

**Executive Summary – Enforcement Matter – Case No. 60119**  
**Phillips 66 Company**  
**RN101619179**  
**Docket No. 2020-1530-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Sweeny Refinery and Petrochemical Complex, 8189 Old Farm-to-Market Road 524, Old Ocean, Brazoria County

**Type of Operation:**

Petroleum refinery

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2021-0220-AIR-E, 2021-0335-AIR-E, 2021-0654-AIR-E, 2021-0897-AIR-E, and 2021-1034-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** July 30, 2021

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$12,308

**Amount Deferred for Expedited Settlement:** \$2,461

**Total Paid to General Revenue:** \$9,847

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

Payment Plan: N/A

**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:** July 17, 2018 through July 31, 2018 and October 5, 2020 through October 23, 2020

**Date(s) of NOE(s):** November 20, 2020 and November 24, 2020

**Executive Summary – Enforcement Matter – Case No. 60119**  
**Phillips 66 Company**  
**RN101619179**  
**Docket No. 2020-1530-AIR-E**

***Violation Information***

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 111.30 pounds ("lbs") of volatile organic compounds ("VOC"), 30.60 lbs of carbon monoxide ("CO"), 5.40 lbs of hydrogen sulfide ("H<sub>2</sub>S"), 6.00 lbs of nitrogen oxides ("NO<sub>x</sub>"), and 3,638.30 lbs of sulfur dioxide ("SO<sub>2</sub>") from the Expansion Low Pressure Flare, Emissions Point Number ("EPN") 56-61-17, during an emissions event (Incident No. 273862) that occurred on December 5, 2017 and lasted 24 minutes. The emissions event occurred when a secondary compressor shut down due to an emergency trip, a backup portable compressor could not withstand the unit's load and shut down, and instrument air could not be imported from another part of the Plant due to the Dual Modular Valve failing in the closed position, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 5920A and PSDTX103M4, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1626, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 29, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 152.21 lbs of VOC, 60.75 lbs of CO, 10.89 lbs of H<sub>2</sub>S, 8.57 lbs of NO<sub>x</sub>, and 1,004.84 lbs of SO<sub>2</sub> from the Coker Flare, EPN 29-61-1, during an emissions event (Incident No. 341093) that occurred on August 22, 2020 and lasted 37 minutes. The emissions event occurred when the change in the weather and shutting down the Unit 26.1 Gas Oil Hydrotreater caused a steam supply dip and when charging inadequately heated fuel to Coke Drum 29.2D101 after drum maintenance bypass that caused over-pressuring of Coke Drum 29.1D101, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 5920A and PSDTX103M4, SC No. 1, FOP No. O1626, GTC and STC No. 29, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not provide the connection between the root cause and the emissions events on the final record for Incident No. 341093 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(J) and 122.143(4), FOP No. O1626, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

**Executive Summary – Enforcement Matter – Case No. 60119**  
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***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. By July 31, 2018, adjusted the Dual Modular Valve to fail open to import air into the secondary compressor and upgraded the backup portable compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273862;
- b. By October 5, 2020, replaced the compressor ejector jets, tuned the 450 pounds per square inch gauge ("psig") to 150 psig steam letdown to improve the steam supply to Unit 26.2, and updated the procedures and trained the operators on ensuring sufficiently heated feed reaches the drum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341093; and
- c. On October 19, 2020, provided the best known cause for Incident No. 341093.

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days, implement measures and/or procedures designed to ensure that all of the required information is identified on the final records for reportable emissions events; and
- b. Within 45 days, submit written certification to demonstrate compliance with a.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Johnnie Wu, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2524; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Mark Evans, General Manager, Phillips 66 Company, 8189 Old Farm-to-Market Road 524, Old Ocean, Texas 77463

Vinod Jaini, Principal Environmental Consultant, Phillips 66 Company, 8189 Old Farm-to-Market Road 524, Old Ocean, Texas 77463

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned</b>	30-Nov-2020	<b>Screening</b>	1-Dec-2020	<b>EPA Due</b>	
	<b>PCW</b>	4-May-2021				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Phillips 66 Company
<b>Reg. Ent. Ref. No.</b>	RN101619179
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60119	<b>No. of Violations</b>	3
<b>Docket No.</b>	2020-1530-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Johnnie Wu
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$7,750</b>
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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.

<b>Compliance History</b>	<b>83.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$6,432</b>
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Notes: Enhancement for one NOV with same or similar violations, seven NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for 30 notices of intent to conduct an audit and 13 disclosures of violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>-\$1,874</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts \$555  
 Estimated Cost of Compliance \$31,750  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$12,308</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b> Adjustment	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$12,308</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$12,308</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$2,461</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$9,847</b>
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**Screening Date** 1-Dec-2020

**Docket No.** 2020-1530-AIR-E

**PCW**

**Respondent** Phillips 66 Company

*Policy Revision 4 (April 2014)*

**Case ID No.** 60119

*PCW Revision March 26, 2014*

**Reg. Ent. Reference No.** RN101619179

**Media** Air

**Enf. Coordinator** Johnnie Wu

### 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> )	1	5%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	6	120%
	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	0	0%
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> )	30	-30%
	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> )	13	-26%
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)** 83%

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

No

**Adjustment Percentage (Subtotal 3)** 0%

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

Satisfactory Performer

**Adjustment Percentage (Subtotal 7)** 0%

**>> Compliance History Summary**

**Compliance History Notes**

Enhancement for one NOV with same or similar violations, seven NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for 30 notices of intent to conduct an audit and 13 disclosures of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 83%

