

**Executive Summary – Enforcement Matter – Case No. 48879
Marathon Petroleum Company LP
RN100210608
Docket No. 2014-0882-AIR-E**

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Marathon Petroleum - Texas City Refinery, 502 10th Street South, Texas City, Galveston County

Type of Operation:

Oil refinery

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: November 7, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$52,747

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$52,747

Name of SEP: Eleventh Street Benzene Monitor (Custom)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: \$33,500

Applicable Penalty Policy: April 2014

**Executive Summary – Enforcement Matter – Case No. 48879
Marathon Petroleum Company LP
RN100210608
Docket No. 2014-0882-AIR-E**

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 28, 2014 through April 9, 2014

Date(s) of NOE(s): May 28, 2014

Violation Information

1. Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and New Source Review Flexible Permit No. 22433, Special Conditions No. 1].
2. Failed to identify the individually listed compounds or mixtures of air contaminants released during the emissions event that occurred on March 8, 2014 (Incident No. 195200) [30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By June 10, 2014, the Respondent provided refresher training to employees on the State of Texas Environmental Electronic Reporting System to report and list all the compounds or mixture of air contaminants in future emission events.

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, implement measures and/or procedures designed to prevent recurrence of emissions events due to similar causes as Incident No. 195200; and
 - 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

Executive Summary – Enforcement Matter – Case No. 48879
Marathon Petroleum Company LP
RN100210608
Docket No. 2014-0882-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Rajesh Acharya, Enforcement Division,
Enforcement Team 4, MC 149, (512) 239-0577; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456

TCEQ SEP Coordinator: Meaghan Bailey, SEP Coordinator, Litigation Division, MC
175, (512) 239-0205

Respondent: C.G. Bradley, Deputy Assistant Secretary, Marathon Petroleum
Company LP, 502 10th Street South, Texas City, Texas 77590

Respondent's Attorney: N/A

Attachment A
Docket Number: 2014-0882-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Marathon Petroleum Company LP
Penalty Amount:	Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747)
SEP Offset Amount:	Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747)
Type of SEP:	Custom
Project Name:	<i>Eleventh Street Benzene Monitor</i>
Location of SEP:	Galveston County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project (“SEP”). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall operate and maintain the existing off-site ambient air benzene and meteorological monitoring station for a period of one year; and shall upload the resulting data to the TCEQ Leading Environmental Analysis and Display System data system. The ambient benzene monitor is located between 11th Street and 12th Street and 5th Avenue and 6th Avenue in Texas City on the north side of the Respondent’s refinery in Texas City, Texas. The monitoring site will be listed as the Texas City 11th Street monitor on all agency web pages, documents and publications. This SEP will provide an additional twelve months of ambient air benzene and meteorological monitoring and data, as well as improve the data availability and add an alert system for elevated ambient air benzene levels.

Respondent shall also utilize an Environmental Monitoring Response System that will notify the Respondent’s staff in the event that the off-site monitor detects ambient hourly average benzene levels of 20 parts per billion or higher. Respondent agrees to commence an investigation into the potential source of elevated levels of ambient air benzene and abate, if possible, the cause of elevated sources from its facility.

Respondent shall use a qualified contractor to operate and maintain the monitor, perform system calibrations and data validation, audit the measurement systems performance, and to ensure that data is linked and uploaded to the TCEQ. Respondent shall submit a Quality Assurance Performance Plan or Scope of Work acceptable to TCEQ upon commencement of the monitoring period. Respondent shall obtain the

necessary licenses and any associated subscription fees from IPS MeteoStar for uploading the benzene and meteorological data into the TCEQ LEADs system. Respondent or its contractor shall also provide contact information and be available during normal business hours to answer questions in a timely manner regarding the data quality from measurements obtained at this site. Any data made publicly available will be validated by Respondent's contractor within forty-five days of being uploaded to the LEADS system. The data may be made publicly available by TCEQ after the Respondent's validation. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Section 1, subsection C, Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This Project will provide a discernible environmental benefit by providing data through which causal factors of elevated ambient air benzene may be determined. The system will serve as an early warning of any events at the site or neighboring sites that could have an impact on public health in the community. Also, the evaluation of long-term data may provide information regarding possible long-term health effects. The Project will allow an additional twelve months of monitoring of ambient air benzene concentrations, and will assist the Respondent and regulatory agencies in more rapidly addressing this potential air pollutant in the Texas City area.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Estimated Cost Schedule

