

**Executive Summary – Enforcement Matter – Case No. 48364
Motiva Enterprises LLC
RN100209451
Docket No. 2014-0336-AIR-E**

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Port Arthur Refinery, 2555 Savannah Avenue, Port Arthur, Jefferson County

Type of Operation:

Petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No.: 2014-0837-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 25, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$67,500

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$33,750

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$33,750

Name of SEP: Southeast Texas Regional Planning Commission

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 3, 2014

Date(s) of NOE(s): February 7, 2014

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Motiva Enterprises LLC
RN100209451
Docket No. 2014-0336-AIR-E

Violation Information

1. Failed to limit the concentration of hydrogen sulfide (“H₂S”) in refinery fuel gas to 160 ppmv on a rolling three-hour basis and 120 ppmv on a rolling 24-hour basis [30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS (“CFR”) § 60.104(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit Nos. 8404 and PSDTX1062M1, Special Conditions (“SC”) Nos. 6 and 61, and Federal Operating Permit (“FOP”) No. O1386, General Terms and Conditions (“GTC”) and Special Terms and Conditions (“STC”) Nos. 1A and 16A].
2. Failed to limit the annual concentration of nitrogen oxide (“NO_x”) to 42.8 parts per million by volume (“ppmv”) on a rolling 365-day basis at Emission Point Number (“EPN”) SFCCU3-2 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit Nos. 8404 and PSDTX1062M1, SC No. 38A, and FOP No. O1386, GTC and STC No. 16A].
3. Failed to limit NO_x emissions to 0.20 pound per million British thermal units when firing gaseous fossil fuel at Boiler 34 [30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.44(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 3415, SC Nos. 1B and 4, and FOP No. O1386, GTC and STC Nos. 1A and 16A].
4. Failed to limit opacity to 20% at Boilers 34 and 35 [30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.42(a)(2), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 3415, SC Nos. 1B and 6, and FOP No. O1386, GTC and STC Nos. 1A and 16A].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project (“SEP”). (See SEP Attachment A)
2. The Order will also require the Respondent to:
 - a. Within 30 days:
 - i. Implement measures and procedures to comply with the concentration limits for H₂S in refinery fuel gas;
 - ii. Implement measures and procedures to comply with the annual concentration limit for NO_x at EPN SFCCU3-2;

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iii. Implement measures and procedures to comply with the NOx emission limit when firing gaseous fossil fuel at Boiler 34; and

iv. Implement measures and procedures to comply with the opacity limit at Boilers 34 and 35.

b. Within 45 days, submit written certification to demonstrate compliance with Ordering Provision 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; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

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

Respondent: Greg Willms, General Manager, Motiva Enterprises LLC, P.O. Box 712, Port Arthur, Texas 77641-0712

Respondent's Attorney: N/A

Attachment A
Docket Number: 2014-0336-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Motiva Enterprises LLC
Penalty Amount:	Sixty-Seven Thousand Five Hundred Dollars (\$67,500)
SEP Offset Amount:	Thirty-Three Thousand Seven Hundred Fifty Dollars (\$33,750)
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>West Port Arthur Home Energy Efficiency Program - Lighthouse Program</i>
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for 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 **Southeast Texas Regional Planning Commission** for the *West Port Arthur Home Energy Efficiency Program - Lighthouse Program* 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 hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners; coordinate between the contractors and the homeowners to answer questions; ensure that work is done timely

and properly; and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used 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

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

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 **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the 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:

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.

Motiva Enterprises LLC
Agreed Order - Attachment A

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	10-Feb-2014	Screening	4-Mar-2014	EPA Due	4-Nov-2014
	PCW	14-Apr-2014				

RESPONDENT/FACILITY INFORMATION			
Respondent	Motiva Enterprises LLC		
Reg. Ent. Ref. No.	RN100209451		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	48364	No. of Violations	4
Docket No.	2014-0336-AIR-E	Order Type	Findings
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	\$33,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1
 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	100.0% Enhancement	Subtotals 2, 3, & 7	\$33,750
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Notes: Enhancement for three NOVs with same/similar violations, two NOVs with dissimilar violations, 10 orders with denial of liability, and two orders without denial of liability. Reduction for seven notices of intent to conduct an audit, one disclosure of violations, and an environmental management system.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,937
 Approx. Cost of Compliance: \$20,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$67,500
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$67,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$67,500
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$67,500
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Screening Date 4-Mar-2014

Docket No. 2014-0336-AIR-E

PCW

Respondent Motiva Enterprises LLC

Policy Revision 3 (September 2011)

Case ID No. 48364

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100209451

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	10	200%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	Yes	-10%
	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) 250%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three NOVs with same/similar violations, two NOVs with dissimilar violations, 10 orders with denial of liability, and two orders without denial of liability. Reduction for seven notices of intent to conduct an audit, one disclosure of violations, and an environmental management system.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 250%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 4-Mar-2014
Respondent Motiva Enterprises LLC
Case ID No. 48364
Reg. Ent. Reference No. RN100209451
Media [Statute] Air
Enf. Coordinator Amancio R. Gutierrez
Violation Number 1

Docket No. 2014-0336-AIR-E

PCW

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

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(1) and (3), 116.115(c), and 122.143(4), 40 Code of Federal Regulations ("CFR") § 60.104(a)(1), Tex. Health & Safety Code § 382.085(b), Permit Nos. 8404 and PSDTX1062M1, Special Conditions ("SC") Nos. 6 and 61, and Federal Operating Permit ("FOP") No. O1386, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 1A and 16A

Violation Description Failed to limit the concentration of hydrogen sulfide ("H2S") in the refinery fuel gas to 160 parts per million by volume ("ppmv") on a rolling three-hour basis and 120 ppmv on a rolling 24-hour basis. Specifically, between September 24, 2012 and June 30, 2013, the H2S concentration exceeded 160 ppmv on a rolling three-hour basis for a total of 596 hours and 11 minutes and exceeded 120 ppmv on a rolling 24-hour basis for a total of 590 hours.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent	
	Release	Major	Moderate		Minor
	Actual				X
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty \$15,000

Four quarterly events are recommended from September 24, 2012 through June 30, 2013.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$15,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$543

Violation Final Penalty Total \$30,000

This violation Final Assessed Penalty (adjusted for limits) \$30,000

Economic Benefit Worksheet

Respondent Motiva Enterprises LLC
Case ID No. 48364
Reg. Ent. Reference No. RN100209451
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	24-Sep-2012	26-Nov-2014	2.17	\$543	n/a	\$543

Notes for DELAYED costs

Estimated cost to implement measures and procedures to comply with the concentration limits for H2S in refinery fuel gas. The date required is the date the violation began. The final date is the date that corrective actions are expected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$543

Screening Date 4-Mar-2014

Docket No. 2014-0336-AIR-E

PCW

Respondent Motiva Enterprises LLC

Policy Revision 3 (September 2011)

Case ID No. 48364

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100209451

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), Permit Nos. 8404 and PSDTX1062M1, SC No. 38A, and FOP No. O1386, GTC and STC No. 16A

Violation Description Failed to limit the annual concentration of nitrogen oxide ("NOx") to 42.8 ppmv on a rolling 365-day basis at Emission Point Number ("EPN") SFCCU3-2. Specifically, the NOx concentration averaged 73 ppmv from October 23, 2012 through March 27, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2

155 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

Two quarterly events are recommended from October 23, 2012 through March 27, 2013.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$523

Violation Final Penalty Total \$15,000

This violation Final Assessed Penalty (adjusted for limits) \$15,000

Economic Benefit Worksheet

Respondent Motiva Enterprises LLC
Case ID No. 48364
Reg. Ent. Reference No. RN100209451
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	23-Oct-2012	26-Nov-2014	2.09	\$523	n/a	\$523

Notes for DELAYED costs

Estimated cost to implement measures and procedures to comply with the annual concentration limit for NOx at EPN SFCCU3-2. The date required is the date the violation began. The final date is the date that corrective actions are expected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$523

Screening Date 4-Mar-2014

Docket No. 2014-0336-AIR-E

PCW

Respondent Motiva Enterprises LLC

Policy Revision 3 (September 2011)

Case ID No. 48364

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100209451

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.44(a)(1), Tex. Health & Safety Code § 382.085(b), Permit No. 3415, SC Nos. 1B and 4, and FOP No. O1386, GTC and STC Nos. 1A and 16A

Violation Description

Failed to limit NOx emissions to 0.20 pound per million British thermal units ("lb/MMBtu") when firing gaseous fossil fuel at Boiler 34. Specifically, the NOx emission rate was 0.21 lb/MMBtu for five hours on April 21, 2013, 0.22 lb/MMBtu for 14 hours on April 22, 2013, and 0.21 lb/MMBtu for five hours on April 25, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

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 from April 21 through 25, 2013.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$400

Violation Final Penalty Total \$7,500

This violation Final Assessed Penalty (adjusted for limits) \$7,500

Economic Benefit Worksheet

Respondent Motiva Enterprises LLC
Case ID No. 48364
Reg. Ent. Reference No. RN100209451
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	21-Apr-2013	26-Nov-2014	1.60	\$400	n/a	\$400

Notes for DELAYED costs

Estimated cost to implement measures and procedures to comply with the NOx emission limit when firing gaseous fossil fuel at Boiler 34. The date required is the date the violation began. The final date is the date that corrective actions are expected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$400

Screening Date 4-Mar-2014

Docket No. 2014-0336-AIR-E

PCW

Respondent Motiva Enterprises LLC

Policy Revision 3 (September 2011)

Case ID No. 48364

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100209451

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.42(a)(2), Tex. Health & Safety Code § 382.085(b), Permit No. 3415, SC Nos. 1B and 6, and FOP No. 01386, GTC and STC Nos. 1A and 16A

Violation Description Failed to limit opacity to 20% at Boilers 34 and 35. Specifically, Boiler 34 experienced 35% opacity for six minutes on February 10, 2013, 22% opacity for 36 minutes on May 23, 2013, 21% opacity for six minutes on May 23, 2013, and 29% opacity for six minutes on May 30, 2013, and Boiler 35 experienced 35% opacity for six minutes on January 8, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2

4 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

Two quarterly events are recommended from January 8 through May 30, 2013.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$471

Violation Final Penalty Total \$15,000

This violation Final Assessed Penalty (adjusted for limits) \$15,000

Economic Benefit Worksheet

Respondent Motiva Enterprises LLC
Case ID No. 48364
Reg. Ent. Reference No. RN100209451
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	8-Jan-2013	26-Nov-2014	1.88	\$471	n/a	\$471

Notes for DELAYED costs

Estimated cost to implement measures and procedures to comply with the opacity limit at Boilers 34 and 35. The date required is the date the violation began. The final date is the date that corrective actions are expected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$471



Compliance History Report

PUBLISHED Compliance History Report for CN600124051, RN100209451, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	CN600124051, Motiva Enterprises LLC	Classification:	SATISFACTORY	Rating:	4.08
Regulated Entity:	RN100209451, PORT ARTHUR REFINERY	Classification:	SATISFACTORY	Rating:	12.51
Complexity Points:	53	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	2555 SAVANNAH AVE PORT ARTHUR, TX 77640-3672, JEFFERSON COUNTY				
TCEQ Region:	REGION 10 - BEAUMONT				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0095D
AIR OPERATING PERMITS PERMIT 3387