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 83%

**Screening Date** 1-Dec-2020  
**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Enf. Coordinator** Johnnie Wu

**Docket No.** 2020-1530-AIR-E

**PCW**

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

**Violation Number** 1

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 5920A and PSDTX103M4, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1626, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 29, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions. Specifically, the Respondent released 111.30 pounds ("lbs") of volatile organic compounds ("VOC"), 30.60 lbs of carbon monoxide ("CO"), 5.40 lbs of hydrogen sulfide ("H2S"), 6.00 lbs of nitrogen oxides ("NOx"), and 3,638.30 lbs of sulfur dioxide ("SO2") from the Expansion Low Pressure Flare, Emissions Point Number ("EPN") 56-61-17, during an emissions event (Incident No. 273862) that occurred on December 5, 2017 and lasted 24 minutes. The emissions event occurred when a secondary compressor shut down due to an emergency trip, a backup portable compressor could not withstand the unit's load and shut down, and instrument air could not be imported from another part of the Plant due to the Dual Modular Valve failing in the closed position, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance 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	15.0%
	Potential				

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

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

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events	1	1	Number of violation days
daily			
weekly			
monthly			
quarterly		X	
semiannual			
annual			
single event			

**Violation Base Penalty** \$3,750

One quarterly event is recommended.

**Good Faith Efforts to Comply**

**25.0%** Reduction \$937

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

**Notes** The Respondent achieved compliance by July 31, 2018, prior to the Notice of Enforcement ("NOE") dated November 20, 2020.

**Violation Subtotal** \$2,813

**Economic Benefit (EB) for this violation**

**Estimated EB Amount** \$326

**Statutory Limit Test**

**Violation Final Penalty Total** \$5,926

**This violation Final Assessed Penalty (adjusted for limits)** \$5,926

## Economic Benefit Worksheet

**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	5-Dec-2017	31-Jul-2018	0.65	\$326	n/a	\$326

**Notes for DELAYED costs**

Estimated cost to adjust the Dual Modular Valve to fail open to import air into the secondary compressor and to upgrade the backup portable compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273862. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

### Avoided Costs

#### ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$10,000

**TOTAL** \$326

**Screening Date** 1-Dec-2020  
**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Enf. Coordinator** Johnnie Wu

**Docket No.** 2020-1530-AIR-E

**PCW**

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

**Violation Number** 2  
**Rule Cite(s)**

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 5920A and PSDTX103M4, SC No. 1, FOP No. O1626, GTC and STC No. 29, and Tex. Health & Safety Code § 382.085(b)

**Violation Description**

Failed to prevent unauthorized emissions. Specifically, the Respondent released 152.21 lbs of VOC, 60.75 lbs of CO, 10.89 lbs of H2S, 8.57 lbs of NOx, and 1,004.84 lbs of SO2 from the Coker Flare, EPN 29-61-1, during an emissions event (Incident No. 341093) that occurred on August 22, 2020 and lasted 37 minutes. The emissions event occurred when the change in the weather and shutting down the Unit 26.1 Gas Oil Hydrotreater caused a steam supply dip and when charging inadequately heated fuel to Coke Drum 29.2D101 after drum maintenance bypass that caused over-pressuring of Coke Drum 29.1D101, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance 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	15.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

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

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$3,750

One quarterly event is recommended.

**Good Faith Efforts to Comply**

25.0%

Reduction \$937

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

Extraordinary		
Ordinary	x	
N/A		

Notes

The Respondent achieved compliance by October 5, 2020, prior to the NOE dated November 24, 2020.

**Violation Subtotal** \$2,813

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$121

**Violation Final Penalty Total** \$5,926

**This violation Final Assessed Penalty (adjusted for limits)** \$5,926



## Economic Benefit Worksheet

**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### 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)	\$20,000	22-Aug-2020	5-Oct-2020	0.12	\$121	n/a	\$121

**Notes for DELAYED costs**

Estimated cost to replace the compressor ejector jets, tune the 450 pounds per square inch gauge ("psig") to 150 psig steam letdown to improve the steam supply to Unit 26.2, and update the procedures and trained the operators on ensuring sufficiently heated feed reaches the drum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341093. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$20,000

**TOTAL**

\$121

**Screening Date** 1-Dec-2020  
**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Enf. Coordinator** Johnnie Wu

**Docket No.** 2020-1530-AIR-E

**PCW**

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

**Violation Number** 3

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.201(b)(1)(J) and 122.143(4), FOP No. O1626, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)

**Violation Description**

Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not provide the connection between the root cause and the emissions events on the final record for Incident No. 341093.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

**OR**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				x	
Less than 30% of the rule requirements were not met.					

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events 1 93 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$250

One single event is recommended.

**Good Faith Efforts to Comply**

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$250

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$108

**Violation Final Penalty Total** \$458

**This violation Final Assessed Penalty (adjusted for limits)** \$458

## Economic Benefit Worksheet

**Respondent** Phillips 66 Company  
**Case ID No.** 60119  
**Reg. Ent. Reference No.** RN101619179  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### 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	\$1,500	5-Sep-2020	5-Feb-2022	1.42	\$106	n/a	\$106
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)	\$250	5-Sep-2020	19-Oct-2020	0.12	\$2	n/a	\$2

**Notes for DELAYED costs**

Estimated costs to provide the best known cause for Incident No. 341093 (\$250) and to implement measures and/or procedures designed to ensure that all of the required information is identified on the final records for reportable emissions events (\$1,500). The Dates Required are the date the final record was due and the Final Dates are the date the best known cause was provided and the estimated date of compliance.

