

Executive Summary – Enforcement Matter – Case No. 54399
Shell Oil Company
RN100211879
Docket No. 2017-0658-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County

Type of Operation:

Petrochemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2017-1724-AIR-E, 2017-1450-AIR-E, and 2016-1439-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 2, 2018

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,125

Amount Deferred for Expedited Settlement: \$2,625

Total Paid to General Revenue: \$5,250

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$5,250

Name of SEP: Houston Regional Monitoring Corporation (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 31, 2017 through February 14, 2017

Date(s) of NOE(s): April 20, 2017

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Shell Oil Company
RN100211879
Docket No. 2017-0658-AIR-E

Violation Information

Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,157.6 pounds ("lbs") of sulfur dioxide, 2,847.1 lbs of volatile organic compounds, 1,443.6 lbs of carbon monoxide, and 66.8 lbs of hydrogen sulfide from the North Property Flare, Emissions Point Number FLAREN, during an emissions event (Incident No. 249943) that began on January 6, 2017 and lasted one hour and 40 minutes. The emissions event occurred when a Utilities Unit air pressure regulator malfunctioned due to loose bolts, which resulted in a loss of instrument air to the Wet Gas Compressor anti-surge valve. Since the emissions event could have been prevented by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit No. O1669, Special Terms and Conditions No. 23, and Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective actions in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 249943:

- a. By March 20, 2017, surveyed other compressor panels in the area;
- b. By March 28, 2017, installed new check valves downstream of every regulator at the resins air station, added a regulatory bypass, and replaced both regulators with a newer design; and
- c. By March 29, 2017, created a recurring annual System Applications Products ticket to initiate Preventative Maintenance on the resin air station regulators.

Technical Requirements:

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

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Docket No. 2017-0658-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Shelby Orme, Enforcement Division,
Enforcement Team 5, MC 219, (512) 239-4575; Michael Parrish, Enforcement Division,
MC 219, (512) 239-2548

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

Respondent: Barry Klein, General Manager, Shell Oil Company, P.O. Box 100, Deer
Park, Texas 77536

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	25-Apr-2017	Screening	2-May-2017	EPA Due	
	PCW	17-Nov-2017				

RESPONDENT/FACILITY INFORMATION

Respondent	Shell Oil Company		
Reg. Ent. Ref. No.	RN100211879		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	54399	No. of Violations	1	
Docket No.	2017-0658-AIR-E	Order Type	1660	
Media Program(s)	Air	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Shelby Orme	
		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	\$7,500
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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% Adjustment	Subtotals 2, 3, & 7	\$7,500
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Notes
 Enhancement for eight NOV's with same/similar violations, eight NOV's with dissimilar violations, 11 orders with denial of liability, and 12 orders without denial of liability. Reduction for eight notices of intent to conduct an audit and two disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,875
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$56		
Estimated Cost of Compliance	\$5,000		
		*Capped at the Total EB \$ Amount	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,125
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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	\$13,125
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,125
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DEFERRAL	20.0% Reduction	Adjustment	-\$2,625
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Reduces the Final Assessed Penalty by the Indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$10,500
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Screening Date 2-May-2017

Docket No. 2017-0658-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 4 (April 2014)

Case ID No. 54399

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Shelby Orme

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	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>)	8	40%
	Other written NOVs	8	16%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	11	220%
	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	12	300%
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>)	8	-8%
	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>)	2	-4%
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 eight NOVs with same/similar violations, eight NOVs with dissimilar violations, 11 orders with denial of liability, and 12 orders without denial of liability. Reduction for eight notices of intent to conduct an audit and two disclosures of violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

Screening Date 2-May-2017
Respondent Shell Oil Company
Case ID No. 54399
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Shelby Orme
Violation Number 1

Docket No. 2017-0658-AIR-E

PCW

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

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O1669, Special Terms and Conditions No. 23, and Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,157.6 pounds ("lbs") of sulfur dioxide, 2,847.1 lbs of volatile organic compounds, 1,443.6 lbs of carbon monoxide, and 66.8 lbs of hydrogen sulfide from the North Property Flare, Emissions Point Number FLAREN, during an emissions event (Incident No. 249943) that began on January 6, 2017 and lasted one hour and 40 minutes. The emissions event occurred when a Utilities Unit air pressure regulator malfunctioned due to loose bolts, which resulted in a loss of instrument air to the Wet Gas Compressor anti-surge valve. Since the emissions event could have been prevented by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		

Notes: The Respondent achieved compliance by March 29, 2017, prior to the Notice of Enforcement dated April 20, 2017.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Estimated EB Amount \$56

Statutory Limit Test

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent Shell Oil Company
Case ID No. 54399
Reg. Ent. Reference No. RN100211879
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
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	6-Jan-2017	29-Mar-2017	0.22	\$56	n/a	\$56

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 249943. The Date Required is the date of the emissions event. The Final Date is the date of compliance.

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$5,000
TOTAL \$56



Compliance History Report

Compliance History Report for CN601542012, RN100211879, Rating Year 2016 which includes Compliance History (CH) components from September 1, 2011, through August 31, 2016.

