. Although phenol is present at very low levels in the final product, it is not considered an impurity by definition and, therefore, this tank and transfer rack sh

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103(c)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(f)

40 CFR Part 63, Subpart G 63.148(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(j)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)

Description: In the DPO process, the flow indicator records associated with bypassing Group 1 process vents from the thermal incinerator (TOX-2) to the VS-61 stack are not being maintained for a period of 5 years to demonstrate compliance with the bypass provisions of 40 CFR 63 Subpart G (HON).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(1)(iii)

Description: The Hazardous Organic NESHAP (HON) Subpart G Notification of Compliance Status (NOCS) report submitted on September 19, 1997 for the DPO process incorrectly classified D-64 as a process vent instead of a surge control vessel subject to HON Subpart H. The Notification of Compliance Status for HON Subpart H submitted on November 21, 1996 indicates that there are no surge control vessels.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(1)(iii)

Description: The HON Subpart H Notification of Compliance Status for the Phenol/Acetone process submitted July 21, 1995 incorrectly indicates that there are zero surge control vessels. There are several surge control vessels and at least one subject to control. Some of these surge control vessels were incorrectly identified in the NOCS as group 2 storage vessels.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.15(d)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: No initial notifications for 40 CFR 60 Subpart NNN were submitted for distillation units, D-320 and T-32A.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.12(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.12(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(c)

Description: The HON Subpart G NOCS incorrectly identifies the point of determination for the process wastewater stream for the Phenol/Acetone process at the BO-1 wastewater tank instead of upstream of the tank prior to mixing with other water or wastewater streams. Also the HON Subpart G NOCS incorrectly lists the stream as a Group 1 process wastewater stream controlled as a Group 2 instead of classifying the stream as a Group 2 stream.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(8)

Description: Some of the Phenol/Acetone and DPO process units identified in the permit shield of Title V permit O-02207 have incorrect information listed for non-applicability. The equipment is exempt, but for other reasons.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 70, SubChapter C, PT 70 70.3(c)

Description: In the Applicable Requirements Summary of Title V Permit O-02207, the HON and Chapter 115 Vent Gas Control requirements for the Phenol/ Actone process air oxidation reactors should be listed on the equipment upstream of the control device.

Notice of Intent Date: 10/09/2012 (1043658)

Disclosure Date: 11/06/2012

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failed to include the emission point group determination for epichlorohydrin storage vessel V-131 (B75POST31) in the Hazardous Organic NESHAP Subpart G Notification of Compliance Status ("NOCS") report submitted on September 19, 1997 as well as in later Supplemental NOCS reports.

Disclosure Date: 05/23/2013

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failed to include the emission point group determination for epichlorohydrin storage vessel V-131 (B75POST31) in the Hazardous Organic NESHAP Subpart G Notification of Compliance Status ("NOCS") report submitted on September 19, 1997 as well as in later Supplemental NOCS reports.

Disclosure Date: 10/08/2013

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failed to include the emission point group determination for epichlorohydrin storage vessel V-131 (B75POST31) in the Hazardous Organic NESHAP Subpart G Notification of Compliance Status ("NOCS") report submitted on September 19, 1997 as well as in later Supplemental NOCS reports.

Notice of Intent Date: 10/19/2012 (1043662)

No DOV Associated

Notice of Intent Date: 11/02/2012 (1050652)

Disclosure Date: 04/25/2013

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
Rqmt Prov: OP FOP No. O2215
PERMIT NSR Permit No. 6803
Description: Failed to conduct quarterly monitoring of 16,885 connectors in VOC services.

Notice of Intent Date: 10/30/2012 (1050653)
Disclosure Date: 05/29/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 14
Description: Piping components (valves, connectors ...) in crude polyol service were not monitored in accordance with the Special Condition 14 in NSR Permit 20525. The aggregate VOC partial pressure of this material was previously thought to be less than 0.0002 psia and so piping in this service was not included in the fugitive monitoring program for this plant. This audit reevaluated the aggregate VOC partial pressure of the crude product in the Varanol Rigid process.

Notice of Intent Date: 11/09/2012 (1050658)
Disclosure Date: 05/08/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Condition 2.E.
Description: Restricted time for specific paints was exceeded.

Notice of Intent Date: 11/16/2012 (1050645)
Disclosure Date: 04/26/2013
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)
Description: Failed to maintain a quality assurance plan for the Epoxy Intermediates flare stack 801 (FS-801).
Disclosure Date: 05/23/2013
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)
Description: Failed to maintain a quality assurance plan for the Epoxy Intermediates flare stack 801 (FS-801).
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(I)
Description: Failed to comply with the performance specifications for HRVOC flare gas analyzer calibration gases. Specifically, the calibration gases did not meet the criteria for the low and mid level concentrates compared to actual flare gas concentrations for the following flares: EPNs B70F1, B70F801, B23F865, B78F1, B27F1, B45F1, A70F1, A40F4, B60F3, OC6F1, OC6F1018, OC6F1000, B3808F1, BSRFMNF, BSRF401, BSRFMW1.

Notice of Intent Date: 11/20/2012 (1050649)
No DOV Associated

Notice of Intent Date: 12/03/2012 (1073013)
Disclosure Date: 05/23/2013
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)
Rqmt Prov: PERMIT S.C. 18
Description: The redundant pH meters on the TOX (T-570) were not working properly resulting in a lower than permitted pH value.

Notice of Intent Date: 12/04/2012 (1073020)
No DOV Associated

Notice of Intent Date: 12/04/2012 (1073075)
Disclosure Date: 12/18/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)
30 TAC Chapter 290, SubChapter D 290.46(u)
Description: Failed repair deteriorated wells. Affects the Harris Reservoir 40 AC #1 and , Lake Road at FM 2004 Lake Jackson/Lake Jackson Pump Station, Dixie Drive South of Hwy 288/Dow Chemical Gate B 39 #1, Dixie Drive South of Hwy 288/Dow Chemical Gate B 39 #2, Stratton Ridge Road at Hwy 523/Hwy 523 Church Well, and Hwy 457 Power Line Easement/Matagorda Co Hwy 457.

Notice of Intent Date: 01/02/2013 (1073026)
Disclosure Date: 07/17/2013
Viol. Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
Rqmt Prov: OP FOP No. O2208
OP FOP No. O2213, STC No. 1G
PERMIT NSR Permit No. 104098

PERMIT NSR Permit No. 20432, SC No. 17

Description: Failed to conduct Method 21 monitoring on four fugitive components. Specifically, one valve in Unit B68 was not monitored annually in 2012, two connectors in Unit B68 were not monitored annually in 2012, and one connector in Unit OC6 was not monitored annually from January 1, 2009 until June 30, 2013.

Notice of Intent Date: 01/02/2013 (1073027)

Disclosure Date: 04/23/2013

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)

Rqmt Prov: OP FOP No. O2219, STC No. 1

Description: Failed to conduct method 21 monitoring on 100 difficult-to-monitor connectors in Unit B2045 on an annual basis from January 1, 2011 through June 30, 2013.

Viol. Classification: Minor

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

Rqmt Prov: OP FOP No. O2213, STC No. 1

OP FOP No. O2219, STC No. 1

PERMIT NSR Permit No. 20432, SC No. 18

Description: Failed to conduct method 21 monitoring on 481 accessible connectors on a quarterly basis from April 1, 2010 through June 30, 2013 for four connectors under FOP No. O2213 (in Unit OC6) and from July 1, 2010 through June 30, 2013 for 477 connectors under FOP No. O2219 (in Unit B2045).

Notice of Intent Date: 01/07/2013 (1073043)

Disclosure Date: 07/01/2013

Viol. Classification: Minor

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

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

Description: Failed to maintain complete documentation of weekly automatic waste feed cutoff (AWFCO) testing for the Thermal Treatment Unit FTB-603 Throx. The testing was completed as required, but the AWFCO test documentation did not contain complete operability test procedures and results. Specifically, the documentation had an incomplete list of the AWFCOs that are required to be tested each week.

Notice of Intent Date: 01/08/2013 (1073045)

No DOV Associated

Notice of Intent Date: 01/17/2013 (1073104)

No DOV Associated

Notice of Intent Date: 02/01/2013 (1073341)

Disclosure Date: 06/21/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6.F.

Description: Records of weekly inspections of the rupture disks under pressure relief valves for two weekly periods were not found and it is assumed the inspections were not done. The missing records were for the weeks of August 12, 2012 and March 31, 2013.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6.F.

Description: Records of the PGA weekly inspection of the rupture disc under the pressure relief valve on vessel D-5 indicated that the rupture disc was leaking on three occasions but the disc was not replaced at the earliest opportunity as required by the permit. The first leak was found on May 7, 2012. The second was found on October 22, 2012 and was still leaking on October 29, 2012. The third was found on March 4, 2013 and was still leaking on March 11, 2013. Records of the repairs for the first two leaks w

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6.F. and paragraph K

Description: Instrument testing of the repairs of the PGA rupture discs found in violation 2 was not done within 5 days of the repair as required by the permit. There were no records of the repair or instrument testing following the first two leaks and it is assumed instrument testing was not done.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions 6.E. and 6.J

Description: The records of the weekly audio, visual, olfactory (A YO) inspections of connectors at the Phenol Glycol Ether (PGE) Plant were not found for February 20, 2011 and January 6, 2013. It is assumed that the inspections were not done.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6.E. and 6.K.

Description: The records of the weekly AVO inspections of connectors in the methyldiethanolamine (MDEA) process area were not found for February 17, 2012 and November 25, 2012. The records of the weekly AVO inspections of connectors in the polyglycol (PGA) process area were not found for June 17, 2012 and January 6, 2013. It is assumed that the inspections were not done.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 4
Description: Maintenance activities at the PGE Plant are tracked, but the system used for this purpose does not include the date, time or method used to determine the emissions and also does not include the rolling 12 month total of maintenance emissions.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PERMIT Special Condition 1
Description: An activity at the PGA facility that involves opening vessels to add a solid material results in unauthorized emissions to the atmosphere. This activity was first begun on January 1, 1992 and is still done today. Actions were taken upon discovery that reduced the emissions from already very low amounts to even lower amounts but the actual emission rates have not been confirmed.