### Avoided Costs

**ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$1,750

**TOTAL**

\$108

The TCEQ is committed to accessibility.

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



# Compliance History Report

Compliance History Report for CN604065912, RN101619179, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

**Customer, Respondent, or Owner/Operator:** CN604065912, Phillips 66 Company      **Classification:** SATISFACTORY      **Rating:** 6.33  
**Regulated Entity:** RN101619179, SWEENEY REFINERY AND PETROCHEMICAL COMPLEX      **Classification:** SATISFACTORY      **Rating:** 3.98  
**Complexity Points:** 49      **Repeat Violator:** NO  
**CH Group:** 02 - Oil and Petroleum Refineries  
**Location:** 8189 OLD FARM-TO-MARKET ROAD 524 OLD OCEAN, TX 77463, BRAZORIA COUNTY  
**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**

- AIR OPERATING PERMITS** PERMIT 1626
- AIR OPERATING PERMITS** PERMIT O3781
- PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200756
- AIR NEW SOURCE PERMITS** REGISTRATION 72036
- AIR NEW SOURCE PERMITS** REGISTRATION 12344
- AIR NEW SOURCE PERMITS** REGISTRATION 13744
- AIR NEW SOURCE PERMITS** REGISTRATION 13978
- AIR NEW SOURCE PERMITS** PERMIT 5689A
- AIR NEW SOURCE PERMITS** PERMIT 7467A
- AIR NEW SOURCE PERMITS** PERMIT 18142
- AIR NEW SOURCE PERMITS** PERMIT 22086
- AIR NEW SOURCE PERMITS** REGISTRATION 24717
- AIR NEW SOURCE PERMITS** REGISTRATION 25434
- AIR NEW SOURCE PERMITS** REGISTRATION 33153
- AIR NEW SOURCE PERMITS** REGISTRATION 43038
- AIR NEW SOURCE PERMITS** REGISTRATION 75616
- AIR NEW SOURCE PERMITS** AFS NUM 4803900010
- AIR NEW SOURCE PERMITS** REGISTRATION 54666
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX103M1
- AIR NEW SOURCE PERMITS** REGISTRATION 76731
- AIR NEW SOURCE PERMITS** REGISTRATION 77648
- AIR NEW SOURCE PERMITS** REGISTRATION 77156
- AIR NEW SOURCE PERMITS** REGISTRATION 77152
- AIR NEW SOURCE PERMITS** REGISTRATION 78566
- AIR NEW SOURCE PERMITS** REGISTRATION 81104
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX103M4
- AIR NEW SOURCE PERMITS** REGISTRATION 25389
- AIR NEW SOURCE PERMITS** PERMIT 118699
- AIR NEW SOURCE PERMITS** REGISTRATION 111673
- AIR NEW SOURCE PERMITS** REGISTRATION 118459
- AIR NEW SOURCE PERMITS** REGISTRATION 116241
- AIR NEW SOURCE PERMITS** REGISTRATION 111676
- AIR NEW SOURCE PERMITS** REGISTRATION 151092
- AIR NEW SOURCE PERMITS** REGISTRATION 151896
- AIR NEW SOURCE PERMITS** REGISTRATION 148130
- AIR NEW SOURCE PERMITS** REGISTRATION 147128
- AIR NEW SOURCE PERMITS** REGISTRATION 160243
- AIR NEW SOURCE PERMITS** EPA PERMIT N278
- AIR NEW SOURCE PERMITS** REGISTRATION 158957
- AIR OPERATING PERMITS** ACCOUNT NUMBER BL0042G
- AIR QUALITY NON PERMITTED** ACCOUNT NUMBER BL0042G
- AIR NEW SOURCE PERMITS** REGISTRATION 72035
- AIR NEW SOURCE PERMITS** REGISTRATION 10779
- AIR NEW SOURCE PERMITS** REGISTRATION 12993
- AIR NEW SOURCE PERMITS** REGISTRATION 13929
- AIR NEW SOURCE PERMITS** PERMIT 1486A
- AIR NEW SOURCE PERMITS** PERMIT 5920A
- AIR NEW SOURCE PERMITS** PERMIT 7754A
- AIR NEW SOURCE PERMITS** PERMIT 21265
- AIR NEW SOURCE PERMITS** REGISTRATION 24161
- AIR NEW SOURCE PERMITS** REGISTRATION 26533
- AIR NEW SOURCE PERMITS** PERMIT 30513
- AIR NEW SOURCE PERMITS** REGISTRATION 39026
- AIR NEW SOURCE PERMITS** ACCOUNT NUMBER BL0042G
- AIR NEW SOURCE PERMITS** REGISTRATION 75713
- AIR NEW SOURCE PERMITS** PERMIT 49140
- AIR NEW SOURCE PERMITS** REGISTRATION 74130
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX103M2
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX103M3
- AIR NEW SOURCE PERMITS** REGISTRATION 77153
- AIR NEW SOURCE PERMITS** REGISTRATION 77157
- AIR NEW SOURCE PERMITS** REGISTRATION 77154
- AIR NEW SOURCE PERMITS** PERMIT 80806
- AIR NEW SOURCE PERMITS** REGISTRATION 82601
- AIR NEW SOURCE PERMITS** REGISTRATION 95086
- AIR NEW SOURCE PERMITS** REGISTRATION 111670
- AIR NEW SOURCE PERMITS** REGISTRATION 114522
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX751
- AIR NEW SOURCE PERMITS** REGISTRATION 117901
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX103M5
- AIR NEW SOURCE PERMITS** REGISTRATION 106776
- AIR NEW SOURCE PERMITS** REGISTRATION 158959
- AIR NEW SOURCE PERMITS** REGISTRATION 152547
- AIR NEW SOURCE PERMITS** REGISTRATION 146501
- AIR NEW SOURCE PERMITS** REGISTRATION 158591
- AIR NEW SOURCE PERMITS** EPA PERMIT N292
- AIR NEW SOURCE PERMITS** REGISTRATION 159203
- AIR NEW SOURCE PERMITS** REGISTRATION 160791