Customer, Respondent, or Owner/Operator:	CN601542012, Shell Oil Company	Classification:	SATISFACTORY	Rating:	10.26
Regulated Entity:	RN100211879, SHELL OIL DEER PARK	Classification:	SATISFACTORY	Rating:	10.42
Complexity Points:	90	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	5900 HIGHWAY 225 DEER PARK, TX 77536-2434, HARRIS COUNTY				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0659W
 AIR OPERATING PERMITS PERMIT 1668
 AIR OPERATING PERMITS PERMIT 1945
 AIR OPERATING PERMITS PERMIT 1947
 POLLUTION PREVENTION PLANNING ID NUMBER P00619

AIR OPERATING PERMITS PERMIT 1669
 AIR OPERATING PERMITS PERMIT 1943
 AIR OPERATING PERMITS PERMIT 1946
 AIR OPERATING PERMITS PERMIT 1948
 POLLUTION PREVENTION PLANNING ID NUMBER P07403

WASTEWATER PERMIT WQ0000402000
 WASTEWATER PERMIT WQ0000403000
 AIR NEW SOURCE PERMITS REGISTRATION 142637
 AIR NEW SOURCE PERMITS REGISTRATION 54895
 AIR NEW SOURCE PERMITS REGISTRATION 75524
 AIR NEW SOURCE PERMITS REGISTRATION 130755
 AIR NEW SOURCE PERMITS PERMIT 7855
 AIR NEW SOURCE PERMITS REGISTRATION 12152
 AIR NEW SOURCE PERMITS REGISTRATION 13373
 AIR NEW SOURCE PERMITS REGISTRATION 16429
 AIR NEW SOURCE PERMITS PERMIT 1120
 AIR NEW SOURCE PERMITS PERMIT 3179
 AIR NEW SOURCE PERMITS PERMIT 5801
 AIR NEW SOURCE PERMITS PERMIT 9334
 AIR NEW SOURCE PERMITS REGISTRATION 11096
 AIR NEW SOURCE PERMITS REGISTRATION 12373
 AIR NEW SOURCE PERMITS REGISTRATION 13678
 AIR NEW SOURCE PERMITS PERMIT 8236
 AIR NEW SOURCE PERMITS REGISTRATION 15365
 AIR NEW SOURCE PERMITS REGISTRATION 15940
 AIR NEW SOURCE PERMITS PERMIT 19849
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX815
 AIR NEW SOURCE PERMITS REGISTRATION 27598
 AIR NEW SOURCE PERMITS REGISTRATION 32282
 AIR NEW SOURCE PERMITS REGISTRATION 34230
 AIR NEW SOURCE PERMITS REGISTRATION 35243
 AIR NEW SOURCE PERMITS PERMIT 37206
 AIR NEW SOURCE PERMITS AFS NUM 4820100039
 AIR NEW SOURCE PERMITS PERMIT 2597
 AIR NEW SOURCE PERMITS PERMIT 3215
 AIR NEW SOURCE PERMITS PERMIT 3218
 AIR NEW SOURCE PERMITS PERMIT 3985A
 AIR NEW SOURCE PERMITS REGISTRATION 41920
 AIR NEW SOURCE PERMITS REGISTRATION 42221
 AIR NEW SOURCE PERMITS REGISTRATION 42512

WASTEWATER EPA ID TX0004863
 WASTEWATER EPA ID TX0004871
 AIR NEW SOURCE PERMITS PERMIT 21262
 AIR NEW SOURCE PERMITS REGISTRATION 55312
 AIR NEW SOURCE PERMITS REGISTRATION 55869
 AIR NEW SOURCE PERMITS REGISTRATION 76315
 AIR NEW SOURCE PERMITS REGISTRATION 11177
 AIR NEW SOURCE PERMITS REGISTRATION 12537
 AIR NEW SOURCE PERMITS REGISTRATION 13713
 AIR NEW SOURCE PERMITS PERMIT 1119
 AIR NEW SOURCE PERMITS PERMIT 3178
 AIR NEW SOURCE PERMITS PERMIT 3216
 AIR NEW SOURCE PERMITS PERMIT 6791
 AIR NEW SOURCE PERMITS REGISTRATION 10888
 AIR NEW SOURCE PERMITS REGISTRATION 11586
 AIR NEW SOURCE PERMITS REGISTRATION 12829
 AIR NEW SOURCE PERMITS REGISTRATION 15961
 AIR NEW SOURCE PERMITS REGISTRATION 15262
 AIR NEW SOURCE PERMITS REGISTRATION 15499
 AIR NEW SOURCE PERMITS PERMIT 18576
 AIR NEW SOURCE PERMITS PERMIT 22038
 AIR NEW SOURCE PERMITS REGISTRATION 24096
 AIR NEW SOURCE PERMITS REGISTRATION 29597
 AIR NEW SOURCE PERMITS REGISTRATION 33524
 AIR NEW SOURCE PERMITS REGISTRATION 34358
 AIR NEW SOURCE PERMITS REGISTRATION 35608
 AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0659W
 AIR NEW SOURCE PERMITS PERMIT 1968
 AIR NEW SOURCE PERMITS PERMIT 3214
 AIR NEW SOURCE PERMITS PERMIT 3217
 AIR NEW SOURCE PERMITS PERMIT 3219
 AIR NEW SOURCE PERMITS PERMIT 4256
 AIR NEW SOURCE PERMITS REGISTRATION 41875
 AIR NEW SOURCE PERMITS REGISTRATION 42573
 AIR NEW SOURCE PERMITS REGISTRATION 43605