Notice of Intent Date: 02/01/2013 (1073343)

Disclosure Date: 04/25/2013

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions Nos. 7 & 12A
Description: Failed to maintain records of the emissions monitoring results for activities included in Attachment B of NSR Permit No. 834 (Routine Maintenance Activities).

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Special Terms & Conditions No. 3A(iv)(4)
Description: Failed to conduct Method 22 visible emissions observations for the filters in B-4100 at the correct time. Specifically, the observations were conducted after sunset nine times between January 25, 2013 and February 11, 2013. An additional eleven observations were completed at an incorrect time before the corrective action was completed on October 25, 2013, for a total of twenty occurrences.

Disclosure Date: 10/25/2013

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions Nos. 7 & 12A
Description: Failed to maintain records of the emissions monitoring results for activities included in Attachment B of NSR Permit No. 834 (Routine Maintenance Activities).

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Special Terms & Conditions No. 3A(iv)(4)
Description: Failed to conduct Method 22 visible emissions observations for the filters in B-4100 at the correct time. Specifically, the observations were conducted after sunset nine times between January 25, 2013 and February 11, 2013. An additional eleven observations were completed at an incorrect time before the corrective action was completed on October 25, 2013, for a total of twenty occurrences.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT NSR Permit No. 834, SC Nos. 19 & 20
Description: Failed to conduct fugitive monitoring. Specifically, quarterly monitoring was missed on one connector from April 13, 2006 to September 30, 2013, on one valve from May 8, 2006 to May 20, 2013, and on three valves and four connectors from April 26, 2006 to July 29, 2013. Annual monitoring was missed on three connectors from September 1, 2005 to June 7, 2013, two connectors in 2006 and 2013, and on one connector from 2006 through 2012.

Notice of Intent Date: 02/05/2013 (1073349)

No DOV Associated

Notice of Intent Date: 02/08/2013 (1073354)

Disclosure Date: 05/03/2013

Viol. Classification: Major
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(e)(1)(iii)
Description: Cracks were found in the secondary containment areas associated with the following tanks: SWMU 68 D-700 B-6800; SWMU 194 D436 B-6800; SWMU 19 V-1208A/B B-1900; SWMU 20 V-1209A/B B-1900; SWMU 518 V-1254 B-2300; SWMU 60 V 1255A B-2300.

Disclosure Date: 10/22/2013

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057
40 CFR Part 63, Subpart H 63.168
40 CFR Part 63, Subpart H 63.174
Rqmt Prov: PERMIT Special Condition 16 (28 MID)
Description: Failure to monitor. Missed fugitive monitoring on 132 components; this is approximately 0.23% of total components at the facility since July 1, 2006. Specifically: 38 valves were not properly identified in fugitive database to require routine fugitive monitoring; 93 connectors were not properly identified in fugitive database to require routine fugitive monitoring; and 1 pump was not properly identified in fugitive database to require routine fugitive monitoring and weekly visual inspections.

Notice of Intent Date: 02/12/2013 (1073357)

Disclosure Date: 04/25/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 1

PERMIT SC 18

Description: Failed to maintain hydrogen chloride within the permit annual MAERT limitation.

Notice of Intent Date: 02/25/2013 (1075680)

No DOV Associated

Notice of Intent Date: 02/26/2013 (1075711)

No DOV Associated

Notice of Intent Date: 02/28/2013 (1075730)

No DOV Associated

Notice of Intent Date: 02/28/2013 (1075765)

Disclosure Date: 10/25/2013

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 115, SubChapter H 115.781(b)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)

Description: Monitoring was missed on 5 connectors that were found in the field but had not been added to the fugitive monitoring record system.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

Description: Monitoring was missed on 5 pumps due to an incorrect rule name and frequency entered into the fugitive monitoring record system.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Contion 13

Description: Records were not kept of the annual validation of emissions from Attachment A maintenance, start-up and shutdown (MSS) activities for the years 2011 and 2012.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 14.D.ii.

Description: Monitoring the vapor in equipment prior to opening for maintenance was not done for several clearing activities that were degassed to a control device. Some were Attachment B activities and all Attachment B activities do not require monitoring but some involved degassing to control so monitoring was required.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition 13, paragraph E

Description: The records for 14 maintenance, start-up & shutdown (MSS) activities done during the period from 11/4/11 to 3/24/12 were incomplete. The records of these activities did not include the calculated emissions from the activity.

Viol. Classification: Minor

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

Description: Missed monitoring on 4 valves in ethylene service due to inaccurate identification in the fugitive monitoring recordkeeping system.

Notice of Intent Date: 03/08/2013 (1075744)

No DOV Associated

Notice of Intent Date: 03/08/2013 (1075753)

No DOV Associated

Notice of Intent Date: 03/07/2013 (1075756)

No DOV Associated

Notice of Intent Date: 03/08/2013 (1076972)

Disclosure Date: 04/24/2013

Viol. Classification: Moderate

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

Description: Failed to comply with emissions limits. Specifically, fugitive emission components in sulfur dioxide service exceed the amounts represented in the air permit application and, therefore, the Phenol/Acetone process exceeded the MAERT annual permit limit for sulfur dioxide fugitive emissions.

Disclosure Date: 06/10/2013

Viol. Classification: Moderate

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

Description: Failed to comply with emissions limits. Specifically, fugitive emission components in sulfur dioxide service

exceed the amounts represented in the air permit application and, therefore, the Phenol/Acetone process exceeded the MAERT annual permit limit for sulfur dioxide fugitive emissions.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.15(d)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: Failed to submit initial notifications (reconstruction and start-up) for NSPS NNN for T-51A. Specifically, reconstruction on T-51A began on March 28, 2005 and notification was due January 28, 2005 (60 days before reconstruction begins). Start up of T-51A was on April 3, 2005 and notification was due April 18, 2005 (15 days after start-up).

Disclosure Date: 10/22/2013

Viol. Classification: Moderate

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

Description: Failed to comply with emissions limits. Specifically, fugitive emission components in sulfur dioxide service exceed the amounts represented in the air permit application and, therefore, the Phenol/Acetone process exceeded the MAERT annual permit limit for sulfur dioxide fugitive emissions.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.15(d)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: Failed to submit initial notifications (reconstruction and start-up) for NSPS NNN for T-51A. Specifically, reconstruction on T-51A began on March 28, 2005 and notification was due January 28, 2005 (60 days before reconstruction begins). Start up of T-51A was on April 3, 2005 and notification was due April 18, 2005 (15 days after start-up).

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)(2)

Description: Failed to correctly state which emission standards the boilers will comply with in the Documentation of Compliance. Specifically, the HWC MACT NOCS for Unit 3 incorrectly states the boilers will comply with both sets of standards when burning Light Oil waste. The Light Oil waste is < 10,000 Btu/lb and therefore is only required to comply with the Maximum Theoretical Emission Concentration limits.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(a)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)

Description: Failed to maintain complete and accurate records for Engines GE-1 and C-6B. Specifically, the records contained incorrect run time meter readings and failed to document end time of engine operations. Additionally, start-up/shutdown records were not maintained for two years as required.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174
40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.195

Description: Failed to maintain complete and accurate records of required inspections of RCRA hazardous waste tank and container storage area. Specifically, initials were used when a signature or name was required, the tank inspection for March 29, 2012 was missing the time of inspection, and container storage area inspections were missing for April 25, 2011 and September 3, 2012.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(4)

Description: Failed to conduct weekly AVO inspections as required. Specifically, pumps P-105A/B and P-106A/B were incorrectly identified as meeting the exemption in 40 CFR 63.163(e).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 63, Subpart H 63.168
40 CFR Part 63, Subpart H 63.174

Rqmt Prov: PERMIT Special Conditions No. 6F

Description: Failed to monitor all fugitive components. Specifically, 10 valves and 11 relief devices were not monitored quarterly; 23 connectors were not monitored biennially; and 9 valves 51 connectors were not monitored annually, as required.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Description: Failed to correctly identify fugitive components, as required by fugitive regulations (HON, NSPS VV).

Notice of Intent Date: 03/11/2013 (1076978)
No DOV Associated

Notice of Intent Date: 03/12/2013 (1076986)
No DOV Associated

Notice of Intent Date: 03/22/2013 (1076982)
No DOV Associated

Notice of Intent Date: 03/19/2013 (1077956)
Disclosure Date: 08/26/2013

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT Special Conditions No. 12
 PERMIT Special Conditions No. 13
 OP Special Terms and Conditions No. 20
Description: Failed to monitor 266 connectors (out of a total of 18,918), 50 valves (out of a total of 5,929), and 4 safety relief valves (out of a total of 90) via Method 21 under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 1
 OP Special Terms and Conditions No. 20
Description: Failed to prevent unauthorized emissions. Specifically, emissions from LL Column were not listed in the MAERT and were not reported as unauthorized.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 2E
 OP Special Terms and Conditions No. 20
Description: Failed to calculate MSS clearing emissions for NV-402 within the timeframe required by the permit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 12G
 OP Special Terms and Conditions No. 20
Description: Failed to comply with the condition of NSR Permit No. 2606, which states that all new and replacement pumps and compressors shall be equipped with a shaft sealing system that prevents or detects emissions of VOC from the seal. Specifically, Pump P-621B in A-24 block was replaced with a pump that had only a single mechanical seal, which did not prevent or detect emissions from the seal.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 260, SubChapter I, PT 260, SubPT B 260.10
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.1(g)(6)
Description: Failed to comply with the standards for owners and operators of hazardous waste treatment, storage, and disposal facilities, as specified by 40 CFR 264. Specifically, the NSU-3 sump does not meet the definition of a tank which is required to qualify for the wastewater treatment unit exemption.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
Description: Failed to maintain a list of sampling collection systems, surge control vessels and bottoms receivers, and closed vent systems.
Disclosure Date: 09/20/2013

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT Special Conditions No. 12
 PERMIT Special Conditions No. 13
 OP Special Terms and Conditions No. 20
Description: Failed to monitor 266 connectors (out of a total of 18,918), 50 valves (out of a total of 5,929), and 4 safety relief valves (out of a total of 90) via Method 21 under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 1
 OP Special Terms and Conditions No. 20
Description: Failed to prevent unauthorized emissions. Specifically, emissions from LL Column were not listed in the MAERT and were not reported as unauthorized.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 2E
 OP Special Terms and Conditions No. 20
Description: Failed to calculate MSS clearing emissions for NV-402 within the timeframe required by the permit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 12G
 OP Special Terms and Conditions No. 20
Description: Failed to comply with the condition of NSR Permit No. 2606, which states that all new and replacement

pumps and compressors shall be equipped with a shaft sealing system that prevents or detects emissions of VOC from the seal. Specifically, Pump P-621B in A-24 block was replaced with a pump that had only a single mechanical seal, which did not prevent or detect emissions from the seal.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 260, SubChapter I, PT 260, SubPT B 260.10
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.1(g)(6)

Description: Failed to comply with the standards for owners and operators of hazardous waste treatment, storage, and disposal facilities, as specified by 40 CFR 264. Specifically, the NSU-3 sump does not meet the definition of a tank which is required to qualify for the wastewater treatment unit exemption.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 12E
PERMIT Special Conditions No. 13E
OP Special Terms and Conditions No. 20

Description: Failed to gas- or hydraulic-test new and reworked piping connections at no less than operating pressuring or monitor for leaks using an approved gas analyzer, as required by the NSR permits.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Description: Failed to maintain a list of sampling collection systems, surge control vessels and bottoms receivers, and closed vent systems.