USED OIL REGISTRATION C88564

**PETROLEUM STORAGE TANK REGISTRATION**

REGISTRATION 83813

**STORMWATER PERMIT TXR05BI93**

**STORMWATER PERMIT TXR1547CY**

**WASTEWATER PERMIT WQ0000721000**

**AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0042G**

**INDUSTRIAL AND HAZARDOUS WASTE EPA ID**

TXD048210645

**INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50186**

**PETROLEUM STORAGE TANK REGISTRATION**

REGISTRATION 20580

**IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION**

# (SWR) 30048

**STORMWATER PERMIT TXR05DO16**

**WASTEWATER EPA ID TX0007536**

**WASTEWATER PERMIT TXG670203**

**POLLUTION PREVENTION PLANNING ID NUMBER**

P00531

**INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE**

REGISTRATION # (SWR) 30048

**Compliance History Period:** September 01, 2015 to August 31, 2020      **Rating Year:** 2020      **Rating Date:** 09/01/2020

**Date Compliance History Report Prepared:** January 27, 2021

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 27, 2016 to January 27, 2021

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

**Name:** Johnnie Wu

**Phone:** (512) 239-2524

**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: 05/18/2016      ADMINORDER 2015-1243-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: FOP No. O1626, STC No. 19 OP

Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, during an emissions event (Incident No. 213019) that occurred on April 11, 2015 and lasted two hours and 53 minutes, the Respondent released 16,349.51 pounds ("lbs") of volatile organic compounds ("VOC"), 7,345.72 lbs of carbon monoxide ("CO"), 1,719.65 lbs of sulfur dioxide ("SO2"), 1,016.54 lbs of nitrogen oxides ("NOx"), and 130.97 lbs of hydrogen sulfide from the Vacuum Unit Flare, Emission Point Number ("EPN") 29-61-1; 3.94 lbs of VOC,

2      Effective Date: 05/11/2017      ADMINORDER 2016-1192-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)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Sub-category: A12i(6).

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to C-100 blower shutdown. Sub-category: A12i(6).

3      Effective Date: 08/02/2017      ADMINORDER 2016-1939-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(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to a false high level in 4-D-153 Steam knockout Drum.  
Sub-category: A12i(6).

- 4 Effective Date: 09/07/2018 ADMINORDER 2017-1157-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(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
STC 29 OP  
Description: Failure to prevent unauthorized emissions due to foaming in Unit 26.1 amine tower which caused the unit's Recycle Gas Compressor C-110. Sub-category: A12i(6).
- 5 Effective Date: 09/16/2019 ADMINORDER 2018-0923-IWD-E (1660 Order-Agreed Order With Denial)  
Classification: Major  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Eff. Lims. & Mon. Reqs. Nos. 1 & 2 PERMIT  
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.
- 6 Effective Date: 01/28/2020 ADMINORDER 2019-0067-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
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: Federal Operating Permit No. O1626 OP  
New Source Review Permit 5920A PERMIT  
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized excess opacity during an emissions event (Category B13).

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	February 05, 2016	(1299740)
Item 2	February 08, 2016	(1299751)
Item 3	February 19, 2016	(1325059)
Item 4	February 29, 2016	(1295825)
Item 5	March 29, 2016	(1307607)
Item 6	April 15, 2016	(1338951)
Item 7	April 20, 2016	(1281087)
Item 8	June 09, 2016	(1322555)
Item 9	June 27, 2016	(1331524)
Item 10	August 02, 2016	(1331633)
Item 11	August 17, 2016	(1365591)
Item 12	August 23, 2016	(1337914)
Item 13	September 07, 2016	(1355904)
Item 14	September 13, 2016	(1344196)
Item 15	September 15, 2016	(1372292)
Item 16	October 03, 2016	(1348858)
Item 17	October 19, 2016	(1378469)