AIR NEW SOURCE PERMITS REGISTRATION 42118
 AIR NEW SOURCE PERMITS REGISTRATION 45944
 AIR NEW SOURCE PERMITS PERMIT 48912
 AIR NEW SOURCE PERMITS PERMIT 56496
 AIR NEW SOURCE PERMITS REGISTRATION 71567
 AIR NEW SOURCE PERMITS REGISTRATION 50548
 AIR NEW SOURCE PERMITS REGISTRATION 52088
 AIR NEW SOURCE PERMITS REGISTRATION 50423
 AIR NEW SOURCE PERMITS REGISTRATION 75045
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX928
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX974
 AIR NEW SOURCE PERMITS REGISTRATION 77952
 AIR NEW SOURCE PERMITS REGISTRATION 79604
 AIR NEW SOURCE PERMITS REGISTRATION 81971
 AIR NEW SOURCE PERMITS REGISTRATION 87183
 AIR NEW SOURCE PERMITS REGISTRATION 92675
 AIR NEW SOURCE PERMITS REGISTRATION 93992
 AIR NEW SOURCE PERMITS REGISTRATION 95595
 AIR NEW SOURCE PERMITS REGISTRATION 98644
 AIR NEW SOURCE PERMITS REGISTRATION 98473
 AIR NEW SOURCE PERMITS REGISTRATION 96915
 AIR NEW SOURCE PERMITS PERMIT 120335
 AIR NEW SOURCE PERMITS REGISTRATION 139433
 AIR NEW SOURCE PERMITS REGISTRATION 105051
 AIR NEW SOURCE PERMITS REGISTRATION 132997
 AIR NEW SOURCE PERMITS REGISTRATION 112737
 AIR NEW SOURCE PERMITS REGISTRATION 123359
 AIR NEW SOURCE PERMITS REGISTRATION 105056
 AIR NEW SOURCE PERMITS REGISTRATION 105060
 AIR NEW SOURCE PERMITS REGISTRATION 109247
 AIR NEW SOURCE PERMITS REGISTRATION 115095
 AIR NEW SOURCE PERMITS REGISTRATION 127854
 AIR NEW SOURCE PERMITS REGISTRATION 117430
 AIR NEW SOURCE PERMITS REGISTRATION 112344
 AIR NEW SOURCE PERMITS REGISTRATION 122116
 AIR NEW SOURCE PERMITS REGISTRATION 124415
 AIR NEW SOURCE PERMITS REGISTRATION 132367
 AIR NEW SOURCE PERMITS REGISTRATION 130375
 AIR NEW SOURCE PERMITS REGISTRATION 129997
 AIR NEW SOURCE PERMITS REGISTRATION 108593
 AIR NEW SOURCE PERMITS REGISTRATION 105059
 AIR NEW SOURCE PERMITS REGISTRATION 105772
 AIR NEW SOURCE PERMITS REGISTRATION 142429
 AIR NEW SOURCE PERMITS REGISTRATION 142165
 AIR NEW SOURCE PERMITS REGISTRATION 142639
 AIR NEW SOURCE PERMITS REGISTRATION 145289
 AIR NEW SOURCE PERMITS REGISTRATION 145873
 PETROLEUM STORAGE TANK STAGE II REGISTRATION 32780
 INDUSTRIAL AND HAZARDOUS WASTE EPA ID
 TXD067285973
 INDUSTRIAL AND HAZARDOUS WASTE EPA ID
 TXD000750620
 PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1010320
 PETROLEUM STORAGE TANK REGISTRATION REGISTRATION
 32780

AIR NEW SOURCE PERMITS REGISTRATION 45654
 AIR NEW SOURCE PERMITS REGISTRATION 47575
 AIR NEW SOURCE PERMITS PERMIT 56476
 AIR NEW SOURCE PERMITS REGISTRATION 71223
 AIR NEW SOURCE PERMITS REGISTRATION 54061
 AIR NEW SOURCE PERMITS REGISTRATION 52565
 AIR NEW SOURCE PERMITS REGISTRATION 50388
 AIR NEW SOURCE PERMITS REGISTRATION 74572
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX896
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX928M1
 AIR NEW SOURCE PERMITS REGISTRATION 76699
 AIR NEW SOURCE PERMITS REGISTRATION 76265
 AIR NEW SOURCE PERMITS REGISTRATION 80525
 AIR NEW SOURCE PERMITS REGISTRATION 84642
 AIR NEW SOURCE PERMITS REGISTRATION 87173
 AIR NEW SOURCE PERMITS REGISTRATION 92219
 AIR NEW SOURCE PERMITS REGISTRATION 94547
 AIR NEW SOURCE PERMITS REGISTRATION 96066
 AIR NEW SOURCE PERMITS REGISTRATION 102096
 AIR NEW SOURCE PERMITS REGISTRATION 100945
 AIR NEW SOURCE PERMITS REGISTRATION 102948
 AIR NEW SOURCE PERMITS REGISTRATION 120555
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX974M1
 AIR NEW SOURCE PERMITS REGISTRATION 105057
 AIR NEW SOURCE PERMITS REGISTRATION 133287
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1474
 AIR NEW SOURCE PERMITS REGISTRATION 131062
 AIR NEW SOURCE PERMITS REGISTRATION 113881
 AIR NEW SOURCE PERMITS REGISTRATION 120437
 AIR NEW SOURCE PERMITS REGISTRATION 105055
 AIR NEW SOURCE PERMITS REGISTRATION 132281
 AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1476
 AIR NEW SOURCE PERMITS REGISTRATION 135037
 AIR NEW SOURCE PERMITS REGISTRATION 133665
 AIR NEW SOURCE PERMITS REGISTRATION 138213
 AIR NEW SOURCE PERMITS REGISTRATION 125842
 AIR NEW SOURCE PERMITS REGISTRATION 112313
 AIR NEW SOURCE PERMITS REGISTRATION 106379
 AIR NEW SOURCE PERMITS REGISTRATION 115088
 AIR NEW SOURCE PERMITS REGISTRATION 105058
 AIR NEW SOURCE PERMITS REGISTRATION 114863
 AIR NEW SOURCE PERMITS REGISTRATION 131615
 AIR NEW SOURCE PERMITS REGISTRATION 146156
 AIR NEW SOURCE PERMITS REGISTRATION 146255
 AIR NEW SOURCE PERMITS REGISTRATION 141452
 AIR NEW SOURCE PERMITS REGISTRATION 145325
 TAX RELIEF ID NUMBER 18127
 INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50099
 INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
 REGISTRATION # (SWR) 30007
 PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 6001443
 IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION #
 (SWR) 30007
 AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0659W