Notice of Intent Date: 03/26/2013 (1077951)

Disclosure Date: 10/16/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Description: Failed to correctly identify fugitive components as required by MON fugitive regulations.

Disclosure Date: 04/08/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Description: Failed to correctly identify fugitive components as required by MON fugitive regulations.

Notice of Intent Date: 04/02/2013 (1085495)

Disclosure Date: 12/18/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.148
40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(a)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failed to properly characterize waste streams from various sumps at the point of generation, as required. Waste profile constituents need further evaluation to determine if a hazardous waste classification is required.

Notice of Intent Date: 04/03/2013 (1085613)

Disclosure Date: 09/17/2013

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625(f)

Description: Failed to install a non-resettable run-time meter on an emergency-use-only engine.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(6)

Description: Failed to maintain records of start/stop times and run-times.

Notice of Intent Date: 04/10/2013 (1085386)

Disclosure Date: 10/09/2013

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1424(a)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435

Description: Failed to maintain adequate documentation of heat exchangers that are applicable and exempted from the monitoring requirements in its existing monitoring plan. Additionally, the monitoring plan contains two defects.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1429(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1430(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1430(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1430(g)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1432(g)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1432(j)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1432(k)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1433(a)(13)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1433(a)(17)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1434(e)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1439(e)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)

Description: Failed to submit complete and accurate Notice of Compliance Status (NOCS) reports. Specifically, the NOCS report for 40 CFR Subpart H submitted on April 28, 2000 and the NOCS reports for Subpart PPP submitted on June 25, 2003 (as well as subsequent Subpart PPP NOCS reported submitted between June 2004 and June 2008) contained errors and/or missing information.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.111
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(c)

Description: Failed to correctly identify the point of determination for one wastewater stream (D-1273). Additionally, there were examples of incorrect and/or missing process waste water points of determination.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.140

Description: Failed to evaluate or document the applicability of 30 TAC 115 Subchapter B, Division 4, Industrial Wastewater, for all the potential points of generation in the Voranol Plant.

Notice of Intent Date: 04/30/2013 (1093043)

Disclosure Date: 08/21/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 23
OP Special Terms and Conditions No. 9

Description: Failed to maintain records that demonstrate that the minimum waste gas boiler firebox temperature is being maintained per the 1993 performance test.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failed to maintain complete and accurate documentation of the facility's waste characterization including documentation of the evaluation for which wastes are excluded from the definition of solid wastes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 260, SubChapter I, PT 260, SubPT B 260.10
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.1(g)(6)

Description: Failed to maintain documentation that defines sump SU16 as a tank being qualified for the wastewater treatment unit exemption.

Disclosure Date: 12/27/2013

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 23
OP Special Terms and Conditions No. 9

Description: Failed to maintain records that demonstrate that the minimum waste gas boiler firebox temperature is being maintained per the 1993 performance test.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failed to maintain complete and accurate documentation of the facility's waste characterization including documentation of the evaluation for which wastes are excluded from the definition of solid wastes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 260, SubChapter I, PT 260, SubPT B 260.10
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.1(g)(6)

Description: Failed to maintain documentation that defines sump SU16 as a tank being qualified for the wastewater treatment unit exemption.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)

Rqmt Prov: PERMIT Special Conditions No. 19F
OP Special Terms and Conditions No. 9

Description: Failed to conduct quarterly monitoring on five valves and one pressure relief device in formaldehyde service.

Notice of Intent Date: 04/29/2013 (1093194)

Disclosure Date: 06/28/2013

Viol. Classification: Moderate

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

Rqmt Prov: OP Applicable Requirements Summary

Description: Failure to perform daily visible emissions observations for flare EPNB47F1 on two days. A number of

records did not indicate "am" or "pm" next to the time of observation.

Notice of Intent Date: 05/07/2013 (1093036)
No DOV Associated

Notice of Intent Date: 05/23/2013 (1094861)
Disclosure Date: 08/26/2013

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.356(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.166
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Part 63, Subpart H 63.171
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(3)

Rqmt Prov: OP FOP No. O1388
PERMIT NSR No. 5339, SC Nos. 8F, 8H, 8I, & 9

Description: Failed to re-monitor a leaking fugitive component and remove it from the DOR list after it had been repaired. Specifically, the component was repaired within the required timeframe, but the repair could not be considered complete because it had not been confirmed with monitoring yet.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.169
40 CFR Part 63, Subpart H 63.174

Rqmt Prov: OP FOP No. O1388
PERMIT NSR Permit No. 5339, SC No. 8E & 8F

Description: Failed to comply with the special conditions of NSR Permit No. 5339 and failed to conduct fugitive monitoring. Specifically, two inch piping with screwed connectors and a filter pot were put in VOC service without PBR authorization and fugitive monitoring did not occur prior to removal of the equipment from VOC service.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(h)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(j)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)(3)

Description: Inaccurate information was submitted in the Supplemental NOCS dated June 7, 2012 for HCI MACT relative to the methodology used to demonstrate initial compliance on scrubbers S-60 (B15ST1) and S-2 (A18SV4).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.112(e)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)(3)
40 CFR Part 63, Subpart G 63.120(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.122(g)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146(b)(1)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failed to submit accurate HON Subpart G Notification of Compliance Status reports. Specifically, the NOCS reports dated August 5, 1997 and September 15, 1999 and the Supplemental NOCS submitted on May 17, 20014 contained incorrect information.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(2)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)(i)

Description: Failed to maintain adequate records. Specifically, for each dual mechanical seal pump subject to 40 CFR 63 Subpart H, there is no documentation of the criteria that indicate failure of the seal system, the barrier fluid system, or both. Additionally, equipment identification lists are not maintained for surge control vessels, bottoms receivers, sampling connection systems, closed vent systems, and instrumentation systems in OHAP service.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201

Description: Failed to maintain complete documentation of recordable, non-reportable emissions events. Specifically, the two events that occurred on March 24, 2011 and October 10, 2011 are missing discovery time and duration. The event that occurred on June 15, 2012 is missing the facility identification number.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.174
Rqmt Prov: PERMIT NSR Permit No. 5339, SC No. 9
Description: Failed to monitor 14 connectors in light liquid service from June 6, 2005 to November 5, 2013 because they were incorrectly classified as welded.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT NSR Permit No. 5339, SC No. 8F
Description: Failed to conduct quarterly monitoring from May 30, 2005 to November 5, 2013 on three insulated valves, one in gas vapor service and two in light liquid service.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT NSR Permit No. 5339, SC No. 8F
Description: Failed to conduct quarterly monitoring from May 30, 2005 to December 18, 2013 on 102 fugitive components because they were incorrectly marked as Difficult to Monitor and were therefore monitored annually, not quarterly.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.65(d)(1)(ii)
Description: Errors were identified on piping and instrument diagrams for the anhydrous HCl header (P&ID B1-203-6575) and Ammonia C-7 compressor (B1-599-6223).

Notice of Intent Date: 05/21/2013 (1133125)
No DOV Associated

Notice of Intent Date: 05/29/2013 (1099845)
No DOV Associated

Notice of Intent Date: 05/30/2013 (1185348)
Disclosure Date: 07/19/2013
Viol. Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(6)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)(i)
Description: Missed weekly AVO inspections on 52 pumps equipped with a dual mechanical seal system since 3Q-2012. In addition, the weekly pump inspection sheets did not indicate the leak criteria definition for pumps.
Disclosure Date: 10/22/2013
Viol. Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
Description: Missed weekly AVO inspections on 4 pumps equipped with a single seal system.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(d)(4)
Description: Weekly AVO inspections have never been completed on 18 agitators equipped with a dual mechanical seal system.
Viol. Classification: Minor
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)
Description: Epoxy 2 RCRA 90 day storage area inspection sheets are missing the times of inspections for 1/2/2013 and 1/9/2013 as required.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.146(1)
30 TAC Chapter 115, SubChapter B 115.148(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)
40 CFR Part 63, Subpart G 63.132(a)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147(b)(8)
Description: Some wastewater streams in the Epoxy 2 Bisphenol process were not properly identified at point of determination and recordkeeping was not complete for HON and Reg 115. In addition, the submitted HON NOCS for Epoxy 2 Bisphenol process does not include all required information for Group 2 wastewater streams.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.123(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
Description: The Epoxy 2 BIS plant has several Group 2 storage tanks that are not listed in the Notification of Compliance Report (NOCS) as required. Also, plant records for these Group 2 storage tanks are incomplete.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
Description: Late final repair on five fugitive emission pumps found leaking by AVO (P-236B, P-213B, P-200C, P-205B, P-110B).
Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
 Rqmt Prov: PERMIT Fugitive Emission Requirement 1.E.
 Description: Audio Visual Olfactory (AVO) Inspections were not done on the week of 6/15/2012 for the Phenol Recovery Area and the BIS Finishing area.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.354
 40 CFR Part 63, Subpart H 63.168
 40 CFR Part 63, Subpart H 63.174
 Rqmt Prov: PERMIT SC 21.F (28 VHP) & 21.G (28 VHP)
 PERMIT SC 22.A (28 CNTQ)
 Description: Missed fugitive monitoring on 4457 components; this is approximately 22.9% of total components at the facility.