Item 18	November 02, 2016	(1356402)
Item 19	November 18, 2016	(1384429)
Item 20	December 20, 2016	(1390566)
Item 21	January 11, 2017	(1384213)
Item 22	January 20, 2017	(1397182)
Item 23	February 20, 2017	(1404065)
Item 24	February 24, 2017	(1393538)
Item 25	March 20, 2017	(1411167)
Item 26	March 23, 2017	(1095316)
Item 27	April 20, 2017	(1417669)
Item 28	April 27, 2017	(1400505)
Item 29	May 18, 2017	(1425258)
Item 30	June 20, 2017	(1421859)
Item 31	July 14, 2017	(1403847)
Item 32	July 20, 2017	(1439869)
Item 33	August 11, 2017	(1434229)
Item 34	August 18, 2017	(1443560)
Item 35	November 20, 2017	(1461485)
Item 36	December 11, 2017	(1449642)
Item 37	December 15, 2017	(1467865)
Item 38	April 20, 2018	(1493710)
Item 39	June 20, 2018	(1496896)
Item 40	July 20, 2018	(1514063)
Item 41	July 25, 2018	(1439430)
Item 42	August 09, 2018	(1498714)
Item 43	August 20, 2018	(1520125)
Item 44	September 19, 2018	(1517765)
Item 45	October 18, 2018	(1517438)
Item 46	November 20, 2018	(1541482)
Item 47	December 20, 2018	(1545266)
Item 48	December 21, 2018	(1532466)
Item 49	January 18, 2019	(1559773)
Item 50	February 19, 2019	(1559771)
Item 51	March 19, 2019	(1559772)
Item 52	May 15, 2019	(1583334)
Item 53	June 14, 2019	(1583335)
Item 54	August 23, 2019	(1590826)
Item 55	September 09, 2019	(1581493)
Item 56	September 30, 2019	(1581663)
Item 57	October 15, 2019	(1589774)
Item 58	October 21, 2019	(1603885)
Item 59	December 06, 2019	(1603434)
Item 60	December 16, 2019	(1612136)
Item 61	February 04, 2020	(1611301)
Item 62	February 13, 2020	(1629758)
Item 63	March 19, 2020	(1647219)
Item 64	April 22, 2020	(1645136)
Item 65	May 15, 2020	(1646416)
Item 66	June 19, 2020	(1666646)
Item 67	June 24, 2020	(1639387)
Item 68	September 09, 2020	(1672190)
Item 69	September 15, 2020	(1666358)
Item 70	November 13, 2020	(1632678)
Item 71	December 15, 2020	(1684789)

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 01/31/2020 (1640699)  
Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Failure to meet the limit for one or more permit parameter

2 Date: 03/31/2020 (1653555)  
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: 04/30/2020 (1660142)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

4 Date: 06/30/2020 (1673603)  
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: 07/31/2020 (1680379)  
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

6 Date: 08/31/2020 (1686947)  
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

7 Date: 09/01/2020 (1592469)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 1A OP  
FOP, Special Term and Condition 3 OP  
Description: Failure to maintain opacity below permitted limits from units: 27.1-36-RE; FCC;  
29-61-1; and 27.1-35-RE. (CATEGORY C4 Violation)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 1A OP  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 27.1-36-RE. (CATEGORY C4 Violation)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 25.1-36-1. (CATEGORY C4 Violation)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term & Condition 29 OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 29.1-36-1. (CATEGORY C4 Violation)  
Self Report? NO Classification: Moderate



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

Description: FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 6 PERMIT  
 Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
 Unit ID: 29.2-36-CS. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 6 PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
 Unit ID: 26-CS. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR, Special Condition 6 PERMIT  
 Special Term and Condition 29 OP

Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
 Unit ID: 9-36-4. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 12 PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
 Unit ID: 3-95-3. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID:  
 26-CS. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID:  
 29.1-36-1.(CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID:  
 29.2-36-CS. (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID:  
 35-36-1.(CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term and Condition 29 OP  
 NSR, Special Condition 7 PERMIT

Description: Failure to maintain temperatures for Regenerative Thermal Oxidizer (Unit ID:  
 56-61-152). (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-7

5C THSC Chapter 382 382.085(b)  
FOP, Special Terms and Conditions 1A OP  
FOP, Special Terms and Conditions 29 OP  
NSR, Special Condition 15F PERMIT  
NSR, Special Condition 27F PERMIT  
NSR, Special Condition 5F PERMIT

Description: Failure to conduct leak detection and repair (LDAR) component monitoring.  
(CATEGORY B1 Violation)

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 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Terms and Conditions 1A OP  
FOP, Special Terms and Conditions 29 OP  
NSR, Special Condition 25D PERMIT

Description: Failure to prevent open-ended lines (OEL).(CATEGORY C10 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 8B PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain SO2 concentrations within permitted limits for Unit ID:  
28.2-36-2. (CATEGORY C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 3 PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain refinery fuel gas H2S concentrations within permitted limit.  
(CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 6 PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain NOx emission factor within permitted limit for Unit ID:  
25.1-36-1. (CATEGORY B13 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition 29 OP

Description: Failure to maintain CO mass emission factor within permitted limit for Unit ID:  
35-36-1. (CATEGORY C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 21A PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain oxygen percentage within permitted limit for Unit ID:  
39.1-95-118. (CATEGORY C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 21A PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain Unit ID: 39.1-95-118 temperatures within permitted limit.  
(CATEGORY C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 21A PERMIT

Description: Special Term & Condition 29 OP  
Failure to maintain Unit ID: 28.2-36-2 temperatures within permitted limit.  
(CATEGORY C4 Violation)

8 Date: 09/30/2020 (1693294)  
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

#### F. Environmental audits:

Notice of Intent Date: 04/23/2015 (1252151)

Disclosure Date: 03/21/2016

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6612(a)

Description: Failed to perform the stack test required per NESHAP ZZZZ. Specifically, it concerns the following EPN Nos. 66-P-98, 66-P-101, 56-P-67 A, 56-P-69, 56-P-69 A, 56-P-69 B, 56-67-209, 56-P-213, 91-32-04 B, 94-31-001, 64-31-001, 64-31-009, 64-31-103.

Notice of Intent Date: 09/29/2016 (1365407)

Disclosure Date: 03/30/2017

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7

Description: The total sulfur CEM and H2S CEM were experiencing down time, and after evaluation, the root cause was found to be a faulty programmable logic controller ("PLC") serving the CEM system. The PLC is an industrial computer control system that continuously monitors the state of input devices and makes decisions based upon a custom program to control the state of output devices.