Compliance History Period: September 01, 2011 to August 31, 2016 **Rating Year:** 2016 **Rating Date:** 09/01/2016
Date Compliance History Report Prepared: April 25, 2017
Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 25, 2012 to April 25, 2017

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

Name: Shelby Orme

Phone: (512) 239-4575

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

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

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

- 1 Effective Date: 05/25/2012 ADMINORDER 2011-1311-AIR-E (1660 Order-Agreed Order With 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: SC 1 PERMIT
ST&C 2.I PERMIT
Description: Failure to prevent unauthorized emissions. Shell failed to prevent a leak on the overhead of the DU2 Unit Crude Column V-5102.
- 2 Effective Date: 08/17/2012 ADMINORDER 2011-2121-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 B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O1668, STC 15 OP
NSR Permit 3219, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions on June 7, 2011 in Olefins Plant 3. Because the event could have been avoided by better operating practices and was not reported properly, Shell Chemical LP did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)
Description: Failed to include all the total quantities of contaminants released in the final report the emissions event that occurred on June 7, 2011 in Olefins Plant 3.
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: FOP O1669, STC 22 OP
NSR Permit 21262, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event in the Coker Unit that began on June 12, 2011. Because the event could have been avoided by better operating practices, Shell Oil Company did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)
Description: Failed to provide timely submittal of additional information to the TCEQ by August 1, 2011 for the emissions event that began on June 12, 2011 in the Coker Unit.
- 3 Effective Date: 03/21/2013 ADMINORDER 2012-1385-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 165218. Specifically, 35.60 pounds ("lbs") of 1,3 butadiene, 440.56 lbs of cis-2-butene, 637.99 lbs of trans-2-butene, 511.19 lbs of n-butane, 1,392.48 lbs of butene 1_isobutene, 892.50 lbs of butanes and isobutanes, 20 lbs of propane, 339.60 lbs of other volatile organic compounds ("VOC"), and 4.90 lbs of propylene were released during an emissions event (Incident No. 165218) which began on February 22, 2012, and lasted for 24 mi

- 4 Effective Date: 05/24/2014 ADMINORDER 2013-2000-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 B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O1946, STC No. 21 OP
Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
- 5 Effective Date: 07/11/2014 ADMINORDER 2013-1205-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Special Terms and Conditions No. 15 OP
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Special Terms and Conditions No. 15 OP
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 10 PERMIT
Special Terms and Conditions 21 OP
Description: Failed to comply with the maximum fill rate of 14,100 gallons per hour ("gal/hr") for Tank Nos. D402 and D403 and the maximum pumping rate of 126,000 gal/hr for Tank No. F354.
- 6 Effective Date: 10/27/2014 ADMINORDER 2014-0375-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Conditions No. 1 PERMIT
Special Terms and Conditions No. 21 OP
Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs per one hour block period.
Classification: Major
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Conditions No. 1 PERMIT
Special Terms and Conditions No. 22 OP
Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs per one hour block period.

- 7 Effective Date: 12/19/2014 ADMINORDER 2014-0152-AIR-E (Findings Order-Agreed Order Without Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Failure to prevent the overfilling of the GOHT Stripper Overhead Receiver during startup of the unit (Category A12(I)(6)).
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Shell failed to prevent the release of unauthorized emissions associated with four holes in the floating roof of Tank G358.
- 8 Effective Date: 07/17/2015 ADMINORDER 2014-1110-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 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)
 Rqmt Prov: 1945 PERMIT
 3179 PERMIT
 Description: Failed to maintain the minimum net heating value of 300 British thermal units per standard cubic foot ("Btu/scf") for the A & S Flare, Emission Point Number ("EPN") A1301. Specifically, the net heating value fell below 300 Btu/scf on January 25, 2013, March 5, 2013, and June 5, 2013.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 1945 PERMIT
 3179 PERMIT
 Description: Failed to maintain the required minimum firebox temperature of 1,500 degrees Fahrenheit ("°F") for the Regenerative Thermal Oxidizer ("RTO"), EPN H87002. Specifically, the firebox temperature fell below 1,500 °F on February 23, 2013, April 24, 2013, and April 27, 2013.
- 9 Effective Date: 08/10/2015 ADMINORDER 2014-1522-AIR-E (Findings Order-Agreed Order Without Denial)
 Classification: Major
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter 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: FOP No. O1669 OP
 Special Condition No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 47,807.73 pounds ("lbs") of volatile organic compounds ("VOC"), including 1,805.52 lbs of highly reactive volatile organic compounds ("HRVOC"); 28.39 lbs of hydrogen sulfide; and 0.71 lb of carbon monoxide from the Distillation Unit Column V-5102, during an emissions event (Incident No. 199252) that began on June 3, 2014 and lasted for 16 minutes. (Category A12(I)(6)).
 Classification: Minor
 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: FOP No. O1669 OP
 Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 6,844.43 lbs of VOC, including 640.32 lbs of HRVOC; 257.33 lbs of hydrogen sulfide; and 8.11 lbs of carbon monoxide from the Distillation Unit Column V-5102, during an emissions event (Incident No. 200476) that began on June 30, 2014 and lasted for three

minutes.