Item	Quantity	Cost	Units	Total
Benzene Monitor Upkeep, Maintenance, and Reporting	12	\$10,000	Months	\$120,000
Total				\$120,000

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 365 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days of the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 365-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ in 90-day increments containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Actions completed during previous 90-day period
270	Actions completed during previous 90-day period
365	Notice of SEP completion

B. Final Report

Within 365 days after the effective date of the Agreed Order, or within 60 days after completion of SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

1. Itemized list of expenditures and total cost of the Project;
2. Copies of invoices, paid receipts, cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
3. A certified/notarized statement of quantifiable environmental benefit;
4. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.;

C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

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

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff, and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If 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 through 4 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, 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, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for 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

6. Publicity

Any public statements concerning this Project made by or on behalf of 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.

7. Clean Texas Program

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

8. 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 Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	2-Jun-2014	Screening	20-Jun-2014	EPA Due	
	PCW	20-Jun-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Marathon Petroleum Company LP
Reg. Ent. Ref. No.	RN100210608
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION		No. of Violations	2
Enf./Case ID No.	48879	Order Type	Findings
Docket No.	2014-0882-AIR-E	Government/Non-Profit	No
Media Program(s)	Air	Enf. Coordinator	Rajesh Acharya
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$51,750
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History	67.0% Enhancement	Subtotals 2, 3, & 7 \$34,672

Notes: Enhancement for one NOV with same/similar violations, two orders with denial of liability, and one order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violation.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$175
--	-------------------	---------------

Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$215	*Capped at the Total EB \$ Amount	
Estimated Cost of Compliance	\$5,500		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$86,247
-----------------------------	-----------------------	-----------------

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$86,247
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$52,747
-----------------------------------	-------------------------------	-----------------

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

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

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$52,747
------------------------	-----------------

Screening Date 20-Jun-2014

Docket No. 2014-0882-AIR-E

PCW

Respondent

Marathon Petroleum Company LP

Policy Revision 4 (April 2014)

Case ID No. 48879

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100210608

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
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>)	1	-1%
	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	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same/similar violations, two orders with denial of liability, and one order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violation.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

Screening Date 20-Jun-2014

Docket No. 2014-0882-AIR-E

PCW

Respondent Marathon Petroleum Company LP

Policy Revision 4 (April 2014)

Case ID No. 48879

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100210608

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b), and New Source Review Flexible Permit No. 22433, Special Conditions No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, 46,214 pounds ("lbs") of sulfur dioxide and 502 lbs of hydrogen sulfide were released from the main flare, Emission Point Number ES17, during an emissions event (Incident No. 195200) that began on March 8, 2014 and lasted forty-five hours and twenty minutes. The event occurred due to operator error by leaving a bypass valve associated with the Sulfur Recovery Unit open prior to startup of the Fluidized Catalytic Cracking Unit ("FCCU"). In its open position, the bypass redirected flow to a relief valve and subsequently to the flare during the introduction of feed to the FCCU. Since this event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

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

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 2 Number of violation days 2

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

Violation Base Penalty \$50,000

Two daily events are recommended.

Good Faith Efforts to Comply

0.0% Reduction \$0

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

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

Violation Subtotal \$50,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$210

Violation Final Penalty Total \$83,500

This violation Final Assessed Penalty (adjusted for limits) \$50,000

Economic Benefit Worksheet

Respondent Marathon Petroleum Company LP
Case ID No. 48879
Reg. Ent. Reference No. RN100210608
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

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-Mar-2014	8-Jan-2015	0.84	\$210	n/a	\$210

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same cause as Incident No. 195200. Date Required is the date the emissions event began. Final Date is the estimated compliance date.