Notice of Intent Date: 10/13/2016 (1369760)

Disclosure Date: 11/10/2016

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)

Description: As a result of fixing the calibration issue, it was discovered that the plant has exceeded the rolling hourly fired duty 12-month average of 45 MMBtu/hr for the Reactor Charge Heater furnace (EPN No. 38-36-251), and the annual PM and VOC emission limits for EPN 38-35-251.

Notice of Intent Date: 05/04/2017 (1410214)

No DOV Associated

Notice of Intent Date: 05/04/2017 (1416534)

No DOV Associated

Notice of Intent Date: 05/04/2017 (1416535)

No DOV Associated

Notice of Intent Date: 06/01/2017 (1421040)

Disclosure Date: 11/22/2017

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(a)(9)(D)  
30 TAC Chapter 117, SubChapter B 117.310(c)(1)(B)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6602

Description: Failed to adhere to the permitted emission limitations in four engines for CO and NOx. Specifically, the engines are: 56-67-209, 56-P-213, 56-P-67 A, & 91-32-04 B.

Notice of Intent Date: 06/01/2017 (1421042)

No DOV Associated

Notice of Intent Date: 11/28/2017 (1454986)

Disclosure Date: 08/28/2018

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter F 116.601  
30 TAC Chapter 116, SubChapter F 116.602(a)(2)

Description: For Unit 9, Furnace 4 (EPN 9-36-4), intermittent block hourly NOx mass emissions rate exceedances were noted. From 5/21-11/20/17, aggregated emissions exceedances were 7.8 pounds over the aggregated permit allowable rate of 6,973 lbs. From 7/1-12/31/17, the aggregated emissions over the permit were 47 lbs. The NOx block hourly limit exceedances, most of which are less than 0.1 lb/hr over the 9.36 lb/hr limit, are continuing on an intermittent basis.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter F 116.601  
30 TAC Chapter 116, SubChapter F 116.602(a)(2)

Description: It was found that for Unit 9, Furnace 4 (EPN 9-3 6-4) is having intermittent exceedances of the block hourly NOx emission concentration limit (0.04 lb/MMBTU block hourly; 0.036 lb/hr on a rolling 12- month basis), while the corresponding mass emission limit was not exceeded for the Unit 9 Furnace 4 during a review of the calculation spreadsheets. These intermittent concentration exceedances are ongoing.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.345(d)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7

Description: Failed to correctly report excess emissions over 1%.

Notice of Intent Date: 12/08/2017 (1459956)  
No DOV Associated

Notice of Intent Date: 12/27/2017 (1465307)  
No DOV Associated

Notice of Intent Date: 03/29/2018 (1479540)  
No DOV Associated

Notice of Intent Date: 04/05/2018 (1481097)  
Disclosure Date: 04/02/2019  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)

Description: 2014-2016 MSGP stormwater sample results not located for six non-outfall locations.

Notice of Intent Date: 06/02/2018 (1489924)  
No DOV Associated

Notice of Intent Date: 02/25/2019 (1550857)  
Disclosure Date: 06/16/2020  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 17

Description: Monthly average production rate exceeded 110% of demonstrated rates during previous stack testing, without re-stack testing within 90 days. There were three monthly average production rates greater than 110% of the demonstrated rates. (EPN 25.2-CS)

Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 12

Description: Intermittent missed daily fluoride testing on Cooling Tower 16. (EPN 54-20-16)

Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Description: Unit 35 emission calculations had an error in the firing rate calculation. The firing rate is also used in PM and (b)(2)(F) VOC calculations.

Notice of Intent Date: 07/30/2019 (1591930)  
Disclosure Date: 06/17/2020  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 17

Description: The temperature of the thermal oxidizer is intermittently lower than the demonstrated stack test temperature.

Notice of Intent Date: 08/22/2019 (1598742)  
Disclosure Date: 04/30/2020  
Viol. Classification: Minor  
Citation: 2H THSC Chapter 161, SubChapter A 161.355(c)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(3)(ii)

Description: BWON sample coolers were non-compliant with Method 250, due to the size of the cooling coils and sample tube material.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)(3)

Description: Unit 45 was inadvertently left off of the 2017/2018 TAB report.

Notice of Intent Date: 09/20/2019 (1598237)

Disclosure Date: 12/13/2019

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)

Description: The audit found open end lines without control by cap, plug, blind, or double block valves in the inspection of the three process units.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT W 60.482-1(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Description: The audit found overlooked components that appear to have been excluded from the LDAR program.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485

Description: The audit found FID sample hoses which were calibrated and being used in the field with holes in the line.

Notice of Intent Date: 10/03/2019 (1598639)

No DOV Associated

Notice of Intent Date: 10/08/2019 (1602668)

Disclosure Date: 11/20/2019

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter H 101.359

30 TAC Chapter 117, SubChapter B 117.310

Description: NOx emission from ULSG Heater (EPN: 45-36-1) was inadvertently omitted from the MECTECTI reporting in 2017 and 2018.

Notice of Intent Date: 10/21/2019 (1604118)

Disclosure Date: 12/17/2019

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.102a(g)(2)(i)(A)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.107a(c)(6)

Description: Maximum O2 operating limit determined from compliance stack test on ULSG Heater (EPN 45-36-1) was inadvertently exceeded exceeded from the initial test through November 2019.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.107a(c)(5)

Description: The annual CEMS RATA was not performed on the ULSG Heater (EPN:45-36-1) O2 analyzer in 2018.