Notice of Intent Date: 06/03/2013 (1101047)
 Disclosure Date: 11/12/2013
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP SC 3(A)(iv)(4)
 Description: Failure to comply with permit requirements. The documented time of daily flare observations for visible emissions is not meeting the permit requirement to conduct the observation "no earlier than one hour after sunrise and no later than one hour before sunset."

Notice of Intent Date: 06/11/2013 (1100070)
 No DOV Associated

Notice of Intent Date: 06/20/2013 (1101051)
 No DOV Associated

Notice of Intent Date: 06/27/2013 (1102032)
 No DOV Associated

Notice of Intent Date: 07/02/2013 (1113150)
 Disclosure Date: 07/31/2014
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)
 30 TAC Chapter 335, SubChapter R 335.503
 30 TAC Chapter 335, SubChapter C 335.62
 Description: Failure to properly classify and dispose of waste in the Glycol B and Propylene Oxide Purification lab; as per Title 30 TAC 335 Subchapter R Waste Classification.

Notice of Intent Date: 07/12/2013 (1105079)
 No DOV Associated

Notice of Intent Date: 07/11/2013 (1105086)
 Disclosure Date: 11/11/2013
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition 32
 Description: Maintenance and Startup and Shutdown (MSS) tracking tool not implemented in Specialty Polyurethane Chemical (Copolymer) Plant (SPC).

Notice of Intent Date: 07/29/2013 (1113159)
 No DOV Associated

Notice of Intent Date: 07/29/2013 (1113165)
 No DOV Associated

Notice of Intent Date: 07/29/2013 (1113168)
 No DOV Associated

Notice of Intent Date: 07/30/2013 (1113170)
 No DOV Associated

Notice of Intent Date: 07/30/2013 (1113172)
 Disclosure Date: 10/28/2013
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP Special Condition 3.B(iv)(1)
 Description: Polymer pellet hoppers at B-3808, B-3814, B-3815 and B-3826 route particulate emissions to a stationary vent outside each of the buildings. The hopper vents are not being observed on a quarterly basis as required by Title V.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725
Description: The B-4000 Thermal Oxidizer (EPN B4010S1) is the main control device for tanks, process vents and loading for the B-3800 areas. Documentation could not be located that demonstrates the establishment of historical operating parameters for the Thermal Oxidizer to ensure compliance with 30 TAC 115 requirements.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.725
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
Description: The following violations were caused by errors in the fugitive emission database and the fugitive emission tags. See description for details.

Disclosure Date: 04/29/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Special Condition 3.B(iv)(1)
Description: Polymer pellet hoppers at B-3808, B-3814, B-3815 and B-3826 route particulate emissions to a stationary vent outside each of the buildings. The hopper vents are not being observed on a quarterly basis as required by Title V.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725
Description: The B-4000 Thermal Oxidizer (EPN B4010S1) is the main control device for tanks, process vents and loading for the B-3800 areas. Documentation could not be located that demonstrates the establishment of historical operating parameters for the Thermal Oxidizer to ensure compliance with 30 TAC 115 requirements.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.725
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
Description: The following violations were caused by errors in the fugitive emission database and the fugitive emission tags. See description for details.

Notice of Intent Date: 08/07/2013 (1114234)
No DOV Associated

Notice of Intent Date: 08/15/2013 (1120946)
No DOV Associated

Notice of Intent Date: 08/23/2013 (1128630)
No DOV Associated

Notice of Intent Date: 08/26/2013 (1120962)
No DOV Associated

Notice of Intent Date: 09/10/2013 (1120951)
Disclosure Date: 09/16/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter D 106.124(5)(A)
30 TAC Chapter 106, SubChapter K 106.262(a)(2)
Description: Failure to comply with Permit by Rule requirements. Emissions of Trimethylamine (TMA) exceed the hourly emission limit established by Permit by Rule 124 for the production of Glycerol Quat. In the initial PBR calculations, emission were compared to the wrong chemical-specific emission limit. The operations covered by this PBR were started on 4/1/2008

Notice of Intent Date: 09/11/2013 (1121269)
Disclosure Date: 12/11/2013
Viol. Classification: Moderate
Citation: 40 CFR Chapter 121, SubChapter D, PT 121, SubPT D 122.1(b)
30 TAC Chapter 305, SubChapter A 305.1(b)
Description: Intermittent point source stormwater discharge through a non-outfall location.

Notice of Intent Date: 09/08/2013 (1122724)
No DOV Associated

Notice of Intent Date: 09/17/2013 (1122445)
No DOV Associated

Notice of Intent Date: 09/16/2013 (1124026)
No DOV Associated

Notice of Intent Date: 09/25/2013 (1123707)
No DOV Associated

Notice of Intent Date: 09/30/2013 (1123702)
No DOV Associated

Notice of Intent Date: 10/04/2013 (1123704)
No DOV Associated

Notice of Intent Date: 10/10/2013 (1132856)
Disclosure Date: 04/25/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PERMIT O-02215
Description: Failed to stay within allowable propylene and VOC emissions limits

Notice of Intent Date: 10/14/2013 (1128168)
Disclosure Date: 11/11/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.985(a)
Rqmt Prov: OP Special Terms and Conditions No. 1A
Description: Failed to operate and maintain the non-flare control device so that the monitored parameters remain within the ranges specified in the Notification of Compliance Status ("NOCS") whenever emissions of regulated material are routed to the control device. Specifically, vents were routed to the PSA-111 and/or PSA-211 and the monitoring parameter was outside of the range of the NOCS.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 6G
OP Special Terms and Conditions No. 16
Description: Failed to maintain monthly emissions records for storage tanks. Specifically, emissions records are only being maintained on an annual basis.

Disclosure Date: 12/27/2013
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 5E
PERMIT Special Conditions No. 7E
PERMIT Special Conditions No. 8E
OP Special Terms and Conditions No. 16
Description: Failed to maintain inspection records for weekly AVO inspections prior to November 15, 2012 when the retention requirement for this document is five years.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 5C(2)
OP Special Terms and Conditions No. 16
Description: Failed to perform a daily functionality test on each detector on each day the instrument is used for MSS activities using the same certified gas standard used for calibration and failed to maintain records of the daily tests. Specifically, the daily functionality test log illustrates that the last test was conducted in March 2013, although other records demonstrate the use of the LEL meter since that time. Due to the missed tests, records were not maintained properly.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(f)
Description: Failed to maintain records of operation (start and end times) for each stationary diesel or dual-fuel engine, including each time the engine is operated for testing and maintenance. Also, records of total hours of operation for each month and for the most recent 12 consecutive months were not maintained.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Conditions No. 8E
OP Special Terms and Conditions No. 16
Description: Failed to prevent open-ended lines in the A-22 block. Specifically, three open-ended lines in acetone service in A-22 block were discovered.

Disclosure Date: 09/12/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.985(a)
Rqmt Prov: OP Special Terms and Conditions No. 1A
Description: Failed to operate and maintain the non-flare control device so that the monitored parameters remain within the ranges specified in the Notification of Compliance Status ("NOCS") whenever emissions of regulated material are routed to the control device. Specifically, vents were routed to the PSA-111 and/or PSA-211

and the monitoring parameter was outside of the range of the NOCS.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 6G
OP Special Terms and Conditions No. 16

Description: Failed to maintain monthly emissions records for storage tanks. Specifically, emissions records are only being maintained on an annual basis.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 5E
PERMIT Special Conditions No. 7E
PERMIT Special Conditions No. 8E
OP Special Terms and Conditions No. 16

Description: Failed to maintain inspection records for weekly AVO inspections prior to November 15, 2012 when the retention requirement for this document is five years.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 5C(2)
OP Special Terms and Conditions No. 16

Description: Failed to perform a daily functionality test on each detector on each day the instrument is used for MSS activities using the same certified gas standard used for calibration and failed to maintain records of the daily tests. Specifically, the daily functionality test log illustrates that the last test was conducted in March 2013, although other records demonstrate the use of the LEL meter since that time. Due to the missed tests, records were not maintained properly.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(f)

Description: Failed to maintain records of operation (start and end times) for each stationary diesel or dual-fuel engine, including each time the engine is operated for testing and maintenance. Also, records of total hours of operation for each month and for the most recent 12 consecutive months were not maintained.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 8E
OP Special Terms and Conditions No. 16

Description: Failed to prevent open-ended lines in the A-22 block. Specifically, three open-ended lines in acetone service in A-22 block were discovered.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to maintain records. Specifically, weekly Audio, Visual, Olfactory (AVO) Inspections are not being documented for pumps subject to OLD MACT.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)

Description: Operating without required authorization. A MRU and piping changes associated with the PSA were installed prior to obtaining authorization.

Notice of Intent Date: 10/24/2013 (1132874)

Disclosure Date: 04/24/2014

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349

Description: The flameless thermal oxidizer was determined to be a control device for 40 CFR 61 NESHAP FF but applicability is not specified in the Title V Permit O-02211.

Notice of Intent Date: 11/25/2013 (1139926)

No DOV Associated

Notice of Intent Date: 12/03/2013 (1139927)

No DOV Associated

Notice of Intent Date: 12/04/2013 (1139935)

No DOV Associated

Notice of Intent Date: 12/12/2013 (1139938)

Disclosure Date: 04/29/2014

Viol. Classification: Minor

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

Rqmt Prov: OP Special Condition 3(iv)(4)

Description: Failure to comply with permit requirements. Specifically, thirty-nine (39) visible emission observations were made too early in the morning.