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 \$210

Screening Date 20-Jun-2014

Docket No. 2014-0882-AIR-E

PCW

Respondent Marathon Petroleum Company LP

Policy Revision 4 (April 2014)

Case ID No. 48879

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100210608

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1)(G) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to identify the individually listed compounds or mixtures of air contaminants released during the emissions event that occurred on March 8, 2014 (Incident No. 195200). Specifically, the final emissions event report failed to include volatile organic compounds, nitrogen oxides, and carbon monoxide emissions.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		x	

Percent 7.0%

Matrix Notes

40% of the rule requirement was not met.

Adjustment \$23,250

\$1,750

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$1,750

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$175

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

Notes The Respondent came into compliance on June 10, 2014, after the Notice of Enforcement dated May 28, 2014.

Violation Subtotal \$1,575

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$2,748

This violation Final Assessed Penalty (adjusted for limits) \$2,748

Economic Benefit Worksheet

Respondent Marathon Petroleum Company LP
Case ID No. 48879
Reg. Ent. Reference No. RN100210608
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	24-Mar-2014	10-Jun-2014	0.21	\$5	n/a	\$5
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to provide training on the recordkeeping/reporting system to comply with emissions event reporting requirements. Date Required is the date the final record was due. Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$5



Compliance History Report

PUBLISHED Compliance History Report for CN600244933, RN100210608, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	CN600244933, Marathon Petroleum Company LP	Classification: SATISFACTORY	Rating: 7.52
Regulated Entity:	RN100210608, MARATHON PETROLEUM - TEXAS CITY REFINERY	Classification: SATISFACTORY	Rating: 7.52
Complexity Points:	40	Repeat Violator: NO	
CH Group:	02 - Oil and Petroleum Refineries		
Location:	502 10TH ST S TEXAS CITY, TX 77590-8560, GALVESTON COUNTY		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER GB0055R
WASTEWATER PERMIT WQ0000990000
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD008079501
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50046
AIR NEW SOURCE PERMITS REGISTRATION 856
AIR NEW SOURCE PERMITS PERMIT 8025
AIR NEW SOURCE PERMITS REGISTRATION 23992
AIR NEW SOURCE PERMITS REGISTRATION 24859
AIR NEW SOURCE PERMITS REGISTRATION 29218
AIR NEW SOURCE PERMITS REGISTRATION 30167
AIR NEW SOURCE PERMITS REGISTRATION 40024
AIR NEW SOURCE PERMITS REGISTRATION 44852
AIR NEW SOURCE PERMITS REGISTRATION 46373
AIR NEW SOURCE PERMITS REGISTRATION 49937
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX241M1
AIR NEW SOURCE PERMITS AFS NUM 4816700005
AIR NEW SOURCE PERMITS REGISTRATION 71726
AIR NEW SOURCE PERMITS REGISTRATION 73796
AIR NEW SOURCE PERMITS REGISTRATION 76492
AIR NEW SOURCE PERMITS REGISTRATION 80523
AIR NEW SOURCE PERMITS REGISTRATION 91521
AIR NEW SOURCE PERMITS REGISTRATION 91523
AIR NEW SOURCE PERMITS REGISTRATION 91759
AIR NEW SOURCE PERMITS REGISTRATION 93353
AIR NEW SOURCE PERMITS REGISTRATION 93528
AIR NEW SOURCE PERMITS REGISTRATION 95080
AIR NEW SOURCE PERMITS REGISTRATION 95537
AIR NEW SOURCE PERMITS REGISTRATION 99214
AIR NEW SOURCE PERMITS REGISTRATION 101870
AIR NEW SOURCE PERMITS REGISTRATION 110933
AIR NEW SOURCE PERMITS REGISTRATION 110941
AIR NEW SOURCE PERMITS REGISTRATION 110022
AIR NEW SOURCE PERMITS REGISTRATION 110940
AIR NEW SOURCE PERMITS REGISTRATION 116250
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30326
POLLUTION PREVENTION PLANNING ID NUMBER P00410