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30121

WASTEWATER PERMIT WQ0000414000

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1230079

AIR OPERATING PERMITS PERMIT 1386

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008097529

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50188

WASTEWATER EPA ID TX0005835

AIR NEW SOURCE PERMITS REGISTRATION 48503

AIR NEW SOURCE PERMITS REGISTRATION 48504
AIR NEW SOURCE PERMITS REGISTRATION 48506
AIR NEW SOURCE PERMITS REGISTRATION 49333
AIR NEW SOURCE PERMITS REGISTRATION 49477
AIR NEW SOURCE PERMITS REGISTRATION 49912
AIR NEW SOURCE PERMITS REGISTRATION 50158
AIR NEW SOURCE PERMITS PERMIT 3415
AIR NEW SOURCE PERMITS REGISTRATION 7160
AIR NEW SOURCE PERMITS REGISTRATION 8210
AIR NEW SOURCE PERMITS REGISTRATION 23943
AIR NEW SOURCE PERMITS REGISTRATION 24148
AIR NEW SOURCE PERMITS REGISTRATION 24081
AIR NEW SOURCE PERMITS REGISTRATION 29244
AIR NEW SOURCE PERMITS REGISTRATION 31590
AIR NEW SOURCE PERMITS REGISTRATION 34500
AIR NEW SOURCE PERMITS REGISTRATION 38931
AIR NEW SOURCE PERMITS REGISTRATION 40494
AIR NEW SOURCE PERMITS REGISTRATION 41443
AIR NEW SOURCE PERMITS REGISTRATION 44322
AIR NEW SOURCE PERMITS REGISTRATION 44691
AIR NEW SOURCE PERMITS REGISTRATION 45560
AIR NEW SOURCE PERMITS REGISTRATION 45938
AIR NEW SOURCE PERMITS REGISTRATION 45935
AIR NEW SOURCE PERMITS REGISTRATION 46015
AIR NEW SOURCE PERMITS REGISTRATION 46331
AIR NEW SOURCE PERMITS REGISTRATION 46326
AIR NEW SOURCE PERMITS REGISTRATION 46958
AIR NEW SOURCE PERMITS REGISTRATION 48153
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0095D
AIR NEW SOURCE PERMITS REGISTRATION 11762
AIR NEW SOURCE PERMITS REGISTRATION 11895
AIR NEW SOURCE PERMITS REGISTRATION 12117
AIR NEW SOURCE PERMITS REGISTRATION 13313
AIR NEW SOURCE PERMITS REGISTRATION 13534

AIR NEW SOURCE PERMITS REGISTRATION 48505
AIR NEW SOURCE PERMITS REGISTRATION 49332
AIR NEW SOURCE PERMITS REGISTRATION 49480
AIR NEW SOURCE PERMITS REGISTRATION 49478
AIR NEW SOURCE PERMITS REGISTRATION 50157
AIR NEW SOURCE PERMITS REGISTRATION 50299
AIR NEW SOURCE PERMITS PERMIT 6056
AIR NEW SOURCE PERMITS REGISTRATION 7304
AIR NEW SOURCE PERMITS PERMIT 8404
AIR NEW SOURCE PERMITS REGISTRATION 23690
AIR NEW SOURCE PERMITS REGISTRATION 24417
AIR NEW SOURCE PERMITS REGISTRATION 24307
AIR NEW SOURCE PERMITS REGISTRATION 32236
AIR NEW SOURCE PERMITS REGISTRATION 34264
AIR NEW SOURCE PERMITS REGISTRATION 37624
AIR NEW SOURCE PERMITS REGISTRATION 39659
AIR NEW SOURCE PERMITS REGISTRATION 40950
AIR NEW SOURCE PERMITS REGISTRATION 41820
AIR NEW SOURCE PERMITS REGISTRATION 44565
AIR NEW SOURCE PERMITS REGISTRATION 45561
AIR NEW SOURCE PERMITS REGISTRATION 45545
AIR NEW SOURCE PERMITS REGISTRATION 45937
AIR NEW SOURCE PERMITS REGISTRATION 45934
AIR NEW SOURCE PERMITS REGISTRATION 46079
AIR NEW SOURCE PERMITS REGISTRATION 46330
AIR NEW SOURCE PERMITS REGISTRATION 46589
AIR NEW SOURCE PERMITS REGISTRATION 47149
AIR NEW SOURCE PERMITS REGISTRATION 51922
AIR NEW SOURCE PERMITS REGISTRATION 11297
AIR NEW SOURCE PERMITS REGISTRATION 11777
AIR NEW SOURCE PERMITS REGISTRATION 12059
AIR NEW SOURCE PERMITS REGISTRATION 12482
AIR NEW SOURCE PERMITS REGISTRATION 13358
AIR NEW SOURCE PERMITS REGISTRATION 13693

AIR NEW SOURCE PERMITS REGISTRATION 14363
AIR NEW SOURCE PERMITS REGISTRATION 14493
AIR NEW SOURCE PERMITS REGISTRATION 15717
AIR NEW SOURCE PERMITS REGISTRATION 16221
AIR NEW SOURCE PERMITS REGISTRATION 54322
AIR NEW SOURCE PERMITS AFS NUM 4824500020
AIR NEW SOURCE PERMITS REGISTRATION 109665
AIR NEW SOURCE PERMITS REGISTRATION 52468
AIR NEW SOURCE PERMITS REGISTRATION 77681
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1062
AIR NEW SOURCE PERMITS REGISTRATION 26297
AIR NEW SOURCE PERMITS REGISTRATION 87900
AIR NEW SOURCE PERMITS REGISTRATION 89842
AIR NEW SOURCE PERMITS REGISTRATION 93407
AIR NEW SOURCE PERMITS REGISTRATION 96078
AIR NEW SOURCE PERMITS REGISTRATION 96991
AIR NEW SOURCE PERMITS REGISTRATION 101826
AIR NEW SOURCE PERMITS REGISTRATION 103077
AIR NEW SOURCE PERMITS REGISTRATION 105516
AIR NEW SOURCE PERMITS REGISTRATION 112351
AIR NEW SOURCE PERMITS REGISTRATION 113586
AIR NEW SOURCE PERMITS REGISTRATION 111502
AIR NEW SOURCE PERMITS REGISTRATION 105517
AIR NEW SOURCE PERMITS REGISTRATION 105519
AIR NEW SOURCE PERMITS REGISTRATION 107320
AIR NEW SOURCE PERMITS REGISTRATION 112608
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1062M2
AIR NEW SOURCE PERMITS REGISTRATION 112366
AIR NEW SOURCE PERMITS REGISTRATION 105504
STORMWATER PERMIT TXRNEY448

AIR NEW SOURCE PERMITS REGISTRATION 14273
AIR NEW SOURCE PERMITS REGISTRATION 15403
AIR NEW SOURCE PERMITS REGISTRATION 16025
AIR NEW SOURCE PERMITS PERMIT 17522
AIR NEW SOURCE PERMITS REGISTRATION 75653
AIR NEW SOURCE PERMITS PERMIT 56287
AIR NEW SOURCE PERMITS REGISTRATION 52429
AIR NEW SOURCE PERMITS REGISTRATION 75103
AIR NEW SOURCE PERMITS REGISTRATION 77922
AIR NEW SOURCE PERMITS PERMIT 78358
AIR NEW SOURCE PERMITS REGISTRATION 79866L
AIR NEW SOURCE PERMITS REGISTRATION 86268
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1062M1
AIR NEW SOURCE PERMITS REGISTRATION 95508
AIR NEW SOURCE PERMITS REGISTRATION 100512
AIR NEW SOURCE PERMITS REGISTRATION 101131
AIR NEW SOURCE PERMITS REGISTRATION 102623
AIR NEW SOURCE PERMITS REGISTRATION 109207
AIR NEW SOURCE PERMITS REGISTRATION 109655
AIR NEW SOURCE PERMITS REGISTRATION 109691
AIR NEW SOURCE PERMITS REGISTRATION 105523
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1404
AIR NEW SOURCE PERMITS REGISTRATION 105518
AIR NEW SOURCE PERMITS REGISTRATION 118612
AIR NEW SOURCE PERMITS REGISTRATION 106439
AIR NEW SOURCE PERMITS REGISTRATION 112950
AIR NEW SOURCE PERMITS REGISTRATION 105515
AIR NEW SOURCE PERMITS REGISTRATION 109653
AIR NEW SOURCE PERMITS REGISTRATION 105522
PETROLEUM STORAGE TANK STAGE II REGISTRATION 57808

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30121
POLLUTION PREVENTION PLANNING ID NUMBER P06462

AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0095D
POLLUTION PREVENTION PLANNING ID NUMBER P00651

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013
Date Compliance History Report Prepared: April 14, 2014
Agency Decision Requiring Compliance History: Enforcement
Component Period Selected: April 14, 2009 to April 14, 2014

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

Name: Amancio R. Gutierrez **Phone:** (512) 239-3921

Site and Owner/Operator History:

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

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

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

- 1 Effective Date: 06/18/2010 ADMINORDER 2009-1043-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

Published Compliance History Report for CN600124051, RN100209451, Rating Year 2013 which includes Compliance History (CH) components from April 14, 2009, through April 14, 2014.

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 5 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 12E PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to properly seal several open-ended lines with a cap, plug, or blind flange.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 10 PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to perform monthly drain inspections.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to maintain emission rates below the allowable emission limits for HTU4 Charge Heater Number 2.

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: 8404, Special Condition 7B PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to perform monthly monitoring of the ALKY Cooling Tower (EPN: FKFCU1 and 2).

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: 8404/PSD-TX-1062, Special Condition 31A PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to perform monthly monitoring of the HTU3 Cooling Tower (EPN: FKHTU3).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 6 PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to maintain the H2S content of the fuel gas to 160 ppmv averaged over a three hour period and no more than 130 ppmv on a rolling 24-hour basis.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the LHCU, HTU4, FCCU3 and ALKY flares.

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: 8404/PSD-TX-1062, Special Condition 38A PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to comply with the permitted hourly maximum allowable concentrations for SO2 and NOx from the FCCU regeneration vent/vent gas stack (EPN: SFCCU3-2).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to perform monthly monitoring of a leaking valve.

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: 56287, General Condition 8 PERMIT
56287, Special Condition 3 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to comply with the permitted Nitrogen Oxides (NOx) concentration and emission limits for Combustion Turbine Generator (Gas Turbine) 34.
Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(i)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(iii)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(iv)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(v)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01368, Special Condition 18 OP
O-01386, General Terms and Conditions OP

Description: Failure to accurately certify compliance in the Annual Compliance Certifications (ACCs).
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter B 115.142(1)(A)
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: 8404/PSD-TX-1062, Special Condition 10 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to equip a drain (identified with Component Identification Tag 010) with a plug.
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: 6056, General Condition 8 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
Special Condition 16A PERMIT

Description: Failure to maintain the Carbon Monoxide (CO) emission rate at Boiler 29 below the allowable emission limit.
Classification: Moderate

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

Rqmt Prov: 6056, General Condition 8 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to maintain emission rates below the allowable annual emission limits at Boiler 29, Boiler 32, and Boiler 33.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)

4F TWC Chapter 63, SubChapter A 63.157

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 73 PERMIT

O-01386, General Terms and Conditions OP

O-01386, Special Condition 16A OP

Description: Failure to conduct the performance testing of the Continuous Catalytic Regenerator (CCR) operations at CRU4, specifically the CRU4 Caustic HCl Scrubber.

Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)

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

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01386, General Terms and Conditions OP

O-01386, Special Condition 2F OP

Description: Failure to properly report a June 2-3, 2008, emissions event.

2 Effective Date: 10/25/2010 ADMINORDER 2010-0381-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 116, SubChapter G 116.715(c)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, General Condition 8 PERMIT

8404/PSD-TX-1062, Special Condition 1 PERMIT

O-01386, General Terms and Conditions OP

Description: Failure to comply with the permitted Nitrogen Oxides (NOx) emission limit for the Lube Hydrogen Cracking Unit (LHCU) Prefractionator Heater.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.145(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01386, General Terms and Conditions OP

O-01386, Special Condition 1A OP

Description: Failure to submit the Boiler 35 Continuous Emission Monitoring Systems (CEMS) Relative Accuracy Test Audit (RATA) within 60 days.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

30 TAC Chapter 122, SubChapter B 122.146(5)(C)(i)

30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)

30 TAC Chapter 122, SubChapter B 122.146(5)(C)(iii)

30 TAC Chapter 122, SubChapter B 122.146(5)(C)(iv)

30 TAC Chapter 122, SubChapter B 122.146(5)(C)(v)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01386, General Terms and Conditions OP

Special Terms and Conditions No. 18 OP

Description: Failure to report the occurrence of deviations in deviation reports.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 116, SubChapter G 116.715(c)(7)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 01386, General Terms and Conditions OP

01386, Special Condition 16 OP

8404/PSD-TX-1062, Special Condition 1 PERMIT

8404/PSD-TX-1062, Special Condition 5 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit. EIC A8c(2)(A)(ii) MOD (2)(D)

- 3 Effective Date: 05/08/2011 ADMINORDER 2010-1514-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
 30 TAC Chapter 106, SubChapter A 106.6(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16 OP
 Description: Failure to maintain the VOC emission rate below the allowable emission limit at the West API Separator TO, EPN: APISEP FE, as represented in the PI-7 CERT. A8(c)(2)(A)(ii) MOD(2)(D)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
 FOP 1386, General Terms and Condition OP
 FOP 1386, Special Condition 16A OP
 Description: Failure to maintain the NOx and CO emission rates below the allowable emission limit at the VPS4 Combined Heater Stack (EPN: SVPS4-7). EIC A8(c)(2)(A)(ii) MOD(2)(D)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 Description: Failure to maintain the CO emissions rate below the allowable emission limit at the CRU4 Combined Heater Stack (EPN: SCR4-1). EIC A8(c)(2)(A)(ii) MOD(2)(D)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 Description: Failure to maintain the CO emission rate below the allowable emission limit at the VPS2 Combined Heater Stack (EPN: SVPS2-1). A8(c)(2)(A)(ii) MOD(2)(D)
- 4 Effective Date: 01/27/2012 ADMINORDER 2011-0688-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)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
 8404/PSD-TX-1062, Special Condition 5 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 Description: Failed to prevent unauthorized emissions. Since the emissions event could have been avoided by better operational and/or maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
- 5 Effective Date: 08/02/2012 ADMINORDER 2011-2212-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Minor

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

Rqmt Prov: FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 2F OP

Description: Failed to submit the initial notification for a reportable emissions event within 24 hours of discovery. Specifically, the emissions event was discovered on June 28, 2011 at 5:22 a.m., but the initial notification was not submitted until June 29, 2011 at 9:03 p.m.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 5 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failed to prevent unauthorized emissions. Specifically, 1,938.16 pounds of unauthorized sulfur dioxide emissions were released during an unavoidable emissions event (Incident No. 156286) that began on June 28, 2011 and lasted five hours and 47 minutes. The release occurred when the Sulfur Recovery Unit 4 diverter valve opened to the Tail Gas Treating Unit 2 Incinerator due to a failure in a field electrical termination assembly. Since the emissions event was reported late, the Respondent is

6 Effective Date: 03/21/2013 ADMINORDER 2012-1591-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)(A)
5A THSC Chapter 341, SubChapter A 341.033(a)

Description: Failure to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)
5A THSC Chapter 341, SubChapter A 341.0351

Description: Failure to notify the executive director prior to making a significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(f)(1)
30 TAC Chapter 290, SubChapter D 290.45(f)(4)
30 TAC Chapter 290, SubChapter D 290.45(f)(5)

Description: Failure to provide a water purchase contract that authorizes a maximum daily purchase rate or a uniform purchase rate to meet a minimum production capacity of 0.6 gallon per minute per connection, and that authorizes a maximum hourly purchase rate plus the actual service pump capacity of at least 2.0 gpm per connection or is at least 1,000 gpm and able to meet peak hourly demands, whichever is less.

Classification: Moderate

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

Description: Failure to plug abandoned wells or submit test results proving that the wells are in a nondeteriorated condition.

7 Effective Date: 06/03/2013 ADMINORDER 2011-1461-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 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 31B PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the VOC emissions rate below the allowable emission limit at the DCU1 Cooling Tower (EPN: FKDCU1). EIC A8(c)(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 40 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the H2SO4 and VOC emission rate below the allowable emission limit by not routing emissions from the spent acid tanks (EPNs: TAL35142 and TAL35143) to the facility's vapor recovery system. A8(c)(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.130(b)
5C THSC Chapter 382 382.054
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, General Condition 11 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to obtain a FOP to operate Tank No. 2094. EIC A2(c) MOD(2)(B)

8 Effective Date: 09/30/2013 ADMINORDER 2012-2014-MLM-E (1660 Order-Agreed Order With Denial)

Classification: Minor

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 335, SubChapter A 335.4(1)

Rqmt Prov: Permit Conditions No. 2.g PERMIT

Description: Failed to prevent the unauthorized discharge of industrial waste.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Eff. Lim. & Mon. Reqs. No. 1 PERMIT

Description: Failed to comply with the permitted effluent limitations.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Operational Reqs. No. 1 PERMIT

Description: Failed to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. Specifically, extended growth of grass and wooded vegetation was noted in and around impoundment Cell Nos. 2 and 3 (Outfall No. 021).

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Operational Reqs. No. 1 PERMIT

Description: Failure by Motiva Port Arthur to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. Specifically, a large build-up of slime was noted on the inner walls of Clarifier D. In addition, the effluent weir ring was not properly leveled and was clogged in places by dead algae.

9 Effective Date: 09/30/2013 ADMINORDER 2012-1628-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 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 5 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(2)(A)(ii) MOD (2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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: 3387, General Terms and Conditions OP

3387, Special Condition 18 OP

6056/PSD-TX-1062M1, Special Condition 1 PERMIT

6056/PSD-TX-1062M1, Special Condition 5 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(2)(A)(ii) MOD (2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

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: 3387, General Terms and Conditions OP

3387, Special Condition 18 OP

6056/PSD-TX-1062M1, Special Condition 1 PERMIT

6056/PSD-TX-1062M1, Special Condition 5 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(2)(A)(ii) MOD (2)(D)

10 Effective Date: 11/01/2013 ADMINORDER 2013-0304-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: 6056/PSD-TX-1062M1 Special Condition 1 PERMIT

O-03387 Special Condition 18 OP

Description: Failed to comply with the permitted NOx emissions rate of 5.22 lbs/hr for EPNs STGTU6-1 and STGTU7-1.

Specifically, during stack testing conducted on July 24 through July 27, 2012, it was determined that the NOx emissions rate from EPN STGTU6-1 was 7.095 lbs/hr, resulting in the release of approximately 495 lbs of unauthorized NOx emissions. In addition, the NOx emissions rate from EPN STGTU7-1 was determined to be 5.364 lbs/hr, resulting in the release of approximately 680.83 lbs of unauthori

11 Effective Date: 11/11/2013 ADMINORDER 2013-0551-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

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: GENERAL TERMS AND CONDITIONS OP

SC 1 PERMIT

SC 16A OP

SC 1A OP

Description: Failure to comply with the 2011 annual emissions rates for five storage tanks.

12 Effective Date: 12/19/2013 ADMINORDER 2012-0735-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)

30 TAC Chapter 116, SubChapter G 116.715(c)(7)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT

8404/PSD-TX-1062, Special Condition 5 PERMIT

FOP 1386, General Terms and Conditions OP

FOP 1386, Special Condition 16A OP

Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided through better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6056/PSD-TX-1062-M1, Special Condition 1 PERMIT
6056/PSD-TX-1062-M1, Special Condition 5 PERMIT
8404/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 5 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 3387, General Terms and Conditions OP
FOP 3387, Special Condition 18 OP

Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided through better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6056/PSD-TX-1062-M1, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 18 OP
FOP 3387, General Terms and Conditions OP

Description: Failed to comply with the maximum allowable SO2 hourly emissions rates.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failed to comply with the maximum allowable NOx hourly emissions rate.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6056/PSD-TX-1062, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failed to comply with the maximum allowable annual NOx and VOC emissions rates based on a rolling 12-month period.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	April 17, 2009	(735807)
Item 2	May 14, 2009	(768349)
Item 3	June 10, 2009	(768350)
Item 4	July 08, 2009	(743065)
Item 5	July 28, 2009	(762778)
Item 6	July 29, 2009	(762779)
Item 7	August 11, 2009	(804648)
Item 8	August 26, 2009	(763405)
Item 9	September 15, 2009	(804649)
Item 10	September 22, 2009	(763792)
Item 11	October 05, 2009	(765337)
Item 12	October 14, 2009	(804650)
Item 13	October 29, 2009	(776147)
Item 14	November 05, 2009	(776148)
Item 15	November 12, 2009	(776479)
Item 16	November 13, 2009	(804651)
Item 17	December 15, 2009	(804652)
Item 18	January 05, 2010	(786191)
Item 19	January 06, 2010	(784719)
Item 20	January 07, 2010	(786188)
Item 21	January 13, 2010	(804653)
Item 22	February 08, 2010	(790438)
Item 23	February 12, 2010	(776149)
Item 24	February 18, 2010	(785707)
Item 25	February 24, 2010	(790004)
Item 26	March 01, 2010	(787175)
Item 27	March 16, 2010	(830881)
Item 28	March 23, 2010	(791693)
Item 29	April 13, 2010	(830882)
Item 30	May 10, 2010	(830883)
Item 31	May 26, 2010	(798314)
Item 32	June 03, 2010	(803496)
Item 33	June 15, 2010	(846268)
Item 34	June 24, 2010	(826000)
Item 35	July 05, 2010	(829489)
Item 36	July 15, 2010	(860862)
Item 37	August 19, 2010	(866829)
Item 38	August 31, 2010	(848673)
Item 39	September 16, 2010	(873900)
Item 40	October 15, 2010	(881501)
Item 41	November 15, 2010	(865974)
Item 42	November 17, 2010	(888030)
Item 43	December 20, 2010	(896239)
Item 44	December 21, 2010	(884947)
Item 45	January 03, 2011	(884857)
Item 46	January 19, 2011	(891548)
Item 47	January 20, 2011	(902305)
Item 48	January 21, 2011	(891647)
Item 49	February 01, 2011	(880655)
Item 50	February 14, 2011	(909084)
Item 51	February 15, 2011	(894736)
Item 52	February 21, 2011	(899503)
Item 53	February 23, 2011	(899893)
Item 54	March 18, 2011	(916343)
Item 55	March 22, 2011	(901784)