Notice of Intent Date: 12/19/2013 (1145532)
No DOV Associated

Notice of Intent Date: 12/18/2013 (1145536)

Disclosure Date: 05/27/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT JJJ 63.1310(g)

Description: Failed to determine which process unit a styrene storage tank should be assigned. Specifically, Tank D-4201 was transferred to the SPC plant's air permit authorized on August 6, 2010 under PBR 92938, however, no evaluation of the Polymers and Resins 'predominant use determination' for this styrene storage tank was found demonstrating whether it should be assigned to the continuous Styrene Acrylonitrile Resin ("SAN") process (new source) or the batch SAN process (existing source).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(d)(4)

Description: Failed to maintain weekly records of AVO inspections of pumps and agitators.

Disclosure Date: 07/03/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT JJJ 63.1310(g)

Description: Failed to determine which process unit a styrene storage tank should be assigned. Specifically, Tank D-4201 was transferred to the SPC plant's air permit authorized on August 6, 2010 under PBR 92938, however, no evaluation of the Polymers and Resins 'predominant use determination' for this styrene storage tank was found demonstrating whether it should be assigned to the continuous Styrene Acrylonitrile Resin ("SAN") process (new source) or the batch SAN process (existing source).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(d)(4)

Description: Failed to maintain weekly records of AVO inspections of pumps and agitators.

Viol. Classification: Minor

Citation: 40 CFR Part 63, Subpart H 63.168

40 CFR Part 63, Subpart H 63.174

Description: Failed to conduct monitoring on 18 components. Specifically, 18 components were incorrectly identified as Difficult to Monitor. Monitoring was missed for 15 components from March 31, 2012 through March 31, 2014. Monitoring was missed for three components from March 31, 2005 through December 31, 2013.

Viol. Classification: Minor

Citation: 40 CFR Part 63, Subpart H 63.168

Description: Failed to monitor one valve from December 31, 2004 through March 31, 2012.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit No. 20525, SC No. 14E

PERMIT NSR Permit No. 46429, SC No. 14E

Description: Failed to maintain weekly records of AVO inspections of connectors.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit No. 46429, SC No. 24C

Description: Failed to maintain records of the LEL (lower explosive limit) detector. Specifically, records of calibration of the LEL detector within 30 days of use are not being maintained. Additionally, records of the functionality test of the LEL within 24 hours of use are not being maintained.

Notice of Intent Date: 01/07/2014 (1145537)
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145543)
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145548)
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145551)
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145553)

Disclosure Date: 03/05/2014

Viol. Classification: Minor

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)

Description: Required training was not completed on time by all personnel as required. Polycarbonate in 2012--12 people were late; Polycarbonate in 2013--6 people were late; Poly 3 in 2012--9 people were late; APP In

2013--1 person was late; Environmental Operations in 2012--5 people were late; Environmental Operations in 2013--4 people were late.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failure to complete weekly inspections of waste storage areas as required. The following areas were not completed: SWMU 425, SWMU 291, and SWMU 316 on week on Jan. 30, 2012.

Disclosure Date: 04/02/2014

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT N 266.250
Rqmt Prov: PERMIT V.H.7.c

Description: Failure to maintain records. Records for the daily CEMS system audit are missing information. See description for details.

Notice of Intent Date: 01/13/2014 (1150685)

Disclosure Date: 04/24/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412
Rqmt Prov: OP Periodic Monitoring

Description: Cold solvent cleaner monthly inspection was not performed or incomplete for the months of February 2013, October 2013, December 2013 and January 2014.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(A)
30 TAC Chapter 122, SubChapter B 122.121

Description: Failure to obtain authorization. One cold solvent cleaner was not authorized in the Title V O-02214 operating permit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(A)
30 TAC Chapter 115, SubChapter E 115.412(1)(E)

Description: One cold solvent cleaner did not maintain one requirement for the month of May and July 2013 (regarding maintaining minimum freeboard space). Specifically, the freeboard space on one cold solvent cleaner did not meet the required ratio for the months of May and July 2013.

Notice of Intent Date: 01/29/2014 (1150691)

No DOV Associated

Notice of Intent Date: 01/29/2014 (1150694)

No DOV Associated

Notice of Intent Date: 02/11/2014 (1152971)

No DOV Associated

Notice of Intent Date: 02/13/2014 (1152975)

No DOV Associated

Notice of Intent Date: 02/17/2014 (1150697)

Disclosure Date: 09/19/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 21.B.

Description: The cylinder gas audit (CGA) on a CEMS was not performed during the 2nd quarter 2014.

Notice of Intent Date: 02/18/2014 (1151933)

Disclosure Date: 04/24/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: A totalizing fuel flow meter at Environmental Operations B-8 Thermal Oxidizer was discovered to not be operating correctly.

Notice of Intent Date: 02/21/2014 (1152977)

Disclosure Date: 05/13/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)(ii)(A)

Description: There was an error in the L/G calculation for two scrubbers (T-401 and T-402). The incorrect units of measure and inappropriate gas volume corrections were used. The L/G ratio was first reported in an updated NOCS dated 11/18/2013.

Disclosure Date: 09/22/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(2)(ii)(A)
Description: There was an error in the L/G calculation for two scrubbers (T-401 and T-402). The incorrect units of measure and inappropriate gas volume corrections were used. The L/G ratio was first reported in an updated NOCS dated 11/18/2013.

Viol. Classification: Major

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

Rqmt Prov: PERMIT Special Condition 1

Description: Particulate Matter (PM) emissions exceed the MAERT yearly limits for Fabric Filter DC-2140 (EPN OC5V1) based on an error in the emission calculations that were submitted in the permit application and actual plant operations.

Notice of Intent Date: 02/21/2014 (1152978)

No DOV Associated

Notice of Intent Date: 03/05/2014 (1157657)

Disclosure Date: 05/15/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT XX 63.1092(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT XX 63.1096(a)

Description: Failure to submit notification. Containers subject to 40 CFR 63 Subpart XX [as referenced by 40 CFR 63 YY (Ethylene MACT)] were sent off-site, but did not include the appropriate off-site notification.

Notice of Intent Date: 03/03/2014 (1157660)

Disclosure Date: 02/11/2015

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)

Description: Unauthorized fugitive components found on CEMP vent lines originating at the site logistics load rack were discovered.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

4F TWC Chapter 63, SubChapter A 63.168(b)

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

Description: Fugitive components found on CEMP vent lines originating at the site logistics load rack were not to be included in the fugitive monitoring program.

Notice of Intent Date: 03/05/2014 (1157696)

Disclosure Date: 04/25/2014

Viol. Classification: Minor

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

30 TAC Chapter 115, SubChapter H 115.725(c)(4)

Description: Failure to maintain records. The written monitoring plan for complying with 30 TAC 115.725(c)(1)-(2) was not complete. The monitoring requirements were being met but the plan itself was not complete.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 13

Description: The calculated emissions of VOC from the catalyst mixing operations did not include a rolling 12 month calculated emission rate for each month.

Disclosure Date: 10/23/2014

Viol. Classification: Minor

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

30 TAC Chapter 115, SubChapter H 115.725(c)(4)

Description: Failure to maintain records. The written monitoring plan for complying with 30 TAC 115.725(c)(1)-(2) was not complete. The monitoring requirements were being met but the plan itself was not complete.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 13

Description: The calculated emissions of VOC from the catalyst mixing operations did not include a rolling 12 month calculated emission rate for each month.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition 12

Description: Failure to monitor 1617 connectors since 2011. These were connectors that were not in ethylene service but for which Dow had represented would be instrument monitored quarterly. Permit 8567 does not require monitoring these connectors. The monitoring requirements were inadvertently dropped in the fugitive monitoring system during a review against the permit conditions.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Rqmt Prov: PERMIT Special Condition 11

Description: Dow missed monitoring of one valve that had been misidentified as difficult to monitor. The valve was instrument monitored annually when it should have been monitored quarterly.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 12
Description: Dow missed monitoring 15 connectors in ethylene service because the quarterly monitoring requirement was not assigned to them in the fugitive monitoring system.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480
Rqmt Prov: PERMIT Special Conditions 11 and 12
Description: Dow missed monitoring 20 valves, 206 connectors, 2 pressure relief valves and 1 pump because they were not included in the fugitive monitoring system.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions 11 and 12
Description: Dow missed monitoring 5 valves and 13 connectors that were in service but were marked inactive in the fugitive monitoring system.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 11
Description: Dow missed annual monitoring of 10 difficult to monitor valves and missed monitoring on 169 valves that were supposed to have been monitored quarterly but were only monitored annually. All of these valves are in heavy liquid service. Permit 8567 does not specifically require monitoring valves in heavy liquid service but Dow had represented that these valves would be monitored quarterly.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 12
Description: Dow missed monitoring 9 connectors in ethylene service that were incorrectly marked as exempt (welded) in the fugitive monitoring system.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 11.E
Description: Dow discovered 11 threaded connections in piping 2 inches in diameter or greater.

Notice of Intent Date: 03/20/2014 (1164178)
Disclosure Date: 05/22/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 5.D.
Description: The vent flow monitor (AI 424) for the PO flare line has not been calibrated on an annual basis to meet the accuracy specification of within 5% as required by Special Condition No. 5.D. of TCEQ Permit No. 83804.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(E)
Description: The new cold solvent cleaning facility behind the B-1350 building is not being operated with a freeboard ratio equal to or greater than 0.7, which is a requirement of TCEQ Regulation 115.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)
Description: Nine records of non-reportable emission were not fully documented as required general rules from November 2012 to November 2013.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 15.A.
Description: The facility does not have a list of equipment excluded from the requirements to conduct leak detection monitoring and repair, as required by the NSR air permit.

Disclosure Date: 07/28/2014
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(g)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Rqmt Prov: PERMIT Special Condition 6

Description: Missed periodic Method 21 monitoring on fugitive emission components including but not limited to 37 connectors, 10 normal-to-monitor valves, and 2 relief valves.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 6.E.

Description: Missed weekly connector AVO inspection in the Ethylene Oxide distribution area.

Disclosure Date: 11/12/2014

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 5.D.

Description: The vent flow monitor (AI 424) for the PO flare line has not been calibrated on an annual basis to meet the accuracy specification of within 5% as required by Special Condition No. 5.D. of TCEQ Permit No. 83804.