AIR OPERATING PERMITS PERMIT 1380
WASTEWATER EPA ID TX0003697
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30326
AIR NEW SOURCE PERMITS REGISTRATION 71874
AIR NEW SOURCE PERMITS REGISTRATION 1131
AIR NEW SOURCE PERMITS PERMIT 22433
AIR NEW SOURCE PERMITS REGISTRATION 25362
AIR NEW SOURCE PERMITS REGISTRATION 25194
AIR NEW SOURCE PERMITS REGISTRATION 30994
AIR NEW SOURCE PERMITS REGISTRATION 33178
AIR NEW SOURCE PERMITS REGISTRATION 43341
AIR NEW SOURCE PERMITS REGISTRATION 46198
AIR NEW SOURCE PERMITS REGISTRATION 48473
AIR NEW SOURCE PERMITS ACCOUNT NUMBER GB0055R
AIR NEW SOURCE PERMITS REGISTRATION 55858
AIR NEW SOURCE PERMITS REGISTRATION 55772
AIR NEW SOURCE PERMITS REGISTRATION 73969
AIR NEW SOURCE PERMITS REGISTRATION 74818
AIR NEW SOURCE PERMITS REGISTRATION 77226
AIR NEW SOURCE PERMITS REGISTRATION 83710
AIR NEW SOURCE PERMITS REGISTRATION 91389
AIR NEW SOURCE PERMITS REGISTRATION 92501
AIR NEW SOURCE PERMITS REGISTRATION 92191
AIR NEW SOURCE PERMITS REGISTRATION 91954
AIR NEW SOURCE PERMITS REGISTRATION 94160
AIR NEW SOURCE PERMITS REGISTRATION 95717
AIR NEW SOURCE PERMITS REGISTRATION 96148
AIR NEW SOURCE PERMITS PERMIT 98954
AIR NEW SOURCE PERMITS REGISTRATION 110938
AIR NEW SOURCE PERMITS REGISTRATION 117689
AIR NEW SOURCE PERMITS REGISTRATION 106149
AIR NEW SOURCE PERMITS REGISTRATION 118613
AIR NEW SOURCE PERMITS REGISTRATION 109322
AIR NEW SOURCE PERMITS REGISTRATION 111018
AIR EMISSIONS INVENTORY ACCOUNT NUMBER GB0055R

Compliance History Period:	September 01, 2008 to August 31, 2013	Rating Year:	2013	Rating Date:	09/01/2013
Date Compliance History Report Prepared:	June 17, 2014				

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

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

Name: Rajesh Acharya

Phone: (512) 239-0577

Site and Owner/Operator History:

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

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

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

1 Effective Date: 01/28/2010 ADMINORDER 2008-1709-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Minor

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
- 30 TAC Chapter 101, SubChapter A 101.20(2)
- 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)
- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
- 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 22433 Special Condition 10(E) PERMIT

- O-01380 Special Terms and Conditions 1A OP
- O-01380 Special Terms and Conditions 21 OP

Description: Failure to seal open-ended lines with a cap, plug, blind flange, or a second valve. Specifically according to the operator's repair log, a drain valve, Tag No. 20058, in the UDEX Unit and a valve, Tag No. 090560, in the Platformer Unit were missing plugs on February 18, 2008 and March 28, 2008, respectively.

Classification: Moderate

- Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380 Special Terms and Conditions 1A OP

Description: Failed to repair or empty and degass external floating roof tank No. 111 (containing gasoline) within 60 days of the discovery of pinhole leaks on the roof deck. The Respondent first discovered the roof corrosion during a tank inspection on December 20, 2006 and again on December 29, 2006. Also, on June 12 and December 5, 2007, the Respondent found product on the roof of the tank.

Classification: Moderate

- Citation: 30 TAC Chapter 115, SubChapter F 115.546(2)(C)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380 S.T. and C. 8(A)(vi) OP

Description: Failed to maintain records of monitoring for carbon canister breakthrough during tank degassing in 2007 for tank Nos. 5 (containing pure benzene), 127 (regular gasoline), 152 (gasoline), and 516 (crude oil).