Item 56	April 18, 2011	(924807)
Item 57	May 12, 2011	(906804)
Item 58	May 13, 2011	(938025)
Item 59	June 13, 2011	(945348)
Item 60	July 01, 2011	(936394)
Item 61	July 19, 2011	(952622)
Item 62	August 09, 2011	(959303)
Item 63	August 15, 2011	(948878)
Item 64	August 24, 2011	(948863)
Item 65	August 30, 2011	(951060)
Item 66	September 14, 2011	(965336)
Item 67	October 12, 2011	(951037)
Item 68	October 17, 2011	(971376)
Item 69	November 16, 2011	(977535)
Item 70	December 19, 2011	(984303)
Item 71	January 09, 2012	(976534)
Item 72	January 11, 2012	(976876)
Item 73	February 20, 2012	(997965)
Item 74	February 27, 2012	(989102)
Item 75	February 28, 2012	(989101)
Item 76	February 29, 2012	(989539)
Item 77	March 20, 2012	(1003489)
Item 78	April 21, 2012	(1010053)
Item 79	May 24, 2012	(1007755)
Item 80	May 29, 2012	(1007168)
Item 81	May 30, 2012	(1007271)
Item 82	June 08, 2012	(1009200)
Item 83	June 20, 2012	(1013221)
Item 84	June 23, 2012	(1009928)
Item 85	July 10, 2012	(1015329)
Item 86	July 16, 2012	(1015617)
Item 87	July 17, 2012	(1015681)
Item 88	July 19, 2012	(1015036)
Item 89	August 07, 2012	(1021223)
Item 90	August 17, 2012	(1037939)
Item 91	August 21, 2012	(1024044)
Item 92	August 28, 2012	(1027085)
Item 93	August 29, 2012	(1029494)
Item 94	September 17, 2012	(1029492)
Item 95	September 18, 2012	(1031350)
Item 96	September 26, 2012	(1034545)
Item 97	September 28, 2012	(1031002)
Item 98	October 01, 2012	(1024020)
Item 99	October 09, 2012	(1036486)
Item 100	October 10, 2012	(1036175)
Item 101	October 13, 2012	(1027759)
Item 102	October 15, 2012	(1029690)
Item 103	October 19, 2012	(1046671)
Item 104	October 26, 2012	(1030074)
Item 105	November 15, 2012	(1043432)
Item 106	November 19, 2012	(1060871)
Item 107	November 20, 2012	(1042530)
Item 108	December 19, 2012	(1060872)
Item 109	December 27, 2012	(1046511)
Item 110	January 21, 2013	(1078962)
Item 111	January 24, 2013	(1053845)
Item 112	February 05, 2013	(1051301)
Item 113	February 17, 2013	(1078961)
Item 114	February 20, 2013	(1051441)
Item 115	February 21, 2013	(1056295)

Item 116	March 20, 2013	(1059332)
Item 117	March 25, 2013	(1073967)
Item 118	April 04, 2013	(1077185)
Item 119	April 17, 2013	(1095699)
Item 120	May 16, 2013	(1087950)
Item 121	May 20, 2013	(1106624)
Item 122	June 17, 2013	(1110300)
Item 123	July 01, 2013	(1100091)
Item 124	July 12, 2013	(1117184)
Item 125	August 13, 2013	(1103447)
Item 126	August 19, 2013	(1124940)
Item 127	August 23, 2013	(1106435)
Item 128	August 29, 2013	(1113788)
Item 129	September 17, 2013	(1129540)
Item 130	October 03, 2013	(1122073)
Item 131	October 16, 2013	(1135270)
Item 132	October 21, 2013	(1124319)
Item 133	November 14, 2013	(1124564)
Item 134	November 18, 2013	(1140669)
Item 135	November 19, 2013	(1133062)
Item 136	December 19, 2013	(1147128)
Item 137	December 30, 2013	(1139488)
Item 138	January 06, 2014	(1139684)
Item 139	January 10, 2014	(1143535)
Item 140	January 16, 2014	(1144280)
Item 141	January 17, 2014	(1143636)
Item 142	February 07, 2014	(1145955)
Item 143	February 13, 2014	(1150182)
Item 144	March 04, 2014	(1152038)

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:	05/01/2013	(1078296)	CN600124051
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) GENERAL TERMS AND CONDITIONS OP SC 16A OP SC 25 PERMIT SC 27 PERMIT		
	Description:	Failure to conduct daily checks for hydrocarbons at the rich amine charge tanks at Amine Recovery Units 1, 2, 3 and 4.		
	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 SC 1A OP		
	Description:	Failure to report a deviation in a Semiannual Deviation Report.		
	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) GENERAL TERMS AND CONDITIONS OP SC 16A OP SC 29A PERMIT		
	Description:	Failure to conduct daily hydrocarbon checks at the 10- and 15-foot levels at the Sour Water Stripper Charge Level Tanks.		
	Self Report?	NO		Classification: Minor
	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
SC 1A OP

Description: Failure to report a deviation in a Semiannual Deviation Report.
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)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP
SC 29A PERMIT

Description: Failure to conduct weekly hand-gauged checks for hydrocarbons at the Sour Water Stripper Charge Level Tanks.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP

Description: Failure to report a deviation in a timely manner.
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)
GENERAL TERMS AND CONDITIONS OP
SC 36A PERMIT

Description: Failure to conduct olfactory, visual and auditory checks for each shift at Sulfur Recovery Units 2, 3 and 4.
Self Report? NO Classification: Minor

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
SC 1A OP

Description: Failure to report a deviation in a Semiannual Deviation Report.

2 Date: 08/06/2013 (1101262) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-6a(a)(1)
5C THSC Chapter 382 382.085(b)
SC 14E PERMIT
SC 18 OP
SC 1A OP

Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)(B)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to install lock-and-key mechanisms at several units to prevent bypass as reported in the 2nd quarter 2012 Benzene 40 CFR 61, Subpart FF Report.
Self Report? NO 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)
SC 18 OP
SC 1A OP
SC 54C PERMIT

Description: Failure to conduct daily stain tube testing for ammonia for 5 units for the first 60 days of operation.
Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 9(A) PERMIT
 Description: Failure to maintain 6 parts per million volumetric dry of ammonia at Cogeneration Power Plant 43 and 44 (EPN SPS4-3 and SPS4-4).
 Self Report? NO 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)
 SC 1 PERMIT
 SC 18 OP
 SC 1A OP
 Description: Failure to maintain emission limits at Sour Water Tanks 2076, 2077, and 2078.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 25 PERMIT
 Description: Failure to prevent leaks at the Sulfur Pit.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain nitrogen oxide emission limits at Coker Heater 2 (EPN DCU2-2).
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain carbon monoxide emission limits at Coke Heater 2 (EPN DCU2-2) during a heater trip.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 23 PERMIT
 Description: Failure to maintain 99.8% sulfur efficiency at the Sulfur Recovery Units 5 and 7.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 6 PERMIT
 SC 61 PERMIT
 Description: Failure to maintain hydrogen sulfide emission rates for three heaters at the facility as reported in the 3rd quarter 2012 CEMS Quarterly report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)

SC 18 OP
 SC 1A OP
 SC 55(A) PERMIT
 Description: Failure to conduct a Relative Accuracy Test on a hydrogen sulfide Continuous Emission Monitor at the Fuel Gas Plant as reported in the 4th quarter 2012 CEMS Quarterly report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.780
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 70 PERMIT

Description: Failure to maintain an operating temperature established during performance testing Regenerator Vent at Catalytic Reforming Unit 5 as reported in the Semiannual Report for 40 CFR 63, Subpart UUU.

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 72(A) PERMIT

Description: Failure to utilize a control device when operating a vacuum truck.

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT

Description: Failure to maintain carbon monoxide and nitrogen oxide emission rates at the No. 5 Catalytic Reforming Unit Platformer Nos. 1 and 2 Intermediate Heaters (EPN SCR5-1 and SCR5-2).

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 30 PERMIT

Description: Failure to maintain a retention time of three days at the Sour Water Stripper Surge System.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 6 PERMIT

Description: Failure to maintain the hydrogen sulfide emission limit at multiple sources at the facility.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(p)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 70 PERMIT

Description: Failure to submit an initial start-up notification of Sour Water Stripper No. 2 and associated fugitives.

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain carbon monoxide emission rates at Delayed Coking Unit Coker Heaters No. 1, 2, and 3 (EPNs SDCU2-1, SDCU2-2, and SDCU2-3).

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 30 PERMIT
 Description: Failure to maintain a retention time of three days at the Sour Water Stripper Surge System.

3

Date: 02/07/2014 (1139185) CN600124051

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 11E PERMIT
 SC 16A OP
 SC 1A OP
 SC 61 PERMIT
 Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 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(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 12H PERMIT
 SC 16A OP
 SC 1A OP
 SC 61 PERMIT
 SC 63 PERMIT
 Description: Failure to repair a leak within 15 days.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 Description: Failure to submit a PI-7 notification as required by 30 TAC 106.262.

Self Report? NO Classification: Minor
 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 a deviation in a Semiannual Deviation Report.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.780
 30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart UUU 63.1568(b)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 22 PERMIT
 SC 63 PERMIT

Description: Failure to maintain a sulfur dioxide concentration at or below 250 parts per million by volume over a 12-hour period at Sulfur Recovery Unit 4.

Self Report? NO 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)
 GENERAL TERMS AND CONDITIONS OP
 SC 1 PERMIT
 SC 16A OP

Description: Failure to maintain sulfur dioxide emission limit at Tail Gas Treating Unit No. 2 Incinerator (EPN STGTU2-1).

Self Report? NO 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)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A PERMIT
 SC 1A OP
 SC 38B PERMIT

Description: Failure to repair or isolate a hydrogen sulfide leak on a pump seal.

4

Date: 02/12/2014 (1145614) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)

Description: Failure by the Motiva Port Arthur Refinery to have an accurate plant schematic in the monitoring plan.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)

Description: Failure by the Motiva Port Arthur Refinery to conduct backflow tests annually.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)

Description: Failure by the Motiva Port Arthur Refinery to maintain records of flushing.

Self Report? NO Classification: Moderate

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

Description: Failure by the Motiva Port Arthur Refinery to have maintenance and housekeeping practices that ensure the good working condition and general appearances of the system's facilities and equipment.

Self Report? NO Classification: Moderate

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

Description: Failure by the Motiva Port Arthur Refinery to provide all storage tank vents with a screen.

Self Report? NO Classification: Minor

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

Description: Failure by the Motiva Port Arthur Refinery to maintain a gap less than 1/16th of an inch on the overflow flap of all ground storage tanks.

Self Report? NO Classification: Moderate

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

Description: Failure by the Motiva Port Arthur Refinery to conduct accuracy checks on the manual disinfectant analyzer once every 90 days.

5

Date: 02/28/2014 (1150511) CN600124051

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 12B OP
 SC 61 PERMIT
 SC 9 PERMIT

Description: Failure to conduct monthly water seal inspections.
 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)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 1A OP
 Description: Failure to report a deviation in a Semiannual Deviation Report and Annual Compliance Certification.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 1A OP
 SC 30 PERMIT
 Description: Failure to maintain coke moisture content.
 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)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 1A OP
 Description: Failure to report a deviation in a Semiannual Deviation Report and Annual Compliance Certification.