- 10 Effective Date: 08/24/2015 ADMINORDER 2014-1245-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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: ST&C 1A OP
Description: Failed to maintain the H2S concentration in the fuel gas at or below 230 mg/dscm.
Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: ST&C 1A OP
Description: Failed to comply with the NH3 concentration limit of 10 ppmv at three percent oxygen for units that inject urea or NH3 into the exhaust stream for nitrogen oxides control.
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GT&C OP
Description: Failed to include all applicable requirements for each deviation reported in the January 1, 2013 through June 30, 2013 deviation report dated July 30, 2013 and the July 1, 2013 through December 31, 2013 deviation report dated January 30, 2014.
- 11 Effective Date: 08/24/2015 ADMINORDER 2014-1728-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O-1668 OP
Special Condition No. 6 PERMIT
Description: Failure to prevent unauthorized emissions. Shell Chemical LP failed to prevent a leak on the flange of the recirculation nozzle on Tank T74B (Category A12I(6)).
- 12 Effective Date: 01/21/2016 ADMINORDER 2015-0325-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 57,260.91 pounds ("lbs") of volatile organic compounds ("VOC") and 4,157 lbs of hydrogen sulfide from the Distillation Unit Column V-5102, during an emissions event (Incident No. 201415) that began on July 24, 2014 and lasted for 22 minutes. The event occurred due to entrained water in the crude feed, overloading the distillation column's condensing capacity. (Category A12I(6)).
- 13 Effective Date: 01/28/2016 ADMINORDER 2015-0442-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
STC No. 22 OP
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,202.07 lbs of ethylene from the ethylene product line on the Olefins Plant 3 ("OP3"), during an avoidable emissions event (Incident No. 205862) that began on October 29, 2014 and lasted 52 hours. The emissions event occurred due to corrosion under the insulation which caused a leak on the ethylene product line.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

STC No. 22 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,071.99 lbs of ethylene from the ethylene product line on the OP3, during an avoidable emissions event (Incident No. 207624) that began on December 17, 2014 and lasted 25 hours. The emissions event occurred due to corrosion under the insulation which caused a leak on the ethylene product line.

- 14 Effective Date: 03/04/2016 ADMINORDER 2015-0748-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 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Shell failed to prevent the release of process material to the atmosphere due to operator error (Category A12i(6)).
- 15 Effective Date: 03/04/2016 ADMINORDER 2015-0905-AIR-E (1660 Order-Agreed Order With Denial)
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)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.
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)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.
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)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.
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)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to submit a deviation report no later than 30 days after the end of the reporting period. Specifically, the deviation report for the January 1, 2014 through April 1, 2014 reporting period was due by May 1, 2014, but was not submitted until July 30, 2014.
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP

Description: Failed to submit a deviation report no later than 30 days after the end of the reporting period. Specifically, the deviation report for the January 1, 2014 through April 1, 2014 reporting period was due by May 1, 2014, but was not submitted until July 30, 2014.

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)

Rqmt Prov: General Terms & Conditions OP

Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.

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)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a PCC no later than 30 days after the end of the certification period. Specifically, the PCC for the January 1, 2014 through April 1, 2014 certification period was due by May 1, 2014, but was not submitted until April 7, 2015.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a deviation report no later than 30 days after the end of the reporting period. Specifically, the deviation report for the January 1, 2014 through April 1, 2014 reporting period was due by May 1, 2014, but was not submitted until July 30, 2014.

- 16 Effective Date: 05/17/2016 ADMINORDER 2015-1215-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Shell failed to prevent a fire on the dollar plate of Exchanger E5301A, which resulted in the release of unauthorized emissions to the atmosphere (Category A12(I)(6)).
- 17 Effective Date: 05/18/2016 ADMINORDER 2015-1367-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Terms and Condition 1A OP
Description: Failure to maintain concentration less than 500 parts per million by volume (ppmv) carbon monoxide (CO) for boiler (H-600). (Category B13)
- 18 Effective Date: 08/09/2016 ADMINORDER 2015-1816-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs per one hour block period. This event was determined to be an excessive emissions event.
- 19 Effective Date: 08/09/2016 ADMINORDER 2015-1741-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs per one hour block

Compliance History Report for CN601542012, RN100211879, Rating Year 2016 which Includes Compliance History (CH) components from April 25, 2012, through April 25, 2017.

period. This event was determined to be an excessive emissions event.

- 20 Effective Date: 08/24/2016 ADMINORDER 2015-1834-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions. This event was determined to be an excessive emissions event.
- 21 Effective Date: 10/11/2016 ADMINORDER 2016-0081-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions, as documented during a record review conducted on September 10, 2015. Specifically, the Respondent released 6,444.26 pounds ("lbs") of volatile organic compounds, including 5,378.98 lbs of ethylene, from the Fuel Gas Trip Valve XV-717, during an emissions event (Incident No. 218292) that began on July 14, 2015 and lasted 494 hours.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit the final record for Incident No. 218292 within two weeks after the end of the emissions event, as documented during a record review conducted on September 10, 2015. Specifically, the final record was due by August 18, 2015, but was not submitted until August 19, 2015.
- 22 Effective Date: 12/06/2016 ADMINORDER 2016-0462-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,743.5 pounds of volatile organic compounds from the Cooling Tower, Emissions Point No. OP3CWT, during an emissions event that began on November 18, 2015 and lasted for 47 hours. The event occurred when an inadvertent shutdown of the condensate supply to the Condensate Cooler allowed feed material to flow into the condensate side of the process, which was returned to the cooling tower and released into the atmosphere