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
- 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(B)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(4)
- 5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380 Special Terms and Conditions 1A OP

Description: Failed to maintain vacuum breakers (automatic bleeder vents) on internal floating roof tank No. 164 (containing heavy naphtha) in a closed position during normal operation. Specifically, the vacuum breakers were noted as

being stuck in the open position during the Respondent's tank inspection on December 27, 2006. The vacuum breakers were determined to be of poor design which prevented re-seating; however, they were not repaired until March 7, 2007.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380 Special Terms and Conditions 1A OP

Description: Failed to repair the tank floating roof primary seal, empty the tank, or request an extension for seal repair within 45 days of determining that the seal needed replacement on external floating roof tank No. 518 (containing crude oil). The Respondent was required to repair the seal, empty the tank, or request an extension by November 11, 2007. The primary seal was not replaced until February 25, 2008.

Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.263(g)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Terms and Conditions 21 OP

Description: Failed to maintain records to demonstrate compliance with the emission limits in 30 TEX. ADMIN. CODE §§ 106.263, and 106.4(a)(1)-(3). Specifically, ten planned maintenance, startup, and shutdown tank landing events occurred between January 5, 2007 and February 18, 2008. Records containing sufficient information to demonstrate compliance were not available when requested during the investigation.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart FF 61.356(f)(2)(i)(G)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Conditions 1(A) OP

Description: Failed to maintain records of design analysis for carbon canisters.

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 A 61.12(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Conditions 12(E) OP

Description: Failed to maintain and operate Lift Station 26 carbon canisters in a manner consistent with good air pollution control practice for minimizing emissions. Specifically, monitoring records from January 2008 through May 2008 indicated benzene concentrations ranging from 100 up to 1,000 parts per million ("ppm") from the lead canisters and up to 999 ppm from the lag canisters.

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 61.354(d)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Conditions 1(A) OP

Description: Failed to properly conduct monitoring of carbon canisters. Specifically, the Respondent failed to monitor the following on weekends and holidays: Lift Station 26 from January 1 through June 16, 2008 and the Wastewater Treatment NTO from May 3 through June 16, 2008. Also, per the Respondent's 40 CFR Part 61, Subpart FF third quarter report dated October 30, 2007, the monitoring technician was incorrectly monitoring the carbon canisters at Lift Station 26 from August 30 through October 24, 2007.

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 61.354(b)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Conditions 1(A) OP

Description: Failed to monitor waste streams entering the Enhanced Biodegradation Unit (EBU) monthly as required. Specifically, the DNF effluent overflow from the DNF Effluent Tank periodically enters the EBU; however, the benzene concentration of this waste stream has not been monitored to demonstrate that the benzene concentration is less than 10 ppmw on a flow-weighted annual average basis. Also, during the month of September 2007, the concentration of the combined waste stream entering the EBU was not

Classification: Minor

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 61.342(f)(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01380, Special Conditions 1(A) OP

Description: Failed to provide proper notification with each shipment of waste for offsite treatment. Specifically, portions of the shipments on January 31, 2007 and September 11, 2007 did not have the required documents sent with the shipments.

- 2 Effective Date: 12/25/2010 ADMINORDER 2010-0952-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits during an emissions event. Specifically, during an emissions event (Incident No. 136237) that began on February 22, 2010, the Respondent failed to prevent a heat exchanger plug from leaking, causing the unauthorized release of 536.6 lbs of propylene, 426.3 lbs of other VOCs, 149.4 lbs of sulfur dioxide, 1.6 lbs of hydrogen sulfide, 591.0 lbs of carbon monoxide, and 81.8 lbs of nitrous oxides from the Main Plant Flare and Propylene Unit.
- 3 Effective Date: 04/27/2013 ADMINORDER 2012-0685-AIR-E (Findings Order-Agreed Order Without Denial)
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: FOP O1380, STC No. 24 OP
NSR Permit No. 22433, TC 36 PERMIT
Description: Failed to operate the SRU No. 1 and No. 2 TGI's with the required minimum firebox temperature and O2 concentrations and failed to monitor or record O2 concentrations.
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: FOP O1380, STC 24 PERMIT
NSR Permit 22433, SC 40 PERMIT
Description: Failed to operate the flow meter for the T-301 Caustic Scrubber with less than 5% percent downtime.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	June 23, 2009	(804388)
Item 2	July 22, 2009	(804389)
Item 3	August 12, 2009	(740550)
Item 4	August 24, 2009	(804390)
Item 5	October 22, 2009	(804392)
Item 6	October 23, 2009	(779662)
Item 7	November 12, 2009	(776815)
Item 8	November 23, 2009	(804393)
Item 9	December 22, 2009	(804394)
Item 10	February 19, 2010	(804386)
Item 11	March 17, 2010	(794037)
Item 12	March 19, 2010	(830778)
Item 13	March 22, 2010	(794097)
Item 14	April 16, 2010	(799317)
Item 15	April 22, 2010	(830779)
Item 16	May 17, 2010	(801156)
Item 17	May 21, 2010	(830780)
Item 18	May 26, 2010	(800287)
Item 19	June 03, 2010	(790145)