F. Environmental audits:

Notice of Intent Date: 06/26/2009 (761937)
 Disclosure Date: 03/10/2010
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146
 Description: Failure to monitor for the compliance of two special conditions of the facility NSR permit.

Notice of Intent Date: 07/21/2009 (775779)
 No DOV Associated

Notice of Intent Date: 02/24/2011 (905482)
 No DOV Associated

Notice of Intent Date: 12/09/2011 (980864)
 No DOV Associated

Notice of Intent Date: 10/11/2012 (1051293)
 No DOV Associated

Notice of Intent Date: 11/13/2012 (1058513)
 No DOV Associated

Notice of Intent Date: 07/08/2013 (1102689)
 No DOV Associated

G. Type of environmental management systems (EMSs):

1 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 4/14/2009 and 4/14/2014

1	Date: 03/31/2009 (750268) CN600124051	Classification: Moderate
	Self Report? YES	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
2	Date: 08/19/2009 (736499) CN600124051	Classification: Minor
	Self Report? NO	
	Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(H) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01386, General Terms and Conditions OP O-01386, Special Condition 2F OP	
	Description: Failure to determine the estimated total quantity of emissions released during a non-reportable emissions event.	
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 101, SubChapter F 101.221(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(9) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01386, General Terms and Conditions OP O-01386, Special Condition 2G OP	
	Description: Failure to properly operate all pollution emission capture equipment.	
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1) 5C THSC Chapter 382 382.085(b) 8404/PSD-TX-1062, Special Condition 1 PERMIT 8404/PSD-TX-1062, Special Condition 6 PERMIT 8404/PSD-TX-1062, Special Condition 71 PERMIT O-01386, General Terms and Conditions OP O-01386, Special Condition 16A OP O-01386, Special Condition 1A OP	
	Description: Failure to maintain the H2S content of the fuel gas to 160 ppmv averaged over a three hour period and to comply with the permitted SO2 emission limit at Delayed Coking Unit (DCU) Coke Heater Number 2.	
	Self Report? NO	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) 8404, Special Condition 82 PERMIT 8404/PSD-TX-1062, Special Condition 28 PERMIT O-01386, General Terms and Conditions OP O-01386, Special Condition 16A OP	
	Description: Failure to maintain a minimum retention time of three days at the sour water stripper surge system.	
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4) 5C THSC Chapter 382 382.085(b) 8404/PSD-TX-1062, SC 57B(2) PERMIT 8404/PSD-TX-1062, Special Condition 56F PERMIT 8404/PSD-TX-1062, Special Condition 71 PERMIT O-01386, General Terms and Conditions OP O-01386, Special Condition 16A OP O-01386, Special Condition 1A OP	
	Description: Failure to conduct the daily zero and span calibrations of Fuel Gas Drum H2S CEMS.	

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, SC 57B(2) PERMIT
8404/PSD-TX-1062, Special Condition 56C PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP
Description: Failure to conduct the daily zero and span calibrations of the Tail Gas Treating Unit
Number 1 (TGTU1) Oxygen (O2) CEMS.

Self Report? NO 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)
8404/PSD-TX-1062, Special Condition 31A PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
Description: Failure to properly monitor facility cooling towers according to TCEQ Sampling
Procedures Manual, Appendix P.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP
Description: Failure to continuously monitor the pilot flame at the CRU4 Flare (EPN: ECRU4).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP
Description: Failure to continuously monitor the pilot flame at the LHCU Flare (EPN: EHCU).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP
Description: Failure to continuously monitor the pilot flame at the HTU4 Flare (EPN: EHTU).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT

8404/PSD-TX-1062, Special Condition 71 PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP
 O-01386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the VPS4 Flare (EPN: EVPS4).
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 12E PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 8404/PSD-TX-1062, Special Condition 73 PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP
 O-01386, Special Condition 1A OP

Description: Failure to properly seal several open-ended lines with a cap, plug, or blind flange.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 1 PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP

Description: Failure to maintain emission rates below the allowable annual emission limits at SCDHDS Heater 1 (EPN: SCDHDS-1).
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 117, SubChapter G 117.8100(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, SC 57B(2) PERMIT
 8404/PSD-TX-1062, Special Condition 56B PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP
 O-01386, Special Condition 1A OP

Description: Failure to conduct the daily zero and span calibrations of the CRU4 Flue Gas Stack NOx CEMS.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 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)
 8404/PSD-TX-1062, Special Condition 23 PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP

Description: Failure to properly control sour gas emissions during sulfur truck loading.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 5B PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 O-01386, General Terms and Conditions OP
 O-01386, Special Condition 16A OP
 O-01386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the DCU Flare (EPN: EDCU1).
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 113, SubChapter C 113.780
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)
8404/PSD-TX-1062, Special Condition 55B PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
Description: Failure to maintain the scrubbing solution at the CRU4 Caustic (HCl) Scrubber at or above a pH of 7.0.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
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)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 72 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to perform monthly visual inspections in July 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to operate the VPS4 Flare (EPN: EVPS4) with a pilot flame.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to maintain the Ammonia (NH3) slip below the allowable emission limit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the ALKY Flare (EPN: EFCCU1&2).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the FCCU3 Flare (EPN: EFCCU3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 117, SubChapter B 117.145
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(d)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 71 PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP
O-01386, Special Condition 1A OP

Description: Failure to report CEMS performance and excess emissions in the correct format.
Self Report? NO Classification: Minor

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)
8404/PSD-TX-1062, Special Condition 52E PERMIT
O-01386, General Terms and Conditions OP
O-01386, Special Condition 16A OP

Description: Failure to submit the HTU5 Charge Heater initial compliance testing reporting within 45 days.

3 Date: 01/31/2010 (804647) CN600124051
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

4 Date: 03/11/2010 (792029) CN600124051
Self Report? NO Classification: Minor
Citation: ELMR PERMIT
Description: Failure by Motiva Enterprises, LLC to notify the Regional Office 45 days prior to Outfall 003 activation or the anticipated discharge.
Self Report? NO Classification: Minor
Citation: MRR PERMIT
Description: Failure by Motiva Enterprises, LLC to provide the 24-hour notice and five-day written report within the proper timelines for an unauthorized discharge.
Self Report? NO Classification: Moderate
Citation: PC PERMIT
Description: Failure by Motiva Enterprises, LLC to prevent an unauthorized discharge of wastewater into or adjacent to water of the state.
Self Report? NO Classification: Moderate
Citation: ELMR PERMIT
Description: Failure by Motiva Enterprises, LLC to discharge compliant effluent with the total organic carbon daily maximum permit limit at Outfall 008.
Self Report? NO Classification: Minor
Citation: MRR PERMIT
Description: Failure by Motiva Enterprises, LLC to retain monitoring and reporting records for three years.
Self Report? NO Classification: Minor
Citation: OpR PERMIT
Description: Failure by Motiva Enterprises, LLC to properly operate and maintain units of collection and treatment.
Self Report? NO Classification: Moderate
Citation: PC PERMIT
Description: Failure by Motiva Enterprises, LLC to prevent unauthorized discharge of wastewater into or adjacent to water in the state.
Self Report? NO Classification: Minor
Citation: OpR PERMIT
Description: Failure by Motiva Enterprises, LLC to properly operate and maintain units of treatment and collection.
Self Report? NO Classification: Minor
Citation: OpR PERMIT
Description: Failure by Motiva Enterprises, LLC to properly operate and maintain units of treatment and collection.
Self Report? NO Classification: Minor
Citation: ELMR PERMIT
Description: Failure by Motiva Enterprises, LLC to collect samples in accordance with the permit frequency.
Self Report? NO Classification: Minor
Citation: OT PERMIT

Description: Failure by Motiva Enterprises, LLC to submit the statement, "The reported value of zero for (parameter) on the self-reporting form for (date range) is based on the following conditions: 1) the analytical method used had a method detection level as sensitive as the MAL specified in the permit, and 2) the analytical results contained no detectable levels above the specified MAL", on the discharge monitoring report (DMR) when reporting a zero.

Self Report? NO Classification: Minor

Citation: MRR PERMIT

Description: Failure by Motiva Enterprises, LLC to comply with test procedures specified in 30 TAC 319.11 - 319.12.

5 Date: 03/23/2010 (787899) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
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)
O-01386, General Terms and Conditions OP
O-01386, Special Condition 2F OP
O-01386, Special Condition 2I OP

Description: Failure to properly submit an initial notification and the final report for an emissions event.

6 Date: 08/26/2010 (848872) CN600124051

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(9)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
Permit 8404/PSD-TX-1062, SC 23 PERMIT

Description: Failure to properly control sour gas emissions during sulfur truck loading with the vapor collection system. EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
8404/PSD-TX-1062, Special Condition 12E PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to properly seal several open-ended lines with a cap, plug, or blind flange. EIC C10 MOD2(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 38 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to comply with the permitted hourly maximum allowable concentrations for CO from the FCCU regeneration vent/vent gas stack (EPN: SFCCU3-2). EIC B13 MOD2(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 22 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to comply with the 250 ppmv 12 hour emission limit for SO2 at TGTU1 and TGTU2. EIC B13 MOD(2)(D)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.142(1)(H)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(a)(3)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 72 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to repair a seal within the required time frame. EIC C4 MIN(3)(A)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.142(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(a)(1)(i)(B)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 72 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to properly seal the sump cover seal at HTU4 DO and the Lube Train Rich Amine Unit. EIC C4 MIN(3)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to continuously operate with a flame present at the CRU4, LHCU, FCCU3, and ALKY flares. EIC B19(g)(1) MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 20 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 15 OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the SRU Incinerator Vent (EPN: STGTU-1) firebox temperature above 1200 degrees Fahrenheit. EIC B19(g)(1) MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to make a first attempt at repair of a leaking component within 5 days of discovery. EIC C4 MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 55B PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the scrubbing solution at the CRU4 Caustic (HCl) Scrubber at or above a pH of 7.0. EIC B18 MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the CRU4 flare. EIC B1 MOD(2)(A)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 6 PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to maintain the H2S content of the fuel gas below 160 ppmv averaged over a three hour period and no more than 130 ppmv on a rolling 24-hour basis. EIC B13 MOD2(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 57F PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to comply with the permitted O2 and SO2 CEMS downtime on a rolling 12-month period for TGTU1-1 and TGTU2-1 and the NOx CEMS downtime on a rolling 12-month period for the FCCU3. EIC B19(g)(1) MOD(2)(A)

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 1386, General Terms and Conditions OP

Description: Failure to report all instances of deviations in a semi-annual deviation reports. EIC B3 MOD(2)(B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP

Description: Failure to accurately certify an Annual Compliance Certification (ACC). EIC B3 MOD(2)(B)

7 Date: 04/19/2011 (901402) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.145(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 1A OP

Description: Failure to submit a report in a timely manner. MIN (3)(C) EIC C3

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(10)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 23 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP

Description: Failure to properly control sour gas emissions during sulfur truck loading with the vapor collection system. EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 12E PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 8404/PSD-TX-1062, Special Condition 73 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 FOP 1386, Special Condition 1A OP

Description: Failure to properly seal several open-ended lines with a cap, plug, or blind flange. EIC C10 MOD2(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 5B PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 FOP 1386, Special Condition 1A OP