Viol. Classification: Moderate

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

Description: The new cold solvent cleaning facility behind the B-1350 building is not being operated with a freeboard ratio equal to or greater than 0.7, which is a requirement of TCEQ Regulation 115.

Viol. Classification: Minor

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

Description: Nine records of non-reportable emission were not fully documented as required general rules from November 2012 to November 2013.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 15.A.

Description: The facility does not have a list of equipment excluded from the requirements to conduct leak detection monitoring and repair, as required by the NSR air permit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(g)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Rqmt Prov: PERMIT Special Condition 6

Description: Missed periodic Method 21 monitoring on fugitive emission components including but not limited to 37 connectors, 10 normal-to-monitor valves, and 2 relief valves.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 6.E.

Description: Missed weekly connector AVO inspection in the Ethylene Oxide distribution area.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT Special Conditions 15 & 16

Description: Ten (10) connectors and two (2) valves were incorrectly identified as difficult to monitor. Therefore, were not periodically monitored at the appropriate frequencies.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT Special Conditions 15 & 16

Description: Ninety-five (95) connectors, twenty-nine (29) normal-to-monitor valves, and fifteen (15) relief valves were not included in the fugitive emission database. Therefore, periodic Method 21 monitoring was not completed.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(4)

Description: Weekly visual inspections have not been completed on 3 dual mechanical seal pumps in light liquid service.

Viol. Classification: Minor

Citation: 40 CFR Part 63, Subpart H 63.166

Description: Sixteen (16) sampling systems were not included in the fugitive emission database. Therefore, periodic Method 21 monitoring was not completed.

Notice of Intent Date: 03/19/2014 (1164476)

Disclosure Date: 04/24/2014

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 2
OP Special Terms and Conditions 20

Description: Failure to comply with permit requirements. Missed tracking of MSS activities since 04/12/2011.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Rqmt Prov: PERMIT General Terms and Conditions 1

Description: Failure to have a system in place to identify and permit (using a Permit by Rule) additional speciated chemical constituents from the waste processing facility. This violation addressed the authorization of additional chemical constituents other than those that were included in the original MSS application. Unauthorized emission of chemicals not currently represented in the permit application.

Notice of Intent Date: 03/28/2014 (1164186)

Disclosure Date: 05/29/2014

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Rqmt Prov: PERMIT NSR Permit No. 46431, SC No. 16F

Description: Failed to conduct periodic monitoring for one HRVOC valve. Specifically, one HRVOC valve did not have the HRVOC monitoring regulation applied and as a result, periodic monitoring did not take place.

Disclosure Date: 11/05/2014

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Rqmt Prov: PERMIT NSR Permit No. 46431, SC No. 16F

Description: Failed to conduct periodic monitoring for one HRVOC valve. Specifically, one HRVOC valve did not have the HRVOC monitoring regulation applied and as a result, periodic monitoring did not take place.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Permit No. 46431, SC Nos. 16F and 17

Description: Failed to conduct periodic monitoring on 14 valves and one connector. Specifically, 14 valves and one connector were incorrectly identified as insulated components in the fugitive database. As a result, periodic monitoring did not take place.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Permit No. 46434, SC No. 17

Description: Failed to conduct periodic monitoring on the 28CNTQ frequency for 493 connectors. Specifically, 493 connectors did not have 28 CNTQ applied. Periodic monitoring still took place, but not on the 28 CNTQ frequency.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Rqmt Prov: PERMIT NSR Permit No. 46431, SC No. 16F

Description: Failed to conduct periodic monitoring on eight valves. Specifically, eight valves were incorrectly identified as inactive in the fugitive database and periodic monitoring did not take place.

Notice of Intent Date: 04/02/2014 (1164198)

No DOV Associated

Notice of Intent Date: 04/02/2014 (1164199)

Disclosure Date: 05/15/2014

Viol. Classification: Minor

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

Description: Internal recordkeeping for recordable emission events does not include all of the required information for an emission event record.

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Special Condition 3.B(iii)(3)
Description: Failure to comply with permit conditions. On two occasion's daily visible emission observations for the flares occurred within one hour of sunrise during the month of April 2014.

Disclosure Date: 11/11/2014
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT 16.E.

Description: One open ended line found.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)
Description: Missed monitoring for fugitive components (70 connectors and 33 valves).

Notice of Intent Date: 04/15/2014 (1164487)
No DOV Associated

Notice of Intent Date: 04/15/2014 (1164503)
No DOV Associated

Notice of Intent Date: 04/28/2014 (1171442)
Disclosure Date: 10/31/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.245(2)
Description: Failure to comply with inspection requirements. The 12-month Stage II Vapor Recovery inspection of gasoline above ground storage tanks were not conducted on time and the rolling 12-month requirement was missed.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.246
Description: Failure to maintain accurate records. The Stage II 12-month and 36-month inspection paperwork contained inaccuracies; however, the inspections on the gasoline systems were in compliance.

Notice of Intent Date: 05/01/2014 (1171445)
Disclosure Date: 04/17/2015

Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1063
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(b)
Rqmt Prov: PERMIT Special Condition 12.F
PERMIT Special Condition 13.F
PERMIT Special Condition 19.F
PERMIT Special condition 9.F
PERMIT Special Conditions 16.F and 27
PERMIT Special Conditions 20.F and 21
PERMIT Special conditions 26.F and 27

Description: Failure to comply with permit requirements. Fugitive components containing Carbon Tetrachloride and/or Formaldehyde at 51% or greater did not meet the requirement of Method 21 to perform daily calibrations with an appropriate calibration gas which would allow the instrument detector to respond to the components being monitored. This occurred during the period beginning January 6, 2009 through December 31, 2014. See Attachment A for details on components, associated permits, and applicable regul

Notice of Intent Date: 05/02/2014 (1171450)
Disclosure Date: 05/19/2014

Viol. Classification: Major
Citation: 30 TAC Chapter 290, SubChapter D 290.44(a)(4)
Description: Failure to comply with water distribution waterline depth requirements and failure to get approval for exception request.

Notice of Intent Date: 05/14/2014 (1204939)
No DOV Associated

Notice of Intent Date: 05/28/2014 (1173252)
Disclosure Date: 09/22/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.168
Rqmt Prov: PERMIT Special Conditions 10 & 11

Description: Failure to comply with monitoring requirements. Specifically, four valves and eight connectors on a control system are in heavy liquid service and have been routinely monitored in error. Monitoring fugitive components that are not required to be monitored affects the leak rate calculations which is used to determine the required monitoring frequency.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 10

Description: Failure to comply with permit requirements. Specifically, a pump in light liquid service with a single seal was incorrectly identified in LeakDAS as a seal less, leak less pump, and has not followed the applicable equipment leak requirements since May 30, 2007.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Conditions 10.E. and 10.K.

Description: Failure to maintain records. Specifically, documentation of AVO inspections was incomplete for the weeks beginning on March 23 and 30, 2014; April 6, 13, 20, and 27, 2014; May 4, 11, 18, and 25, 2014; June 1, 8, 15, 22, and 29, 2014; and July 13 and 20, 2014.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions 17.D. and 18

Description: Failure to comply with permit requirements. Specifically, instruments that do not meet the permit MSS requirements were used to check the VOC concentration of the vapor in a pipeline and unloading hoses prior to opening them to atmosphere. In both cases, the equipment was purged to the scrubber at the unit and vapor samples were checked with the instruments before they were opened to atmosphere. The pipeline clearing was conducted on 04/11/2014, and the instrument reading was 0 ppm The hoses

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.463(a)

Description: Failure to comply with permit requirements. Specifically, two aerosol cans of cleaning solvents with VOC partial vapor pressures exceeding 8 mmHg at 20 degrees Celcius were discovered at the Quat Unit the week of 07/14/2014.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 10.H.

Description: Failure to properly label leaks. Leaks discovered by AVO means by Quat Unit personnel have not been tagged. The following occurrences were recently identified: (1) A leak from a pump in light liquid service which was discovered by AVO inspection on 11/11/2013 was not tagged; (2) A leak from a valve in light liquid service which was discovered by AVO inspection on 12/16/2013 was not tagged; and (3) A leak from a connector in heavy liquid service which was discovered by AVO inspection on 04/02/

Viol. Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)

Rqmt Prov: PERMIT MON equipment leak provisions

PERMIT Special Conditions 6.H. and 8.H.

Description: Two leaks identified by AVO inspection were not repaired as required: (1) A leak from a pump in light liquid service which was identified by AVO inspection on 11/11/2013 and was repaired on 11/15/2013, but the repair was not verified until routine monitoring was conducted on 12/02/2013, 21 days after it was discovered; and (2) A leak from a valve in light liquid service which was identified by AVO inspection on 12/16/2013 was repaired the same day, but the repair was not verified until routine

Disclosure Date: 02/19/2015

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.161

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

40 CFR Part 63, Subpart H 63.163

40 CFR Part 63, Subpart H 63.165

40 CFR Part 63, Subpart H 63.166

40 CFR Part 63, Subpart H 63.167

40 CFR Part 63, Subpart H 63.168

40 CFR Part 63, Subpart H 63.169

40 CFR Part 63, Subpart H 63.170

40 CFR Part 63, Subpart H 63.171

40 CFR Part 63, Subpart H 63.173

40 CFR Part 63, Subpart H 63.175

40 CFR Part 63, Subpart H 63.176

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Description: Failure to comply with permit requirements. The composition of the process streams, the applicability of leak detection and repair programs and the management of fugitive components were evaluated during the audit as mentioned in the corrective action section of Violation 1. Based on this evaluation, it was determined that a number of components to which the 40 CFR Part 63 Subpart FFFF equipment leak requirements are applicable are not being managed as required. In addition, it was determine

Viol. Classification: Moderate

Citation: 40 CFR Part 63, Subpart H 63.166

Description: Failure to comply with permit requirements. Specifically, an open-purge sampling system is used to collect samples from a light liquid process stream that is subject to the 40 CFR 63 Subpart FFFF Equipment Leak Requirements.