Item 20	June 11, 2010	(800304)
Item 21	June 17, 2010	(846234)
Item 22	August 11, 2010	(842610)
Item 23	August 16, 2010	(866795)
Item 24	September 10, 2010	(849082)
Item 25	September 22, 2010	(873867)
Item 26	October 21, 2010	(881469)
Item 27	October 26, 2010	(864196)
Item 28	December 15, 2010	(887999)
Item 29	January 06, 2011	(896198)
Item 30	January 21, 2011	(902272)
Item 31	February 22, 2011	(909047)
Item 32	March 18, 2011	(916309)
Item 33	May 23, 2011	(937990)
Item 34	May 27, 2011	(915731)
Item 35	June 10, 2011	(900652)
Item 36	August 08, 2011	(908410)
Item 37	August 22, 2011	(959271)
Item 38	October 13, 2011	(971343)
Item 39	December 08, 2011	(958964)
Item 40	December 16, 2011	(984268)
Item 41	January 09, 2012	(968690)
Item 42	January 23, 2012	(990569)
Item 43	March 22, 2012	(1003454)
Item 44	May 23, 2012	(995936)
Item 45	July 20, 2012	(1007753)
Item 46	July 23, 2012	(1031529)
Item 47	August 17, 2012	(1037905)
Item 48	October 19, 2012	(1060759)
Item 49	December 21, 2012	(1060761)
Item 50	January 03, 2013	(1060760)
Item 51	January 22, 2013	(1078895)
Item 52	February 21, 2013	(1078894)
Item 53	April 22, 2013	(1095665)
Item 54	June 05, 2013	(1073491)
Item 55	June 24, 2013	(1110266)
Item 56	July 24, 2013	(1117149)
Item 57	August 23, 2013	(1124905)
Item 58	September 05, 2013	(1101847)
Item 59	September 23, 2013	(1129507)
Item 60	October 22, 2013	(1135236)
Item 61	October 29, 2013	(1051553)
Item 62	November 05, 2013	(1128760)
Item 63	November 19, 2013	(1140636)
Item 64	December 23, 2013	(1147093)
Item 65	December 31, 2013	(1133828)
Item 66	February 19, 2014	(1160499)
Item 67	March 21, 2014	(1167144)
Item 68	April 09, 2014	(1157514)
Item 69	April 23, 2014	(1174277)
Item 70	May 05, 2014	(1159530)

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: 05/30/2014 (1116457) CN600244933
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)

Published Compliance History Report for CN600244933, RN100210608, Rating Year 2013 which includes Compliance History (CH) components from June 17, 2009, through June 17, 2014.