Description: Failure to continuously operate with a flame present at the VPS4, FCCU3, and ALKY flares. EIC B19(g)(1) MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 8404/PSD-TX-1062, Special Condition 73 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP

Description: Failure to make a first attempt at repair of a leaking component within 5 days of discovery. EIC C4 MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 6 PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 FOP 1386, General Terms and Conditions OP

FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to maintain the H2S content of the fuel gas below 160 ppmv averaged over a three hour period and no more than 120 ppmv on a rolling 24-hour basis. EIC B13 MOD2(D)

Self Report? NO 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)
8404/PSD-TX-1062, Special Condition 49 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the coke moisture content at or above 8.0%. EIC B19(g)(1) MOD2(G)

Self Report? NO 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)
8404/PSD-TX-1062, Special Condition 57F PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to comply with the permitted the NOx CEMS downtime on a rolling 12-month period for the FCCU3. EIC B19(g)(1) MOD(2)(A)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to make a final repair on a leaking component within 15 days after discovery. EIC C4 MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 10 PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to perform monthly water seal inspections at the FCCU3 Unit. EIC B1 MOD(2)(A)

Self Report? NO 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)
8404/PSD-TX-1062, Special Condition 57E PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to submit notification 30 days prior to conducting RATAs. EIC B3 MOD(2)(B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.655(h)(2)(i)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 71 PERMIT
8404/PSD-TX-1062, Special Condition 73 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to submit annual tank inspection report within 30 days after the inspection and to submit 30 day notifications prior to refilling tanks. EIC B3 MOD(2)(B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the ALKY Flare (EPN: EFCCU1&2), FCCU3 Flare (EPN: EFCCU3), VPS4 Flare (EPN: EVPS4), and the LHCU Flare (EPN: EHCU). EIC B1 MOD(2)(A)

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 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
54322 PERMIT
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the Ammonia (NH3) emissions rate below the allowable emission limit at the Waste Heat Boiler Stack, Emission Point Number (EPN) WHB37SCR. EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.217(a)(2)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to submit to the executive director an application for a minor permit revision before the change is operated. EIC B3 MOD(2)(B)

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 1386, General Terms and Conditions OP

Description: Failure to report all instances of deviations in a semi-annual deviation report. EIC B3 MOD(2)(B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP

Description: Failure to accurately certify a compliance certification. EIC B3 MOD(2)(B)

9 Date: 08/26/2011 (914048) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.14(c)
P.P. III. C. 2. SECURITY PERMIT

Description: Failure to place sufficient number of signs that read "Danger - Unauthorized Personnel Keep Out" at all access points and barriers of active waste management portions.

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 335, SubChapter H 335.261(b)(31)
40 CFR Chapter 273, SubChapter I, PT 273, SubPT C 273.33(d)(1)
Description: Failure to properly contain all (eight) "Universal Waste - Lamps" in containers or packages that are structurally sound and adequate to prevent breakage.

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)
 Description: Failure to store hazardous waste (expired lab chemicals) within the allowed accumulation time of less than 90 days.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A 335.9
 Description: Failure to provide to the TCEQ, industrial and hazardous solid waste records, such as the inventory list of expired lab chemicals and recycled expired lab chemicals records.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 327 327.5(a)
 P.P. III. E. 2. PERMIT
 Description: Failure to immediately initiate clean-up of waste residue when a leak of quench water impacted the tank wall of Quench Water Tank No.: 1830.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(A)
 Description: Failure to maintain two universal waste containers closed, except when necessary to add or remove waste.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(F)
 Description: Failure to properly label two universal waste containers with the words "Universal Waste - Paint and Paint -Related Wastes".
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 330, SubChapter Y 330.1207(c)(4)
 Description: Failure to conspicuously mark the outer container with a warning legend that must appear in English and in Spanish, along with the international symbol for biohazardous material.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 327 327.5(a)
 Permit 50188, P.P. III.E.2 PERMIT
 Description: Failure to immediately initiate clean-up of two spills of hydrocarbon at the side and rear of the BS&W loading rack.

10 Date: 12/31/2011 (990604) CN600124051
 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

11 Date: 04/12/2012 (993982) CN600124051
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 8404/PSD-TX-1062, Special Condition 12E PERMIT
 8404/PSD-TX-1062, Special Condition 71 PERMIT
 8404/PSD-TX-1062, Special Condition 73 PERMIT
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 FOP 1386, Special Condition 1A OP
 Description: Failure to properly seal several open-ended lines with a cap, plug, or blind flange. EIC C10 MOD2(G)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP 1386, General Terms and Conditions OP
 FOP 1386, Special Condition 16A OP
 Permit 8404, Special Condition 23 PERMIT
 Description: Failure to properly control sour gas emissions with the vapor collection system. EIC B18 MOD(2)(D)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain the Nitrogen oxides (NOx) emission rate below the allowable emission limit at the Vacuum Pipe Still 4 (VPS4) Combined Heater Stack (EPN: SVPS4-7). EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
6056/PSD-TX-1062-M1, Special Condition 1 PERMIT
8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 3387, General Terms and Conditions OP
FOP 3387, Special Condition 18 OP

Description: Failure to maintain the Sulfur dioxide (SO2) emission rate below the allowable emission limit at the Emission Point Numbers (EPNs): SCR4-1, SPS3-2, SVPS4-2, SVPS4-3, SVPS4-5, and SVPS4-6. EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to continuously operate with a flame present at the VPS4 and Hydrogen Treating Unit (HTU) flares. EIC B19(g)(1) MOD(2)(G)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 5B PERMIT
8404/PSD-TX-1062, Special Condition 71 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP
FOP 1386, Special Condition 1A OP

Description: Failure to continuously monitor the pilot flame at the Delayed Coking Unit 1 (DCU1) Flare (EPN: EDCU1). EIC B1 MOD(2)(A)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
8404/PSD-TX-1062, Special Condition 1 PERMIT
FOP 1386, General Terms and Conditions OP
FOP 1386, Special Condition 16A OP

Description: Failure to maintain TPY below the permitted limit for EPNs: SVPS4-4, SVPS4-1, and TK 1945. EIC B18 MOD(2)(D)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
FOP 1386, General Terms and Conditions OP

Description: Failure to submit an Annual Compliance Certification (ACC) report within 30 days after the end of the reporting period.
B3 MOD(2)(B)

12 Date: 04/30/2012 (1016448) CN600124051
 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

13 Date: 05/31/2012 (1024167) CN600124051
 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

14* Date: 02/15/2013 (1054456) CN600124051
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-6a(a)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 11E PERMIT
 SC 16A OP
 SC 1A OP
 Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.
 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 a deviation in a Semiannual Deviation Report.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 11 PERMIT
 SC 16A OP
 SC 1A OP
 SC 61 PERMIT
 Description: Failure to conduct fugitive monitoring on 144 valves in volatile organic compound service.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.42(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 1B PERMIT
 Description: The facility failed to maintain opacity limits at Boiler 34 (EPN SPS3-4).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 6 PERMIT
 SC 61 PERMIT
 Description: Failure to maintain hydrogen sulfide emission rates for multiple sources at the

facility.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.44
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 1B PERMIT
 Description: Failure to maintain nitrogen oxide limits at Boiler 34 (EPN SPS3-4) and Boiler 35 (EPN SP3-5).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.42(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 1B PERMIT
 Description: Failure to maintain opacity limits at Boiler 34 (EPN SPS3-4) and Boiler 35 (EPN SP3-5).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 1B PERMIT
 SC 9(a) OP
 Description: Failure to report an opacity exceedance in the 3rd quarter 2011 CEMS report.
 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 a deviation in a Semiannual Deviation Report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 5B PERMIT
 SC 61 PERMIT
 Description: Failure to continuously monitor flares to confirm a flame present at all times.
 Self Report? NO Classification: Minor
 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)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 59 PERMIT
 SC 72 PERMIT
 Description: Failure to maintain records of Maintenance, Startup, and Shutdown activities involving vacuum trucks.
 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 a deviation in a deviation report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 20 PERMIT

Description: Failure to maintain 1200 degrees Fahrenheit at Tail Gas Treating Unit No. 1 Incinerator (EPN STGTU-1).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 10 PERMIT
 SC 16A OP
 SC 1A OP
 SC 61 PERMIT

Description: Failure to conduct monthly drain inspections at several units.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-5(e)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 61 PERMIT

Description: Failure to operate a closed vent system with no detectable emissions.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.655(g)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 63 PERMIT

Description: Failure to maintain five Storage Tanks in good condition during the reporting period of January-June 2012.
 Self Report? NO Classification: Minor
 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)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP
 SC 1A OP
 SC 73(C)(3) PERMIT

Description: Failure to monitor carbon canisters on an hourly basis.
 Self Report? NO Classification: Minor
 Citation: 106.532, Condition (1)(N) PERMIT
 30 TAC Chapter 106, SubChapter X 106.532(1)(N)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SC 16A OP

Description: Failure to maintain proper abatement of wastewater at the Wastewater Treatment Unit.
 Self Report? NO 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)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP
SC 72(A) PERMIT

Description: Failure to use a control device while vacuuming gasoline with a vacuum truck.

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 a deviation in a Semiannual Deviation Report.

15* Date: 05/01/2013 (1078296) CN600124051

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

SC 16A OP
SC 25 PERMIT
SC 27 PERMIT

Description: Failure to conduct daily checks for hydrocarbons at the rich amine charge tanks at Amine Recovery Units 1, 2, 3 and 4.

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
SC 1A OP

Description: Failure to report a deviation in a Semiannual Deviation Report.

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)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP
SC 29A PERMIT

Description: Failure to conduct daily hydrocarbon checks at the 10- and 15-foot levels at the Sour Water Stripper Charge Level Tanks.

Self Report? NO Classification: Minor

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
SC 1A OP

Description: Failure to report a deviation in a Semiannual Deviation Report.

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)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP
SC 29A PERMIT

Description: Failure to conduct weekly hand-gauged checks for hydrocarbons at the Sour Water Stripper Charge Level Tanks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP

Description: Failure to report a deviation in a timely manner.

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)
GENERAL TERMS AND CONDITIONS OP
SC 36A PERMIT

Description: Failure to conduct olfactory, visual and auditory checks for each shift at Sulfur Recovery Units 2, 3 and 4.

Self Report? NO Classification: Minor

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
SC 1A OP

Description: Failure to report a deviation in a Semiannual Deviation Report.

16* Date: 08/06/2013 (1101262) CN600124051

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-6a(a)(1)
5C THSC Chapter 382 382.085(b)
SC 14E PERMIT
SC 18 OP
SC 1A OP

Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)(B)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to install lock-and-key mechanisms at several units to prevent bypass as reported in the 2nd quarter 2012 Benzene 40 CFR 61, Subpart FF Report.

Self Report? NO 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)
SC 18 OP
SC 1A OP
SC 54C PERMIT

Description: Failure to conduct daily stain tube testing for ammonia for 5 units for the first 60 days of operation.

Self Report? NO 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)
SC 18 OP
SC 1A OP
SC 9(A) PERMIT

Description: Failure to maintain 6 parts per million volumetric dry of ammonia at Cogeneration Power Plant 43 and 44 (EPN SPS4-3 and SPS4-4).