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	May 03, 2012	(997861)
Item 2	May 15, 2012	(1006516)
Item 3	May 18, 2012	(1016432)
Item 4	June 20, 2012	(1024153)
Item 5	June 29, 2012	(1009226)
Item 6	July 10, 2012	(1015877)
Item 7	July 20, 2012	(1031549)
Item 8	July 30, 2012	(1013049)
Item 9	August 16, 2012	(1008493)
Item 10	August 20, 2012	(1037925)
Item 11	September 05, 2012	(1013053)
Item 12	September 13, 2012	(1020375)
Item 13	September 18, 2012	(1031344)
Item 14	October 02, 2012	(1021281)
Item 15	October 18, 2012	(1060822)
Item 16	November 20, 2012	(1060823)

Item 17	December 19, 2012	(1060824)
Item 18	January 18, 2013	(1078933)
Item 19	January 25, 2013	(1046537)
Item 20	February 08, 2013	(1050758)
Item 21	February 20, 2013	(1078934)
Item 22	February 27, 2013	(1059517)
Item 23	March 20, 2013	(1089290)
Item 24	March 29, 2013	(1060207)
Item 25	April 10, 2013	(1059686)
Item 26	April 18, 2013	(1095685)
Item 27	April 29, 2013	(1073262)
Item 28	May 20, 2013	(1095684)
Item 29	June 20, 2013	(1110285)
Item 30	July 19, 2013	(1117169)
Item 31	July 31, 2013	(1098624)
Item 32	August 07, 2013	(1102332)
Item 33	August 20, 2013	(1124926)
Item 34	September 18, 2013	(1129525)
Item 35	October 17, 2013	(1135256)
Item 36	November 05, 2013	(1095043)
Item 37	November 14, 2013	(1106142)
Item 38	November 20, 2013	(1140655)
Item 39	December 18, 2013	(1147113)
Item 40	January 15, 2014	(1114349)
Item 41	January 17, 2014	(1153182)
Item 42	February 03, 2014	(1135116)
Item 43	February 18, 2014	(1139856)
Item 44	February 19, 2014	(1160517)
Item 45	March 17, 2014	(1150150)
Item 46	March 19, 2014	(1167162)
Item 47	April 04, 2014	(1152418)
Item 48	April 17, 2014	(1174295)
Item 49	May 13, 2014	(1152530)
Item 50	May 20, 2014	(1180483)
Item 51	May 28, 2014	(1163873)
Item 52	May 30, 2014	(1152587)
Item 53	June 18, 2014	(1187382)
Item 54	July 09, 2014	(1179970)
Item 55	July 17, 2014	(1198511)
Item 56	August 12, 2014	(1173221)
Item 57	August 19, 2014	(1198512)
Item 58	August 22, 2014	(1172985)
Item 59	September 15, 2014	(1086729)
Item 60	September 17, 2014	(1205786)
Item 61	October 02, 2014	(1191546)
Item 62	October 20, 2014	(1212198)
Item 63	November 19, 2014	(1218450)
Item 64	December 18, 2014	(1216102)
Item 65	January 19, 2015	(1230756)
Item 66	January 30, 2015	(1222756)
Item 67	February 04, 2015	(1223023)
Item 68	February 05, 2015	(1197220)
Item 69	February 19, 2015	(1228205)
Item 70	February 20, 2015	(1227303)
Item 71	February 23, 2015	(1209666)
Item 72	February 27, 2015	(1228929)
Item 73	March 18, 2015	(1222396)
Item 74	March 19, 2015	(1248595)
Item 75	April 20, 2015	(1255496)
Item 76	May 20, 2015	(1262206)

Item 77	June 02, 2015	(1246895)
Item 78	June 17, 2015	(1269375)
Item 79	July 16, 2015	(1228069)
Item 80	August 05, 2015	(1229874)
Item 81	August 19, 2015	(1283097)
Item 82	August 26, 2015	(1274994)
Item 83	September 16, 2015	(1211198)
Item 84	September 18, 2015	(1290238)
Item 85	October 12, 2015	(1281632)
Item 86	October 14, 2015	(1242129)
Item 87	October 15, 2015	(1296441)
Item 88	November 13, 2015	(1282021)
Item 89	November 19, 2015	(1301893)
Item 90	December 16, 2015	(1308821)
Item 91	December 30, 2015	(1300870)
Item 92	January 05, 2016	(1228399)
Item 93	January 11, 2016	(1258576)
Item 94	January 19, 2016	(1315605)
Item 95	February 08, 2016	(1308335)
Item 96	February 19, 2016	(1324998)
Item 97	February 25, 2016	(1266798)
Item 98	March 07, 2016	(1314892)
Item 99	March 09, 2016	(1313286)
Item 100	March 15, 2016	(1331726)
Item 101	April 04, 2016	(1323171)
Item 102	April 14, 2016	(1338889)
Item 103	May 19, 2016	(1345689)
Item 104	June 09, 2016	(1337832)
Item 105	June 16, 2016	(1352132)
Item 106	June 24, 2016	(1342199)
Item 107	July 19, 2016	(1330539)
Item 108	July 20, 2016	(1359105)
Item 109	July 25, 2016	(1331328)
Item 110	August 02, 2016	(1349654)
Item 111	August 09, 2016	(1351448)
Item 112	August 10, 2016	(1335662)
Item 113	August 18, 2016	(1365530)
Item 114	August 23, 2016	(1343431)
Item 115	August 29, 2016	(1295487)
Item 116	September 06, 2016	(1358270)
Item 117	September 16, 2016	(1362524)
Item 118	September 20, 2016	(1372230)
Item 119	October 17, 2016	(1364843)
Item 120	October 19, 2016	(1378408)
Item 121	November 07, 2016	(1371153)
Item 122	November 17, 2016	(1384367)
Item 123	November 29, 2016	(1364927)
Item 124	December 19, 2016	(1390504)
Item 125	January 06, 2017	(1383541)
Item 126	January 18, 2017	(1397121)
Item 127	January 19, 2017	(1388146)
Item 128	February 17, 2017	(1404005)
Item 129	March 16, 2017	(1397018)
Item 130	March 27, 2017	(1400955)
Item 131	March 31, 2017	(1394299)