5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 24(A) OP
 FOP Special Terms and Conditions 1(A) OP
 NSR Special Condition 10(E) PERMIT
 Description: Failure to prevent open-ended lines.
 Category C10
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 NSR Special Condition 5(A) PERMIT
 Special Terms and Conditions 1(A) OP
 Special Terms and Conditions 24(A) OP
 Description: Failure to maintain a net heating value of 300 Btu/scf or greater of the gas being
 combusted in the Alkyl flare (P-1).
 Category C4
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 1(A) OP
 FOP Special Terms and Conditions 24(A) OP
 NSR Special Condition 5(B) PERMIT
 Description: Failure to operate the main flare (P-200) and alkyl flare (P-1) with a flame present at all
 times.
 Category C4
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 1(A) OP
 FOP Special Terms and Conditions 4 OP
 Description: Failure to store gasoline in a storage tank capable of maintaining working pressure to
 prevent vapor or gas loss to the atmosphere or comply with the control requirements
 specified in Table I(a) in TAC 115.112(d)(1).
 Category B(19)(g)(1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 24(A) OP
 NSR Special Condition 26(B) PERMIT
 Description: Failure to prevent the performance of successive quarterly audits closer than 2 months
 apart.
 Category C1
 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)
 FOP General Terms and Conditions OP
 Description: Failure to include all deviations which occurred during the certification period in the
 deviation report.
 Category C3
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 24(A) OP
 NSR Special Condition 36 PERMIT
 Description: Failure to route loading emissions from the sulfur loading operations to the inlet of the
 SRUs or Tailgas Incinerators.
 Category B18
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Terms and Conditions 1(G)(v) OP
 Description: Failure to submit HRVOC Semiannual Report within the required timeframe.
 Category C3

F. Environmental audits:

Notice of Intent Date: 09/01/2009 (775875)

Disclosure Date: 02/10/2010

Viol. Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6

Description: Failed to operate flare in accordance with good air pollution control practice.

Viol. Classification: Minor

Citation: 40 CFR Part 60, Subpart A 60.18

40 CFR Part 63, Subpart A 63.11

Description: Failed to operate and monitor flare in accordance with manufacturer's recommendations.

Viol. Classification: Minor

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592

Description: Failed to adhere to NSPS W/GGG requirements that reference NSPS A.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.644

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.653

Description: Failed to adhere to the MACT CC requirement to control and monitor flares controlling MPV.

Viol. Classification: Minor

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349

Description: Failed to adhere to the BWON requirements to control tanks/closed vent systems in accordance with MACT A.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.122

30 TAC Chapter 115, SubChapter B 115.125

30 TAC Chapter 115, SubChapter B 115.126

Description: Failed to adhere to state VOC process vent requirements for flares that reference NSPS A.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Description: Failed to adhere to the NSR Permit No. 22433's references to federal rules regarding the operation of the flare at the facility.

Viol. Classification: Major

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

Description: Failed to adhere to the Title V Permit regarding monitoring and maintenance of the Main Foare (P-200), and steam rates in accordance with good air pollution practices.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MARATHON PETROLEUM
COMPANY LP
RN100210608**

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

**AGREED ORDER
DOCKET NO. 2014-0882-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 Marathon Petroleum Company LP ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that they have 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 an oil refinery at 502 10th Street South in Texas City, Galveston County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on March 28, 2014 through April 9, 2014, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, 46,214 pounds ("lbs") of sulfur dioxide and 502 lbs of hydrogen sulfide were released from the main flare, Emission Point Number ES17, during an emissions event (Incident No. 195200) that began on March 8, 2014 and lasted forty-five hours and twenty minutes. The event occurred due to operator error by leaving a bypass valve associated with the Sulfur Recovery Unit open prior to startup of the Fluidized Catalytic Cracking Unit ("FCCU"). In its open position, the bypass redirected flow to a relief valve and subsequently to the flare during the introduction of feed to the FCCU. Since this event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. During an investigation conducted on March 28, 2014 through April 9, 2014, TCEQ staff documented that the Respondent failed to identify the individually listed compounds or mixtures of air contaminants released during the emissions event that occurred on March 8, 2014 (Incident No. 195200). Specifically, the final emissions event report failed to include volatile organic compounds, nitrogen oxides, and carbon monoxide emissions.
5. The Respondent received notice of the violations on May 29, 2014.
6. The Executive Director recognizes that by June 10, 2014, the Respondent provided refresher training to employees on the State of Texas Environmental Electronic Reporting System to report and list all the compounds or mixture of air contaminants in future emission events.

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 prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and New Source Review Flexible Permit No. 22433, Special Conditions No. 1.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to identify the individually listed compounds or mixtures of air contaminants released during the emissions event that occurred on March 8, 2014 (Incident No. 195200), in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b).