Notice of Intent Date: 01/21/2020 (1623984)

No DOV Associated

Notice of Intent Date: 04/23/2020 (1645425)

No DOV Associated

Notice of Intent Date: 06/17/2020 (1657540)

No DOV Associated

Notice of Intent Date: 07/29/2020 (1665620)

Disclosure Date: 08/18/2020

Viol. Classification: Minor

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

Description: Item 1 was not previously disclosed in Title V Deviation reports submitted for those periods in which annual RAT As were not performed.

Notice of Intent Date: 08/28/2020 (1672228)

No DOV Associated

Notice of Intent Date: 09/09/2020 (1673083)  
No DOV Associated

Notice of Intent Date: 10/07/2020 (1679850)  
No DOV Associated

Notice of Intent Date: 10/08/2020 (1680065)  
No DOV Associated

Notice of Intent Date: 10/23/2020 (1690884)  
No DOV Associated

Notice of Intent Date: 12/10/2020 (1696686)  
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

## Component Appendices

### Appendix A

#### All NOV's Issued During Component Period 1/27/2016 and 1/27/2021

1	Date: 02/01/2016 (1301439)	Classification: Moderate
Self Report?	NO	For Informational Purposes Only
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate the cooling tower (EPN 54-22-16) within the required VOC lbs/hr limit. (CATEGORY B14 VIOLATION)	Classification: Moderate
Self Report?	NO	For Informational Purposes Only
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate the FCCU regenerator vent within the SO2 lbs/hr limit (CATEGORY B14 VIOLATION).	Classification: Moderate
Self Report?	NO	For Informational Purposes Only
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 PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate two heaters within the required 100 ppm carbon monoxide (CO) concentration limit (CATEGORY B14 VIOLATION).	Classification: Moderate
Self Report?	NO	For Informational Purposes Only
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 31 PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate the Unit 27 Regenerator within the required 500 ppm CO concentration (CATEGORY B14 VIOLATION).	Classification: Moderate
Self Report?	NO	For Informational Purposes Only
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 PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate the Unit 26.1 heater within the required NOx/MMBtu firing rate (CATEGORY B14 VIOLATION).	Classification: Minor
Self Report?	NO	For Informational Purposes Only
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(3) 5C THSC Chapter 382 382.085(b) Special Term & Condition 1A OP	
Description:	Failure to maintain wastewater equipment in order to prevent VOC emissions (CATEGORY C4 VIOLATION).	Classification: Minor
Self Report?	NO	For Informational Purposes Only
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 14 PERMIT Special Condition 14A PERMIT Special Term & Condition 19 OP	
Description:	Failure to operate the regenerative thermal oxidizer (RTO) at or above the	

minimum required temperature (CATEGORY C4 VIOLATION).

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.356  
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 26 PERMIT  
Special Term & Condition 19 OP  
Special Term & Condition 1A OP

Description: Failure to include miscellaneous leak detection and repair (LDAR) components in

the LDAR monitoring program (CATEGORY C7 VIOLATION).

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)  
5C THSC Chapter 382 382.085(b)  
Special Condition 8B PERMIT  
Special Term & Condition 19 OP  
Special Term & Condition 1A OP

Description: Failure to operate Claus Unit B within the required SO2 concentration (CATEGORY B14 VIOLATION).

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 25E PERMIT  
Special Term & Condition 19 OP  
Special Term & Condition 1A OP

Description: Failure to operate the facility without open-ended lines (CATEGORY C10 VIOLATION).

2 Date: 02/29/2016 (1331788)

Classification: Moderate

Self Report? YES For Informational Purposes Only

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: 04/30/2016 (1345751)

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

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

4 Date: 05/31/2016 (1352194)

Classification: Moderate

Self Report? YES For Informational Purposes Only

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: 06/30/2016 (1359167)

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

6 Date: 12/16/2016 (1358009)



Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to submit the initial notification in a timely fashion.

7 Date: 01/11/2017 (1365030)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to elevated and rising reactor temperature.

8 Date: 02/03/2017 (1382936)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 5C PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 29 OP

Description: Failure to repair the primary seal of Tank 91 within the required timeframe (Category B1 violation).

Classification: Minor

Self Report? NO For Informational Purposes Only

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 PERMIT  
Special Term and Condition 29 OP

Description: Failure to operate EPN: 26-CS within the required NOx firing rate limit (CATEGORY C4 VIOLATION).

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Term and Condition 29 OP

Description: Failure to operate a cooling tower within the required VOC lbs/hr limit (CATEGORY C4 VIOLATION).

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(B)  
30 TAC Chapter 115, SubChapter D 115.356(2)(C)  
30 TAC Chapter 115, SubChapter H 115.781(b)(3)  
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 include and monitor leak detection and repair (LDAR) components in five process units (CATEGORY C1 VIOLATION).

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.356(2)(B)  
30 TAC Chapter 115, SubChapter D 115.356(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(g)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12F PERMIT

Special Condition 6F PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 29 OP  
Description: Failure to include and monitor 20 VOC service valves in the leak detection and repair (LDAR) program (CATEGORY C1 VIOLATION).  
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 6E PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 29 PERMIT

Description: Failure to cap plug, or otherwise seal nine open-ended lines (CATEGORY C10 VIOLATION).  
Classification: Minor

Self Report? NO For Informational Purposes Only

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 35 PERMIT  
Special Term and Condition 29 OP

Description: Failure to operate the Unit 27 Regenerator within the 500 ppm CO concentration limit (CATEGORY C4 VIOLATION).  
Classification: Minor

Self Report? NO For Informational Purposes Only

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 PERMIT  
Special Term and Condition 29 OP

Description: Failure to operate the combined Unit 26 heater stack within the required CO concentration limit (CATEGORY C4 VIOLATION).