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: 05/31/2016 (1352130)

	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
2	Date:	06/30/2016 (1359106)		
	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		
3	Date:	07/29/2016 (1343902)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition No. 1 PERMIT		
	Description:	Failure to prevent unauthorized emissions. Failure to prevent the malfunction of Motor-operated Valve MOV-301A.		
4	Date:	07/31/2016 (1365529)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
5	Date:	08/01/2016 (1330411)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description:	Failure to limit the carbon monoxide (CO) concentration to not more than 400 parts per million by volume (ppmv) on a 24 hour (hr) rolling basis for the heater (H5102). (Category B13)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 19 PERMIT Special Term and Condition 23 OP		
	Description:	Failure to maintain the stockpile's moisture content. (Category C4)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)(iii) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description:	Failure to repair the seal of tank AP6 on time. (Category B19(g)(1))		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description:	Failure to cap or seal open-ended lines. (Category C10)		
	Self Report?	NO	Classification:	Minor
	Citation:	40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGGa 60.592a(d) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to perform three (3) calibration drift assessments. (Category C1)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description:	Failure to perform follow-up monitoring for two successive months for the valve tag nos., 6842 and 9775. (Category C1)		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		

Special Condition 10(F) PERMIT
Special Term and Condition 23 OP

Description: Failure to follow the directed maintenance requirement of simultaneous use of an analyzer and repair of valves. (Category C1)

6

Date: 08/09/2016 (1295484)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to repair components within the required timeframe after the leak was discovered. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent the carbon monoxide (CO) for the furnace (FP3-1130) from exceeding 400 parts per million by volume (ppmv) in a rolling 24 hour averaging period. (Category B18)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failed to cap or seal open ended lines (OELs). (Category C10)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(B)(I)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 22 OP

Description: Failed to notify appropriate regional office of the start and completion date of construction. (Category B3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25(A) PERMIT
Special Term and Condition 22 OP

Description: Failure to calibrate the Gas Chromatography (GC) analyzer with the correct calibration gas concentration. (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(n)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to maintain the boiler's (EPN: H87920) hazardous waste combustor (HWC) maximum available control technology (MACT) standard for the maximum chromium thermal concentration. (Category B18)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(o)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to maintain the boiler's (EPN: H87920) hazardous waste combustor (HWC) maximum available control technology (MACT) standard for the maximum chlorine thermal concentration. (Category B18)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 8(C) PERMIT
Special Term and Condition 1A OP

Description: Special Term and Condition 22 OP
 Failure to prevent the flares (OP2ELFLA and OP3ELFLA) from smoking for more than 5 minutes in any 2 consecutive hours. (Category C4)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6(A) PERMIT
 Special Term and Conditions 22 OP
 Description: Failure to maintain the permitted tank F-358 liquid level from exceeding the two hour limit when draining the tank. (Category C4)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 113, SubChapter C 113.520
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-10(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(d)(1)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to repair the delay of repair (DOR) components during the turnaround (Tag Nos. 66417A, 23594.3, 27584.2, 61065, and 61069). (Category B19g7)

- 7 Date: 09/30/2016 (1378407)
 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
- 8 Date: 10/31/2016 (1384366)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
- 9 Date: 11/30/2016 (1390503)
 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
- 10 Date: 12/16/2016 (1363196)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Shell failed to prevent unauthorized emissions associated with a tube leak on Furnace FP3-1100 (Category B19g(1)).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to notify the TCEQ of a reportable emissions event within 24 hours of discovery (Category B19g(1)).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to provide additional information regarding the emissions event within the time established in the request (Category C3).
- 11 Date: 12/31/2016 (1397120)
 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
- 12 Date: 01/10/2017 (1335770)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 6 PERMIT
Description: Failure to prevent unauthorized emissions. Shell failed to prevent a leak on the Lower Rectifier Column Reboiler E8054.

- 13 Date: 01/13/2017 (1377975)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions. Shell failed to prevent a leak from the A324 water piping.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failure to notify the TCEQ of a reportable emissions event within 24 hours of discovery (Category B19g(1)).
- 14 Date: 01/31/2017 (1404004)
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
- 15 Date: 02/24/2017 (1389453)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Failure to prevent a leak on piping to Motor-operated valve MOV-E2.
- 16 Date: 04/20/2017 (1388976)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to maintain gasket on vacuum breaker (EPN G355). (Category B19g(1) violation)
Self Report? NO Classification: Moderate
Citation: 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)
Special Terms and Conditions 27A OP
Description: Failure to maintain storage tank (EPN J334). (Category C4 violation)

F. Environmental audits:

Notice of Intent Date: 06/11/2012 (1014412)

Disclosure Date: 09/26/2012

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 1

Description: Failed to control emissions of benzene from the Catalytic Reformer #3 vent (V54) occurred to atmosphere in an amount greater than the MAERT limits in NSR Permit 21262 on nine separate periods since 2009. Details are listed here: 1/17/2009 1400-1659 hrs -46.6 lbs; 5/21/2009, 0600-1259 hrs --24.1 lbs; 7/3/2009 0600-1259, hrs - 129.2 lbs; 9/22/2009 1500-1659 hrs -- 17.1 lbs; 9/25/2009 0800-1159 hrs- 34.6 lbs; 7/11/2010 2000 hrs- /12/2010, 0959 hrs-140.31bs;1/9/2011 1000-1359 hrs -- 91.21bs; 11/23/2

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201

Description: Failed to submit initial notification of reportable emission events within the required time period.