Disclosure Date: 03/25/2015
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions 10 and 11
Description: Failure to comply with permit requirements. The composition of the process streams, the applicability of leak detection and repair programs and the management of fugitive components were evaluated during the audit as mentioned in the corrective action section of Violation 1. Based on this evaluation, it was determined that a number of components to which the 28 MID and 28 CNTQ equipment leak requirements included in Special Conditions 10 and 11 of NSR Permit No. 20776 are applicable are not be
Viol. Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1058
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064
Description: The composition of the process streams, the applicability of leak detection and repair programs and the management of fugitive components were evaluated during the audit as mentioned in the corrective action section of Violation 1. Based on this evaluation, it was determined that several components to which the 40 CFR 265 Subpart BB equipment leak requirements are applicable are not being managed as required.

Notice of Intent Date: 05/28/2014 (1173253)
Disclosure Date: 10/17/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions 18, 19, 20
Description: Dow missed monitoring a total of 580 fugitive components because they were not in the fugitive monitoring system. Of these, 73 were valves, 505 were connectors and 2 were relief devices. All of these components are subject to at least one fugitive monitoring requirement. Because the components were not in the system, monitoring was missed and any subsequent repair of leaking components was not done according to the applicable repair requirements.

Notice of Intent Date: 06/03/2014 (1184129)
Disclosure Date: 09/19/2014
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT Special Conditions 8.F. and 9.A.
Description: Failure to monitor fugitive components as required. Fifteen fugitive components authorized in NSR Permit 48715 were not monitored as required. These components are immediately adjacent to the Hydrocarbon Distribution fugitive components and were discovered as part of that facility's LDAR audit.

Disclosure Date: 11/12/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
Rqmt Prov: PERMIT Special Conditions 16 and 17
Description: Failure to monitor 75 valves, 365 connectors, and 1 pump in fugitive area B72FU1.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
Description: Missed monitoring on 70 valves and 1937 connectors in fugitive area B56FU1.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
Rqmt Prov: PERMIT Special Condition 16.E.
Description: Nine (9) open ended lines were discovered during the audit in fugitive area B72FU1.

Notice of Intent Date: 06/06/2014 (1184137)
No DOV Associated

Notice of Intent Date: 07/07/2014 (1184149)
Disclosure Date: 10/22/2014
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 115, SubChapter E 115.412(1)(B)
30 TAC Chapter 115, SubChapter E 115.412(1)(C)
30 TAC Chapter 115, SubChapter E 115.412(1)(D)
30 TAC Chapter 115, SubChapter E 115.412(1)(E)
30 TAC Chapter 115, SubChapter E 115.412(1)(F)
Description: Failure to maintain records. Monthly inspections of solvent degreasers did not include complete information on maintaining the appropriate minimum freeboard ratio.

Notice of Intent Date: 07/15/2014 (1191394)
No DOV Associated

Notice of Intent Date: 07/17/2014 (1191418)
No DOV Associated

Notice of Intent Date: 07/23/2014 (1191424)
No DOV Associated

Notice of Intent Date: 08/06/2014 (1193152)
Disclosure Date: 10/21/2014

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(II)(B)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)

Description: Failure to comply with permit requirements. Bypass line installed on the flare in 2008 was not car sealed or inspected monthly as required by BWON and HON regulations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625(f)

Description: Failure to comply with permit requirements. Non-resettable hour meter is not installed on emergency stationary engine C-6B as required by RICE MACT regulation and Texas NOX regulation.

Notice of Intent Date: 08/08/2014 (1193156)
No DOV Associated

Notice of Intent Date: 08/15/2014 (1193158)
No DOV Associated

Notice of Intent Date: 08/11/2014 (1193163)
No DOV Associated

Notice of Intent Date: 08/13/2014 (1193170)
Disclosure Date: 08/13/2015

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
Rqmt Prov: PERMIT Special Condition 14 E

Description: Failure to perform AVO inspections as required. Specifically, weekly audio, visual, olfactory (AVO) inspections were not being performed on the styrene or acrylonitrile connectors as required.

Notice of Intent Date: 08/20/2014 (1195708)
Disclosure Date: 10/02/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261
30 TAC Chapter 106, SubChapter K 106.262

Description: A number of insulated piping components have not been accurately included in the calculations for PBR #83031.

Notice of Intent Date: 08/21/2014 (1195715)
Disclosure Date: 01/27/2015

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(vii)
Rqmt Prov: PERMIT Section V.I.7.d.

Description: Failure to conduct weekly tests of the heavy oil maximum feed automatic waste feed cutoff, between 10/6/2014 and 11/10/2014.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(3)

Description: Failure to maintain equipment. Light oil was burned on Boiler B-901 with a failed stack gas flowmeter. Process control code allowed introduction of light oil on boiler while stack gas flowmeter had failed. The required MTEC (Maximum Theoretical Emission Concentrations) could not be properly calculated with a failed stack gas flow meter. Oils were burned under these conditions on 11/3/14 from 15:35 - 15:42 and 16:47 - 16:56.

Notice of Intent Date: 08/25/2014 (1195767)
No DOV Associated

Notice of Intent Date: 09/09/2014 (1203090)
No DOV Associated

Notice of Intent Date: 09/22/2014 (1203055)
No DOV Associated

Notice of Intent Date: 09/22/2014 (1203061)

Disclosure Date: 10/02/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter D 106.124(5)
30 TAC Chapter 106, SubChapter A 106.8(c)(2)
Description: Failure to comply with PBR requirements. The total emissions from the pilot plant's vent to the flare B-3808F1 exceeds the PBR 106.124 limit of 1.0 lb/hr.

Notice of Intent Date: 10/01/2014 (1203091)
Disclosure Date: 10/29/2014
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(c)
Description: Failure to comply with notification requirements. Specifically, applicable BWON waste was shipped offsite for treatment without the proper notifications.

Disclosure Date: 04/07/2015
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(1)(iii)
Description: The reported Freeport Total Annual Benzene (TAB) did not include waste received from other sites or shipped offsite for treatment.

Disclosure Date: 04/23/2015
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)
Description: Containers received from other sites for treatment were not initially monitored to verify no detectable emissions.

Notice of Intent Date: 10/10/2014 (1204820)
No DOV Associated

Notice of Intent Date: 10/16/2014 (1204824)
Disclosure Date: 05/07/2015
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Part 61, Subpart V 61.242-7
Rqmt Prov: PERMIT SC 5 & 6
Description: Failure to conduct monitoring. Missed monitoring on 9 valves and 25 connectors in fugitive area BSRFUBRCK.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
Rqmt Prov: PERMIT SC 5 & 6
Description: Failure to conduct monitoring. Missed monitoring on 5 valves and 15 connectors in fugitive area BSRFUSTV.

Notice of Intent Date: 10/15/2014 (1204856)
No DOV Associated

Notice of Intent Date: 10/30/2014 (1210427)
No DOV Associated

Notice of Intent Date: 11/05/2014 (1210431)
No DOV Associated

Notice of Intent Date: 11/05/2014 (1210439)
Disclosure Date: 04/21/2015
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(F)(iv)
Description: Failure to comply with permit requirements. Specifically, the Cold Solvent Cleaner located at B-6803 has porous material in the tray and is being used as a scrubber for the material in the vat.

Notice of Intent Date: 11/07/2014 (1210447)
No DOV Associated

Notice of Intent Date: 11/13/2014 (1211533)
No DOV Associated

Notice of Intent Date: 11/20/2014 (1210459)
Disclosure Date: 02/11/2015
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 115, SubChapter E 115.412(1)(B)

30 TAC Chapter 115, SubChapter E 115.412(1)(C)
30 TAC Chapter 115, SubChapter E 115.412(1)(D)
30 TAC Chapter 115, SubChapter E 115.412(1)(E)
30 TAC Chapter 115, SubChapter E 115.412(1)(F)

Description: Failure to conduct inspections as required by permit. Specifically, the monthly checklists for the CEMP A-2432 and PMDI A-3610 degreasing units are missing the documented inspection for freeboards.

Notice of Intent Date: 11/20/2014 (1211544)
No DOV Associated

Notice of Intent Date: 11/25/2014 (1211536)
No DOV Associated

Notice of Intent Date: 12/01/2014 (1216299)
No DOV Associated

Notice of Intent Date: 12/11/2014 (1216301)
No DOV Associated

Notice of Intent Date: 12/18/2014 (1217781)
No DOV Associated

Notice of Intent Date: 01/07/2015 (1217816)
No DOV Associated

Notice of Intent Date: 01/12/2015 (1222651)
No DOV Associated

Notice of Intent Date: 01/27/2015 (1227980)
No DOV Associated

Notice of Intent Date: 02/03/2015 (1227986)
No DOV Associated

Notice of Intent Date: 02/06/2015 (1229213)
No DOV Associated

Notice of Intent Date: 02/12/2015 (1229218)
No DOV Associated

Notice of Intent Date: 03/04/2015 (1239848)
Disclosure Date: 09/15/2015

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(d)(2)

Description: Failure to comply with permit requirements, specifically in regards to replacing rupture disks within a certain timeframe.

Notice of Intent Date: 03/02/2015 (1239850)
No DOV Associated

Notice of Intent Date: 03/05/2015 (1239859)
No DOV Associated

Notice of Intent Date: 03/06/2015 (1239863)
No DOV Associated

Notice of Intent Date: 03/10/2015 (1241185)
No DOV Associated

Notice of Intent Date: 03/11/2015 (1241188)
No DOV Associated

Notice of Intent Date: 03/11/2015 (1241193)
Disclosure Date: 09/23/2015

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213(d)(2)

Description: Failure to submit notification of an additional marine loading rack and revised 90% overall control plan within 30 days of installation.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160(a)

Rqmt Prov: PERMIT Special Condition 8
Description: Failure to comply with permit requirements regarding labeling and monitoring of fugitive components. Specifically, 80 components were found to be missing identification and monitoring.
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
Description: Failure to obtain authorization. Specifically, emissions from an existing HCl tank (D-402) were not authorized.