Self Report? NO 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)
SC 1 PERMIT
SC 18 OP
SC 1A OP

Description: Failure to maintain emission limits at Sour Water Tanks 2076, 2077, and 2078.

Self Report? NO 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)
SC 18 OP
SC 1A OP
SC 25 PERMIT

Description: Failure to prevent leaks at the Sulfur Pit.

Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain nitrogen oxide emission limits at Coker Heater 2 (EPN DCU2-2).
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain carbon monoxide emission limits at Coke Heater 2 (EPN DCU2-2) during a heater trip.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 23 PERMIT
 Description: Failure to maintain 99.8% sulfur efficiency at the Sulfur Recovery Units 5 and 7.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 6 PERMIT
 SC 61 PERMIT
 Description: Failure to maintain hydrogen sulfide emission rates for three heaters at the facility as reported in the 3rd quarter 2012 CEMS Quarterly report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 55(A) PERMIT
 Description: Failure to conduct a Relative Accuracy Test on a hydrogen sulfide Continuous Emission Monitor at the Fuel Gas Plant as reported in the 4th quarter 2012 CEMS Quarterly report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.780
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 70 PERMIT
 Description: Failure to maintain an operating temperature established during performance testing Regenerator Vent at Catalytic Reforming Unit 5 as reported in the Semiannual Report for 40 CFR 63, Subpart UUU.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP

SC 72(A) PERMIT
 Description: Failure to utilize a control device when operating a vacuum truck.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain carbon monoxide and nitrogen oxide emission rates at the No. 5
 Catalytic Reforming Unit Platformer Nos. 1 and 2 Intermediate Heaters (EPN SCR5-1
 and SCR5-2).
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 30 PERMIT
 Description: Failure to maintain a retention time of three days at the Sour Water Stripper Surge
 System.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 6 PERMIT
 Description: Failure to maintain the hydrogen sulfide emission limit at multiple sources at the
 facility.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(p)
 5C THSC Chapter 382 382.085(b)
 SC 18 OP
 SC 1A OP
 SC 70 PERMIT
 Description: Failure to submit an initial start-up notification of Sour Water Stripper No. 2 and
 associated fugitives.
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 8 PERMIT
 Description: Failure to maintain carbon monoxide emission rates at Delayed Coking Unit Coker
 Heaters No. 1, 2, and 3 (EPNs SDCU2-1, SDCU2-2, and SDCU2-3).
 Self Report? NO 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)
 SC 18 OP
 SC 1A OP
 SC 30 PERMIT
 Description: Failure to maintain a retention time of three days at the Sour Water Stripper Surge
 System.

17 Date: 02/07/2014 (1139185) CN600124051
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 11E PERMIT
SC 16A OP
SC 1A OP
SC 61 PERMIT
Description: Failure to maintain a line with a cap, blind flange, plug, or second valve in volatile organic compound service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
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(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)(1)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 12H PERMIT
SC 16A OP
SC 1A OP
SC 61 PERMIT
SC 63 PERMIT

Description: Failure to repair a leak within 15 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP

Description: Failure to submit a PI-7 notification as required by 30 TAC 106.262.

Self Report? NO Classification: Minor

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 a deviation in a Semiannual Deviation Report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart UUU 63.1568(b)(1)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 16A OP
SC 1A OP
SC 22 PERMIT
SC 63 PERMIT

Description: Failure to maintain a sulfur dioxide concentration at or below 250 parts per million by volume over a 12-hour period at Sulfur Recovery Unit 4.

Self Report? NO 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)
GENERAL TERMS AND CONDITIONS OP
SC 1 PERMIT
SC 16A OP

Description: Failure to maintain sulfur dioxide emission limit at Tail Gas Treating Unit No. 2 Incinerator (EPN STGTU2-1).

Self Report? NO 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)
GENERAL TERMS AND CONDITIONS OP

SC 16A PERMIT
SC 1A OP
SC 38B PERMIT

Description: Failure to repair or isolate a hydrogen sulfide leak on a pump seal.

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Date: 02/12/2014 (1145614) CN600124051
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)(A)
Description: Failure by the Motiva Port Arthur Refinery to have an accurate plant schematic in the monitoring plan.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)
Description: Failure by the Motiva Port Arthur Refinery to conduct backflow tests annually.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
Description: Failure by the Motiva Port Arthur Refinery to maintain records of flushing.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure by the Motiva Port Arthur Refinery to have maintenance and housekeeping practices that ensure the good working condition and general appearances of the system's facilities and equipment.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)
Description: Failure by the Motiva Port Arthur Refinery to provide all storage tank vents with a screen.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)
Description: Failure by the Motiva Port Arthur Refinery to maintain a gap less than 1/16th of an inch on the overflow flap of all ground storage tanks.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)
Description: Failure by the Motiva Port Arthur Refinery to conduct accuracy checks on the manual disinfectant analyzer once every 90 days.

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Date: 02/28/2014 (1150511) CN600124051
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 12B OP
SC 61 PERMIT
SC 9 PERMIT
Description: Failure to conduct monthly water seal inspections.
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)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP
Description: Failure to report a deviation in a Semiannual Deviation Report and Annual Compliance Certification.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP
SC 30 PERMIT
Description: Failure to maintain coke moisture content.
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)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SC 1A OP
Description: Failure to report a deviation in a Semiannual Deviation Report and Annual

Compliance Certification.

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

Appendix B**All Investigations Conducted During Component Period April 14, 2009 and April 14, 2014**

Item 1*	April 17, 2009**	(735807)	For Informational Purposes Only
Item 2	May 13, 2009**	(741748)	For Informational Purposes Only
Item 3*	May 14, 2009**	(768349)	For Informational Purposes Only
Item 4*	June 10, 2009**	(768350)	For Informational Purposes Only
Item 5	June 30, 2009**	(740428)	For Informational Purposes Only
Item 6	July 01, 2009**	(747125)	For Informational Purposes Only
Item 7*	July 08, 2009**	(743065)	For Informational Purposes Only
Item 8	July 09, 2009**	(759482)	For Informational Purposes Only
Item 9	July 13, 2009**	(738830)	For Informational Purposes Only
Item 10*	July 28, 2009**	(762778)	For Informational Purposes Only
Item 11*	July 29, 2009**	(762779)	For Informational Purposes Only
Item 12*	August 11, 2009**	(804648)	For Informational Purposes Only
Item 13	August 19, 2009**	(736499)	For Informational Purposes Only
Item 14*	August 26, 2009**	(763405)	For Informational Purposes Only
Item 15*	September 15, 2009**	(804649)	For Informational Purposes Only
Item 16*	September 22, 2009**	(763792)	For Informational Purposes Only
Item 17*	October 05, 2009**	(765337)	For Informational Purposes Only
Item 18	October 14, 2009**	(777541)	For Informational Purposes Only
Item 19	October 22, 2009**	(780067)	For Informational Purposes Only
Item 20	October 23, 2009**	(780058)	For Informational Purposes Only
Item 21*	October 29, 2009**	(776147)	For Informational Purposes Only
Item 22*	November 05, 2009**	(776148)	For Informational Purposes Only
Item 23*	November 12, 2009**	(776479)	For Informational Purposes Only
Item 24*	November 13, 2009**	(804651)	For Informational Purposes Only
Item 25*	December 15, 2009**	(804652)	For Informational Purposes Only
Item 26*	January 05, 2010**	(786191)	For Informational Purposes Only
Item 27*	January 06, 2010**	(784719)	For Informational Purposes Only
Item 28*	January 07, 2010**	(786188)	For Informational Purposes Only
Item 29*	January 13, 2010**	(804653)	For Informational Purposes Only
Item 30	February 07, 2010**	(781801)	For Informational Purposes Only
Item 31*	February 08, 2010**	(790438)	For Informational Purposes Only
Item 32*	February 12, 2010**	(776149)	For Informational Purposes Only
Item 33	February 16, 2010**	(804647)	For Informational Purposes Only
Item 34*	February 18, 2010**	(785707)	For Informational Purposes Only
Item 35	February 19, 2010**	(763912)	For Informational Purposes Only
Item 36*	February 24, 2010**	(790004)	For Informational Purposes Only
Item 37*	March 01, 2010**	(787175)	For Informational Purposes Only
Item 38	March 11, 2010**	(792029)	For Informational Purposes Only
Item 39*	March 16, 2010**	(830881)	For Informational Purposes Only
Item 40	March 17, 2010**	(791310)	For Informational Purposes Only

Item 41	March 22, 2010**	(787899)
Item 42*	March 23, 2010**	(791693)
Item 43*	April 13, 2010**	(830882)
Item 44	May 07, 2010**	(800076)
Item 45*	May 10, 2010**	(830883)
Item 46*	May 26, 2010**	(798314)
Item 47*	June 03, 2010**	(803496)
Item 48*	June 15, 2010**	(846268)
Item 49*	June 24, 2010**	(826000)
Item 50	July 01, 2010**	(747625)
Item 51*	July 05, 2010**	(829489)
Item 52*	July 15, 2010**	(860862)
Item 53	July 29, 2010**	(843409)
Item 54*	August 19, 2010**	(866829)
Item 55	August 26, 2010**	(848872)
Item 56*	August 31, 2010**	(848673)
Item 57*	September 16, 2010**	(873900)
Item 58*	October 15, 2010**	(881501)
Item 59	October 21, 2010**	(850066)
Item 60	November 02, 2010**	(872412)
Item 61*	November 15, 2010**	(865974)
Item 62*	November 17, 2010**	(888030)
Item 63	November 29, 2010**	(872941)
Item 64*	December 20, 2010**	(896239)
Item 65*	December 21, 2010**	(884947)
Item 66*	January 03, 2011**	(884857)
Item 67*	January 19, 2011**	(891548)
Item 68*	January 20, 2011**	(902305)
Item 69*	January 21, 2011**	(891647)
Item 70*	February 01, 2011**	(880655)
Item 71*	February 14, 2011**	(909084)
Item 72*	February 15, 2011**	(894736)
Item 73*	February 21, 2011**	(899503)
Item 74*	February 23, 2011**	(899893)
Item 75	March 18, 2011**	(895057)
Item 76*	March 22, 2011**	(901784)
Item 77	April 15, 2011**	(901402)
Item 78*	April 18, 2011**	(924807)
Item 79	April 27, 2011**	(907418)
Item 80*	May 12, 2011**	(906804)
Item 81*	May 13, 2011**	(938025)
Item 82*	June 13, 2011**	(945348)