Notice of Intent Date: 09/12/2012 (1043261)

No DOV Associated

Notice of Intent Date: 09/19/2012 (1035458)

Disclosure Date: 06/19/2013

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank A309.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank G360.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank G313.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank A324.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank A322.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank G359.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(1)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)

Description: Failed to keep rim space vents closed when required in external floating roof tank G357 due to the malfunction of a rim vent pin.

Notice of Intent Date: 04/25/2013 (1089202)

No DOV Associated

Notice of Intent Date: 08/06/2015 (1274333)

No DOV Associated

Notice of Intent Date: 07/26/2016 (1351386)

No DOV Associated

Notice of Intent Date: 10/13/2016 (1369764)

No DOV Associated

Notice of Intent Date: 03/14/2017 (1403099)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: SHELL OIL DEER PARK

Reg Entity Add: 5900 HIGHWAY 225

Reg Entity City: DEER PARK

Reg Entity No: RN100211879

EPA Case No: 06-2009-3404

Order Issue Date (yyyymmdd): 20140606

Case Result: Final Order with Penalty

Statute: CAA

Sect of Statute: 173

Classification: Moderate

Program: Permit Requirements

Citation:

Violation Type: Benzene Waste

Cite Sect:

Cite Part:

Enforcement Action: Consent Decree or Court Order Resolving a Civil

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHELL OIL COMPANY
RN100211879

§
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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2017-0658-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Shell Oil Company (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent operates a petrochemical plant located at 5900 Highway 225 in Deer Park, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,125 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$5,250 of the penalty and \$2,625 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$5,250 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with

all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective actions at the Plant in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 249943:
 - a. By March 20, 2017, surveyed other compressor panels in the area;
 - b. By March 28, 2017, installed new check valves downstream of every regulator at the resins air station, added a regulatory bypass, and replaced both regulators with a newer design; and
 - c. By March 29, 2017, created a recurring annual System Applications Products ticket to initiate Preventative Maintenance on the resin air station regulators.

II. ALLEGATIONS

During a record review conducted from January 31, 2017 through February 14, 2017, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit No. O1669, Special Terms and Conditions No. 23, and Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1. Specifically, the Respondent released 6,157.6 pounds ("lbs") of sulfur dioxide, 2,847.1 lbs of volatile organic compounds, 1,443.6 lbs of carbon monoxide, and 66.8 lbs of hydrogen sulfide from the North Property Flare, Emissions Point Number FLAREN, during an emissions event (Incident No. 249943) that began on January 6, 2017 and lasted one hour and 40 minutes. The emissions event occurred when a Utilities Unit air pressure regulator malfunctioned due to loose bolts, which resulted in a loss of instrument air to the Wet Gas Compressor anti-surge valve. Since the emissions event could have been prevented by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Shell Oil Company, Docket No. 2017-0658-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 an SEP as set forth in Section I, Paragraph 4. The amount of \$5,250 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this 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 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 Order or in any plan, report, or other document submitted pursuant to this 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.
7. This 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 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.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this 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 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.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director


6/25/18
Date

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

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

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

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


Signature

1/8/2018
Date

Barry Kuehn
Name (Printed or typed)
Authorized Representative of
Shell Oil Company

GM - DEER PARK SITE
Title

If mailing address has changed, please check this box and provide the new address below:

Attachment A

Docket Number: 2017-0658-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Shell Oil Company
Payable Penalty Amount:	\$10,500
SEP Offset Amount:	\$5,250
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston Regional Monitoring Corporation
Project Name:	<i>Houston Area Air Monitoring Project</i>
Location of SEP:	Harris 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 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**

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston Regional Monitoring Corporation** for the *Houston Area Air Monitoring Project* SEP. 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 operate a network of ambient air monitoring stations that continuously measure and record concentrations of ambient air pollutants. This network includes the Houston Regional Monitor ("HRM") 617 Wallisville Road site, the HRM 615 Lynchburg Ferry site, and the HRM 3 Haden Road site. The Third-Party Administrator shall use the SEP Offset Amount to report data from these three existing sites in the Houston Regional Monitoring Corporation ambient air quality monitoring network in the Houston-Galveston Air Quality Control Region No. 216. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

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

Shell Oil Company
Agreed Order - Attachment A

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

b. Environmental Benefit

This SEP will provide TCEQ with near real-time access to high quality, short time resolution volatile organic compound, nitrogen oxide, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, conduct source attribution studies, and to assess potential ambient community exposure to a limited number of hazardous air pollutants. Data from the monitors can be used with data from other monitors to provide critical information that can be used to evaluate the effectiveness of current and proposed emission control strategies aimed at achieving compliance with the 8-hour ozone National Ambient Air Quality Standards. It also provides a key source of information that is essential to furthering our overall understanding of those emission sources that contribute to ambient community exposure to toxic air contaminants. Because the information is available in near real-time, it can be used to provide both agency staff and industry personnel with time critical information to investigate emission events in a timely fashion. Another key benefit is the ability to measure the change in the ambient air concentration of the individual target species and quantify control measure effectiveness. Data from these monitors will be publicly accessible through the TCEQ's website and will be used in evaluating air quality in the area, in ozone forecasts, and ozone warnings. Thus, the public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness.

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 contribution payable to **Houston Regional Monitoring Corporation SEP** and shall mail the contribution with a copy of the Agreed Order to:

Shell Oil Company
Agreed Order - Attachment A

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Morgan, Lewis, & Bockius, LLP
1000 Louisiana, Suite 4000
Houston, Texas 77002

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount due 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 made by or on behalf of the Respondent, must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ.** Such statements include advertising, public relations, and press releases.

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this 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.