4. 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.
5. An administrative penalty in the amount of Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747) 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. Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747) 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 Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747) as set forth in Section II, Paragraph 5 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: Marathon Petroleum Company LP, Docket No. 2014-0882-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 the SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5 above, Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747) 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, implement measures and/or procedures designed to prevent recurrence of emissions events due to similar causes as Incident No. 195200; and
 - 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Maneri
For the Executive Director

1/22/15
Date

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

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

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

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

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

C. Bradley
Signature

10/10/14
Date

C. G. BRADLEY
Name (Printed or typed)
Authorized Representative of
Marathon Petroleum Company LP

DEPUTY ASSISTANT SECRETARY
Title

by MPC INVESTMENT LLC, ITS GENERAL PARTNER

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: 2014-0882-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Marathon Petroleum Company LP
Penalty Amount:	Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747)
SEP Offset Amount:	Fifty-Two Thousand Seven Hundred Forty-Seven Dollars (\$52,747)
Type of SEP:	Custom
Project Name:	<i>Eleventh Street Benzene Monitor</i>
Location of SEP:	Galveston County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project (“SEP”). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall operate and maintain the existing off-site ambient air benzene and meteorological monitoring station for a period of one year; and shall upload the resulting data to the TCEQ Leading Environmental Analysis and Display System data system. The ambient benzene monitor is located between 11th Street and 12th Street and 5th Avenue and 6th Avenue in Texas City on the north side of the Respondent’s refinery in Texas City, Texas. The monitoring site will be listed as the Texas City 11th Street monitor on all agency web pages, documents and publications. This SEP will provide an additional twelve months of ambient air benzene and meteorological monitoring and data, as well as improve the data availability and add an alert system for elevated ambient air benzene levels.

Respondent shall also utilize an Environmental Monitoring Response System that will notify the Respondent’s staff in the event that the off-site monitor detects ambient hourly average benzene levels of 20 parts per billion or higher. Respondent agrees to commence an investigation into the potential source of elevated levels of ambient air benzene and abate, if possible, the cause of elevated sources from its facility.

Respondent shall use a qualified contractor to operate and maintain the monitor, perform system calibrations and data validation, audit the measurement systems performance, and to ensure that data is linked and uploaded to the TCEQ. Respondent shall submit a Quality Assurance Performance Plan or Scope of Work acceptable to TCEQ upon commencement of the monitoring period. Respondent shall obtain the

necessary licenses and any associated subscription fees from IPS MeteoStar for uploading the benzene and meteorological data into the TCEQ LEADs system. Respondent or its contractor shall also provide contact information and be available during normal business hours to answer questions in a timely manner regarding the data quality from measurements obtained at this site. Any data made publicly available will be validated by Respondent's contractor within forty-five days of being uploaded to the LEADs system. The data may be made publicly available by TCEQ after the Respondent's validation. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Section 1, subsection C, Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This Project will provide a discernible environmental benefit by providing data through which causal factors of elevated ambient air benzene may be determined. The system will serve as an early warning of any events at the site or neighboring sites that could have an impact on public health in the community. Also, the evaluation of long-term data may provide information regarding possible long-term health effects. The Project will allow an additional twelve months of monitoring of ambient air benzene concentrations, and will assist the Respondent and regulatory agencies in more rapidly addressing this potential air pollutant in the Texas City area.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Estimated Cost Schedule

Item	Quantity	Cost	Units	Total
Benzene Monitor Upkeep, Maintenance, and Reporting	12	\$10,000	Months	\$120,000
Total				\$120,000

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 365 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days of the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 365-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ in 90-day increments containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Actions completed during previous 90-day period
270	Actions completed during previous 90-day period
365	Notice of SEP completion

B. Final Report

Within 365 days after the effective date of the Agreed Order, or within 60 days after completion of SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

1. Itemized list of expenditures and total cost of the Project;
2. Copies of invoices, paid receipts, cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
3. A certified/notarized statement of quantifiable environmental benefit;
4. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.;

C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

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

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff, and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If 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 through 4 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, 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, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for 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

6. Publicity

Any public statements concerning this Project made by or on behalf of 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.

7. Clean Texas Program

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

8. 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 Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.