Notice of Intent Date: 03/11/2015 (1241196)
Disclosure Date: 09/23/2015
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)(I)
Description: Extraordinary efforts to repair a leak from a valve in HRVOC service were not done prior to placing it on delay of repair. The valve was replaced during a planned shutdown.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: 321 fugitive components were found to be missing identification and monitoring.

Notice of Intent Date: 03/20/2015 (1241924)
No DOV Associated

No DOV Associated
Notice of Intent Date: 03/19/2015 (1241930)
No DOV Associated

Notice of Intent Date: 04/15/2015 (1248400)
No DOV Associated

Notice of Intent Date: 04/23/2015 (1248407)
No DOV Associated

Notice of Intent Date: 04/23/2015 (1248411)
No DOV Associated

Notice of Intent Date: 04/28/2015 (1248448)
No DOV Associated

Notice of Intent Date: 05/01/2015 (1254424)
No DOV Associated

Notice of Intent Date: 05/11/2015 (1254301)
No DOV Associated

Notice of Intent Date: 05/13/2015 (1254303)
No DOV Associated

Notice of Intent Date: 05/27/2015 (1259026)
No DOV Associated

Notice of Intent Date: 05/27/2015 (1259032)
No DOV Associated

Notice of Intent Date: 05/27/2015 (1259037)
Disclosure Date: 09/25/2015
Viol. Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111
Description: Failure to conduct Annual Method 9 visible emission when the unit was not operational.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)
Description: Failure to conduct inspections. Visual inspections of tanks in benzene waste were either conducted late or not conducted during the quarter.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to maintain records. Final records of non-reportable emissions events were created late.

Notice of Intent Date: 05/29/2015 (1259056)
No DOV Associated

Notice of Intent Date: 05/28/2015 (1259093)
No DOV Associated

Notice of Intent Date: 05/29/2015 (1259098)
No DOV Associated

Notice of Intent Date: 05/26/2015 (1259107)
No DOV Associated

Notice of Intent Date: 06/03/2015 (1259028)
No DOV Associated

Notice of Intent Date: 06/01/2015 (1259102)
Disclosure Date: 07/27/2015

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Description: Failure to conduct annual AVO inspections. Specifically, an annual AVO inspection of a section of the closed vent system, the section from the SOHO tanks to the knock out pot before the control device, was not done for the years 2011 to current.

Notice of Intent Date: 06/09/2015 (1268962)
No DOV Associated

Notice of Intent Date: 06/10/2015 (1268975)
No DOV Associated

Notice of Intent Date: 06/10/2015 (1268977)
No DOV Associated

Notice of Intent Date: 06/11/2015 (1268982)
No DOV Associated

Notice of Intent Date: 06/25/2015 (1281938)
No DOV Associated

Notice of Intent Date: 06/29/2015 (1268984)
No DOV Associated

Notice of Intent Date: 07/07/2015 (1280740)
Disclosure Date: 09/24/2015

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 11

Description: Failure to monitor connectors. Twenty connectors in light liquid or gas/vapor service were incorrectly identified as insulated in the LDAR system and were not being monitored as required.

Notice of Intent Date: 07/17/2015 (1280742)
No DOV Associated

Notice of Intent Date: 07/28/2015 (1280743)
No DOV Associated

Notice of Intent Date: 07/30/2015 (1280751)
No DOV Associated

Notice of Intent Date: 07/29/2015 (1280753)
No DOV Associated

Notice of Intent Date: 08/03/2015 (1280758)
No DOV Associated

Notice of Intent Date: 08/14/2015 (1282182)
No DOV Associated

Notice of Intent Date: 08/28/2015 (1282186)
No DOV Associated

Notice of Intent Date: 08/26/2015 (1282189)
No DOV Associated

Notice of Intent Date: 08/26/2015 (1282190)
No DOV Associated

Notice of Intent Date: 09/02/2015 (1287132)
No DOV Associated

Notice of Intent Date: 09/18/2015 (1287134)
No DOV Associated

Notice of Intent Date: 09/29/2015 (1287135)
No DOV Associated

Notice of Intent Date: 10/06/2015 (1288495)
No DOV Associated

Notice of Intent Date: 10/15/2015 (1289510)
No DOV Associated

Notice of Intent Date: 10/19/2015 (1289512)
No DOV Associated

Notice of Intent Date: 10/20/2015 (1289524)
No DOV Associated

Notice of Intent Date: 10/22/2015 (1289527)
No DOV Associated

Notice of Intent Date: 10/22/2015 (1289528)
No DOV Associated

Notice of Intent Date: 10/22/2015 (1289529)
No DOV Associated

Notice of Intent Date: 10/28/2015 (1289531)
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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: ***DOW TEXAS OPERATIONS FREEPORT***

Reg Entity Add: CR226 STRATTON RIDGE ROAD

Reg Entity City: CLUTE

Reg Entity No: RN100225945

EPA Case No: ***06-2013-3326***

Order Issue Date (yyyymmdd): 20130507

Case Result: Final Order With Penalty

Statute: CAA

Sect of Statute: 112[R][7]

Classification: Minor

Program: Risk Management Progr

Citation:

Violation Type:

Cite Sect:

Cite Part:

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
THE DOW CHEMICAL COMPANY
RN100225945

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2015-1242-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Dow Chemical Company ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical plant located at 2301 North Brazosport Boulevard in Freeport, Brazoria County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 24, 2015, August 2, 2015, and September 16, 2015.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Fifteen Thousand One Hundred Eighty-Eight Dollars (\$15,188) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Six Thousand Seventy-Six Dollars (\$6,076) of the administrative penalty and Three Thousand Thirty-Seven Dollars

(\$3,037) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Six Thousand Seventy-Five Dollars (\$6,075) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On March 5, 2015, redesigned Heat Exchanger E-11 to counteract the high velocity cooling water, installed impingement rods to buffer the high velocity and increased nozzle diameter and length to provide more area for the cooling water which throttles the velocity, and reduced the high velocity of the cooling water to Heat Exchanger E-10 by closing back on the cooling water outlet valve to prevent recurrence of emissions events due to the same or similar causes as Incident Nos. 207426 and 207642;
 - b. On August 22, 2015, revised the control logic to automatically close the brine Emergency Block Valve on Dow Well 11 storage well based on low brine density, added a brine control valve and a wash water control valve to better control flow and reduce casing vibration inside of Dow Well 11, and replaced the internal brine casing of Dow Well 11 with a more robust collared casing joint to reduce joint failure to prevent recurrence of emissions events due to the same or similar causes as Incident No. 212118; and
 - c. By October 21, 2015, revised the process control code to allow for seamless swapping between the division hydrogen and internal hydrogen following planned maintenance work on the division hydrogen header and create a new operating discipline for both swapping between the internal and division hydrogen headers following maintenance work to reflect the new process control code to prevent recurrence of emissions events due to the same or similar causes as Incident No. 213425.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O2217, Special Terms and Conditions ("STC") No. 16, and New Source Review ("NSR") Permit No. 22072, Special Conditions ("SC") No. 1, as documented during a record review conducted from May 5, 2015 through May 19, 2015. Specifically, the Respondent released 3,999.53 pounds ("lbs") of propylene from the Lake Warder Brine Pond, Emission Point Number ("EPN") BSRPSR2L, and 397.97 lbs of carbon monoxide ("CO"), 179.37 lbs of nitrogen oxides ("NOx"), and 739.28 lbs of highly reactive volatile organic compounds ("HRVOC") from the Brine Flare 2, EPN BSRF401, during an avoidable emissions event (Incident No. 212118) that began on March 31, 2015 and lasted for two hours and 43 minutes. The event occurred in the Salt Dome Operations area when propylene entered a broken brine water pipeline, resulting in emissions to the atmosphere from the Brine Pond and from flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1, as documented during a record review conducted from June 10, 2015 through June 24, 2015. Specifically, the Respondent released 2,632.64 lbs of HRVOC, 1,822.24 lbs of CO, 249.71 lbs of NOx, 2.84 lbs of hazardous air pollutants ("HAPs"), and 1.09 lbs of other volatile organic compounds from the FS-1 Large Flare, EPN B60F3, during an avoidable emissions event (Incident No. 213425) that began on May 1, 2015 and lasted for two hours and 12 minutes. The event occurred when acetylene went off specifications due to process control starving the reactor of hydrogen, resulting in flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1, as documented during a record review conducted from January 23, 2015 through April 24, 2015. Specifically, the Respondent released 688.25 lbs of propylene and 21.52 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207426) that began on December 12, 2014 and lasted for 52 hours. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event

could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

4. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2213, STC No. 21, and NSR Permit Nos. 20432 and PSDTX994M1, SC No. 1, as documented during a record review conducted from January 23, 2015 through April 24, 2015. Specifically, the Respondent released 10,754.44 lbs of propylene and 861.15 lbs of ethylene from the CT-800 Cooling Tower, EPN OC6CT800, during an avoidable emissions event (Incident No. 207642) that began on December 17, 2014 and lasted for 21 hours and 36 minutes. The event occurred due to corrosion and wear in multiple heat exchangers resulting in emissions venting directly to the atmosphere. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Dow Chemical Company, Docket No. 2015-1242-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Six Thousand Seventy-Five Dollars (\$6,075) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the assessed administrative penalty shall be discharged upon final completion of all provisions of the SEP agreement.

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. 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. 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.
7. 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.
8. 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

Pam Monica J
For the Executive Director

5/16/16
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

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

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

JR Falcon
Signature

2-9-16
Date

Fran Quinlan Falcon
Name (Printed or typed)
Authorized Representative of
The Dow Chemical Company

TXO Environmental Leveraged
Title Delivery Leader

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

Attachment A
Docket Number: 2015-1242-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	The Dow Chemical Company
Penalty Amount:	Twelve Thousand One Hundred Fifty-One Dollars (\$12,151)
SEP Offset Amount:	Six Thousand Seventy-Five Dollars (\$6,075)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO ("AERCO")
Project Name:	<i>Clean Vehicles Partnership Project</i>
Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

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

1. Project Description

a. Project

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

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

The Dow Chemical Company
Agreed Order - Attachment A

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

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

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

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

b. Environmental Benefit

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

c. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

The Dow Chemical Company
Agreed Order - Attachment A

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

5. Publicity

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

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

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