Item 83*	July 01, 2011**	(936394)
Item 84*	July 19, 2011**	(952622)
Item 85	July 29, 2011**	(923838)
Item 86*	August 09, 2011**	(959303)
Item 87*	August 15, 2011**	(948878)
Item 88*	August 24, 2011**	(948863)
Item 89	August 25, 2011**	(949392)
Item 90	August 26, 2011**	(914048)
Item 91*	August 30, 2011**	(951060)
Item 92*	September 14, 2011**	(965336)
Item 93*	October 12, 2011**	(951037)
Item 94*	October 17, 2011**	(971376)
Item 95	October 21, 2011**	(963259)
Item 96	October 28, 2011**	(959075)
Item 97*	November 16, 2011**	(977535)
Item 98*	December 19, 2011**	(984303)
Item 99	December 21, 2011**	(970311)
Item 100*	January 09, 2012**	(976534)
Item 101*	January 11, 2012**	(976876)
Item 102	January 19, 2012**	(990604)
Item 103	January 30, 2012**	(982727)
Item 104*	February 20, 2012**	(997965)
Item 105*	February 27, 2012**	(989102)
Item 106*	February 28, 2012**	(989101)
Item 107*	February 29, 2012**	(989539)
Item 108	March 09, 2012**	(990275)
Item 109*	March 20, 2012**	(1003489)
Item 110	March 22, 2012**	(983434)
Item 111	April 12, 2012**	(993982)
Item 112	April 20, 2012**	(990114)
Item 113*	April 21, 2012**	(1010053)
Item 114	May 16, 2012**	(1016448)
Item 115*	May 24, 2012**	(1007755)
Item 116*	May 29, 2012**	(1007168)
Item 117*	May 30, 2012**	(1007271)
Item 118*	June 08, 2012**	(1009200)
Item 119	June 19, 2012**	(1024167)
Item 120*	June 20, 2012**	(1013221)
Item 121*	June 23, 2012**	(1009928)
Item 122	July 09, 2012**	(1014661)
Item 123*	July 10, 2012**	(1015329)
Item 124*	July 16, 2012**	(1015617)

Item 125	July 17, 2012**	(1013012)	For Informational Purposes Only
Item 126*	July 19, 2012**	(1015036)	For Informational Purposes Only
Item 127	July 20, 2012**	(1020080)	For Informational Purposes Only
Item 128	August 07, 2012**	(1021029)	For Informational Purposes Only
Item 129	August 13, 2012**	(1020360)	For Informational Purposes Only
Item 130*	August 17, 2012**	(1037939)	For Informational Purposes Only
Item 131*	August 21, 2012**	(1024044)	For Informational Purposes Only
Item 132	August 28, 2012**	(1021144)	For Informational Purposes Only
Item 133*	August 29, 2012**	(1029494)	For Informational Purposes Only
Item 134*	September 17, 2012**	(1029492)	For Informational Purposes Only
Item 135*	September 18, 2012**	(1031350)	For Informational Purposes Only
Item 136*	September 26, 2012**	(1034545)	For Informational Purposes Only
Item 137*	September 28, 2012**	(1031002)	For Informational Purposes Only
Item 138*	October 01, 2012**	(1024020)	For Informational Purposes Only
Item 139*	October 09, 2012**	(1036486)	For Informational Purposes Only
Item 140*	October 10, 2012**	(1036175)	For Informational Purposes Only
Item 141*	October 13, 2012**	(1027759)	For Informational Purposes Only
Item 142*	October 15, 2012**	(1029690)	For Informational Purposes Only
Item 143*	October 19, 2012**	(1046671)	For Informational Purposes Only
Item 144	October 25, 2012**	(1030591)	For Informational Purposes Only
Item 145*	October 26, 2012**	(1030074)	For Informational Purposes Only
Item 146*	November 15, 2012**	(1043432)	For Informational Purposes Only
Item 147*	November 19, 2012**	(1060871)	For Informational Purposes Only
Item 148*	November 20, 2012**	(1042530)	For Informational Purposes Only
Item 149	November 29, 2012**	(1043704)	For Informational Purposes Only
Item 150	December 05, 2012**	(1041396)	For Informational Purposes Only
Item 151*	December 19, 2012**	(1060872)	For Informational Purposes Only
Item 152*	December 27, 2012**	(1046511)	For Informational Purposes Only
Item 153	January 16, 2013**	(1044263)	For Informational Purposes Only
Item 154*	January 21, 2013**	(1078962)	For Informational Purposes Only
Item 155*	January 24, 2013**	(1053845)	For Informational Purposes Only
Item 156*	February 05, 2013**	(1051301)	For Informational Purposes Only
Item 157	February 15, 2013**	(1054456)	For Informational Purposes Only
Item 158*	February 17, 2013**	(1078961)	For Informational Purposes Only
Item 159*	February 20, 2013**	(1051441)	For Informational Purposes Only
Item 160*	February 21, 2013**	(1056295)	For Informational Purposes Only
Item 161*	March 20, 2013**	(1059332)	For Informational Purposes Only
Item 162*	March 25, 2013**	(1073967)	For Informational Purposes Only
Item 163	April 02, 2013**	(1058586)	For Informational Purposes Only
Item 164*	April 04, 2013**	(1077185)	For Informational Purposes Only
Item 165*	April 17, 2013**	(1095699)	For Informational Purposes Only
Item 166	April 18, 2013**	(1085361)	For Informational Purposes Only

Item 167	April 25, 2013**	(1086567)
Item 168	April 30, 2013**	(1078296)
Item 169	May 13, 2013**	(1088167)
Item 170*	May 16, 2013**	(1087950)
Item 171*	May 20, 2013**	(1106624)
Item 172*	June 17, 2013**	(1110300)
Item 173*	July 01, 2013**	(1100091)
Item 174	July 10, 2013**	(1101556)
Item 175	July 12, 2013**	(1092486)
Item 176	August 06, 2013**	(1101262)
Item 177*	August 13, 2013**	(1103447)
Item 178*	August 19, 2013**	(1124940)
Item 179*	August 23, 2013**	(1106435)
Item 180*	August 29, 2013**	(1113788)
Item 181*	September 17, 2013	(1129540)
Item 182	September 26, 2013	(1121222)
Item 183*	October 03, 2013	(1122073)
Item 184*	October 16, 2013	(1135270)
Item 185*	October 21, 2013	(1124319)
Item 186	October 30, 2013	(1127942)
Item 187	November 06, 2013	(1128597)
Item 188*	November 14, 2013	(1124564)
Item 189*	November 18, 2013	(1140669)
Item 190*	November 19, 2013	(1133062)
Item 191	November 25, 2013	(1133084)
Item 192	December 06, 2013	(1128627)
Item 193*	December 19, 2013	(1147128)
Item 194*	December 30, 2013	(1139488)
Item 195*	January 06, 2014	(1139684)
Item 196*	January 10, 2014	(1143535)
Item 197	January 15, 2014	(1143552)
Item 198*	January 16, 2014	(1144280)
Item 199*	January 17, 2014	(1143636)
Item 200	February 07, 2014	(1139185)
Item 201	February 11, 2014	(1145614)
Item 202*	February 13, 2014	(1150182)
Item 203	February 27, 2014	(1150511)
Item 204*	March 04, 2014	(1152038)
Item 205	April 09, 2014	(1158704)

* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MOTIVA ENTERPRISES LLC
RN100209451

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2014-0336-AIR-E

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

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery at 2555 Savannah Avenue in Port Arthur, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted on January 3, 2014, TCEQ staff documented that between September 24, 2012 and June 30, 2013, the hydrogen sulfide ("H₂S") concentration in the refinery fuel gas exceeded 160 parts per million by volume ("ppmv") on a rolling three-hour basis for a total of 596 hours and 11 minutes and exceeded 120 ppmv on a rolling 24-hour basis for a total of 590 hours.
4. During a record review conducted on January 3, 2014, TCEQ staff documented that the nitrogen oxide ("NO_x") concentration at Emission Point Number ("EPN") SFCCU3-2 averaged 73 ppmv from October 23, 2012 through March 27, 2013.
5. During a record review conducted on January 3, 2014, TCEQ staff documented that the NO_x emission rate at Boiler 34 was 0.21 pound per million British thermal units ("lb/MMBtu") for five hours on April 21, 2013, 0.22 lb/MMBtu for 14 hours on April 22, 2013, and 0.21 lb/MMBtu for five hours on April 25, 2013.
6. During a record review conducted on January 3, 2014, TCEQ staff documented that Boiler 34 experienced 35% opacity for six minutes on February 10, 2013, 22% opacity for 36 minutes on May 23, 2013, 21% opacity for six minutes on May 23, 2013, and 29% opacity for six minutes on May 30, 2013, and Boiler 35 experienced 35% opacity for six minutes on January 8, 2013.
7. The Respondent received notice of the violations on February 11, 2014.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to limit the concentration of H₂S in refinery fuel gas to 160 ppmv on a rolling three-hour basis and 120 ppmv on a rolling 24-hour basis, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") 60.104(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit Nos. 8404 and PSDTX1062M1, Special Conditions ("SC") Nos. 6 and 61, and Federal Operating Permit ("FOP") No. O1386, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 1A and 16A.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to limit the annual concentration of NO_x to 42.8 ppmv on a rolling 365-day basis at EPN SFCCU3-2, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit Nos. 8404 and PSDTX1062M1, SC No. 38A, and FOP No. O1386, GTC and STC No. 16A.

4. As evidenced by Findings of Fact No. 5, the Respondent failed to limit NO_x emissions to 0.20 lb/MMBtu when firing gaseous fossil fuel at Boiler 34, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.44(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 3415, SC Nos. 1B and 4, and FOP No. O1386, GTC and STC Nos. 1A and 16A.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to limit opacity to 20% at Boilers 34 and 35, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CFR § 60.42(a)(2), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 3415, SC Nos. 1B and 6, and FOP No. O1386, GTC and STC Nos. 1A and 16A.
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
7. An administrative penalty in the amount of Sixty-Seven Thousand Five Hundred Dollars (\$67,500) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Thirty-Three Thousand Seven Hundred Fifty Dollars (\$33,750) of the administrative penalty and Thirty-Three Thousand Seven Hundred Fifty Dollars (\$33,750) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Sixty-Seven Thousand Five Hundred Dollars (\$67,500) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Motiva Enterprises LLC, Docket No. 2014-0336-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 7 above, Thirty-Three Thousand Seven Hundred Fifty Dollars (\$33,750) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and procedures to comply with the concentration limits for H₂S in refinery fuel gas;
 - ii. Implement measures and procedures to comply with the annual concentration limit for NO_x at EPN SFCCU3-2;
 - iii. Implement measures and procedures to comply with the NO_x emission limit when firing gaseous fossil fuel at Boiler 34; and
 - iv. Implement measures and procedures to comply with the opacity limit at Boilers 34 and 35.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Air Section Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

8/21/14
Date

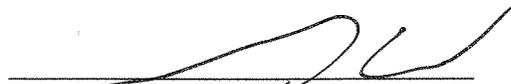
I, the undersigned, have read and understand the attached Agreed Order in the matter of Motiva Enterprises LLC. I am authorized to agree to the attached Agreed Order on behalf of Motiva Enterprises LLC, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting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

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

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

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

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



Signature

Jan 26/14
Date

Greg W. Thors
Name (Printed or typed)
Authorized Representative of
Motiva Enterprises LLC

General Mgr
Title

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

Attachment A
Docket Number: 2014-0336-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Motiva Enterprises LLC
Penalty Amount:	Sixty-Seven Thousand Five Hundred Dollars (\$67,500)
SEP Offset Amount:	Thirty-Three Thousand Seven Hundred Fifty Dollars (\$33,750)
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>West Port Arthur Home Energy Efficiency Program - Lighthouse Program</i>
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for 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 **Southeast Texas Regional Planning Commission** for the *West Port Arthur Home Energy Efficiency Program - Lighthouse Program* 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 hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners; coordinate between the contractors and the homeowners to answer questions; ensure that work is done timely

Motiva Enterprises LLC
Agreed Order - Attachment A

and properly; and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used 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

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

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 **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

Motiva Enterprises LLC
Agreed Order - Attachment A

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the 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:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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