9 Date: 06/14/2017 (1390170)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. Sub-category: B14.

10 Date: 08/31/2017 (1450185)  
Classification: Moderate

Self Report? YES For Informational Purposes Only

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

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

11 Date: 09/30/2017 (1456005)  
Classification: Moderate

Self Report? YES For Informational Purposes Only

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: 12/31/2017 (1474569)  
Classification: Moderate

Self Report? YES For Informational Purposes Only

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

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

- 13 Date: 01/31/2018 (1486796) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 14 Date: 02/28/2018 (1490473) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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: 04/30/2018 (1500628) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 16 Date: 05/25/2018 (1478384) Classification: Minor  
 Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 25F PERMIT  
 Special Term & Condition 1A OP  
 Special Term & Condition 29 OP  
 Description: Failure to Method 21 monitor Leak Detection and Repair (LDAR) components  
 (CATEGORY C1 VIOLATION). Classification: Minor
- Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 25E PERMIT  
 Special Term & Condition 1A OP  
 Special Term & Condition 29 OP  
 Description: Failure to prevent open-ended lines with a cap, plug, or other sealing device  
 (CATEGORY C10 VIOLATION). Classification: Minor
- Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Term & Condition 1A OP  
 Description: Failure to operate Unit 27.1 Precipitator Stack (EPN: 27.1-36-CS) without opacity  
 greater than 20% (CATEGORY B13 VIOLATION). Classification: Minor
- Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to operate the Unit 27.1 Precipitator Stack (EPN: 27.1-36-CS) with the  
 required Maximum Allowable Emissions Rate Table (MAERT) for CO (CATEGORY  
 B13 VIOLATION).

- 17 Date: 05/31/2018 (1507745) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 18 Date: 08/29/2018 (1428886) Classification: Moderate  
 Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
 5C THSC Chapter 382 382.085(b)  
 Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized opacity during an excessive opacity event. (Catagory B14)
- 19 Date: 09/30/2018 (1533647) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 20 Date: 03/31/2019 (1571863) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 21 Date: 06/30/2019 (1593178) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 22 Date: 07/31/2019 (1599522) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 23 Date: 08/31/2019 (1606427) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 24\* Date: 09/30/2019 (1613273) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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
- 25\* Date: 10/31/2019 (1619087) Classification: Moderate  
 Self Report? YES For Informational Purposes Only  
 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

26\* Date: 11/30/2019 (1626439) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

27\* Date: 12/31/2019 (1634080) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

28\* Date: 01/31/2020 (1640699) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

29\* Date: 03/31/2020 (1653555) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

30\* Date: 04/30/2020 (1660142) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

31\* Date: 06/30/2020 (1673603) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

32\* Date: 07/31/2020 (1680379) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

33\* Date: 08/31/2020 (1686947) Classification: Moderate

Self Report? YES For Informational Purposes Only

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

34 Date: 09/01/2020 (1592469) Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 1A OP  
FOP, Special Term and Condition 3 OP  
Description: Failure to maintain opacity below permitted limits from units: 27.1-36-RE; FCC;  
29-61-1; and 27.1-35-RE. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 1A OP  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 27.1-36-RE. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 25.1-36-1. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term & Condition 29 OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 29.1-36-1. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 29.2-36-CS. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 6 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 26-CS. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
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)  
NSR, Special Condition 6 PERMIT  
Special Term and Condition 29 OP  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for  
Unit ID: 9-36-4. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 12 PERMIT  
Description: Failure to maintain carbon monoxide (CO) emissions within the permitted limit for Unit ID: 3-95-3. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID: 26-CS. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID: 29.1-36-1.(CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 6 PERMIT

Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID: 29.2-36-CS. (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
Description: Failure to maintain NOx emission factor within the permitted limit for Unit ID: 35-36-1.(CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 29 OP  
NSR, Special Condition 7 PERMIT

Description: Failure to maintain temperatures for Regenerative Thermal Oxidizer (Unit ID: 56-61-152). (CATEGORY C4 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-7  
5C THSC Chapter 382 382.085(b)  
FOP, Special Terms and Conditions 1A OP  
FOP, Special Terms and Conditions 29 OP  
NSR, Special Condition 15F PERMIT  
NSR, Special Condition 27F PERMIT  
NSR, Special Condition 5F PERMIT

Description: Failure to conduct leak detection and repair (LDAR) component monitoring. (CATEGORY B1 Violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Terms and Conditions 1A OP  
 FOP, Special Terms and Conditions 29 OP  
 NSR, Special Condition 25D PERMIT  
 Description: Failure to prevent open-ended lines (OEL).(CATEGORY C10 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 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 8B PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to maintain SO2 concentrations within permitted limits for Unit ID:  
 28.2-36-2. (CATEGORY C4 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 3 PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to maintain refinery fuel gas H2S concentrations within permitted limit.  
 (CATEGORY C4 Violation)  
 Classification: Moderate

Self Report? NO For Informational Purposes Only  
 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 PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to maintain NOx emission factor within permitted limit for Unit ID:  
 25.1-36-1. (CATEGORY B13 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Term & Condition 29 OP  
 Description: Failure to maintain CO mass emission factor within permitted limit for Unit ID:  
 35-36-1. (CATEGORY C4 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 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 21A PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to maintain oxygen percentage within permitted limit for Unit ID:  
 39.1-95-118. (CATEGORY C4 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 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 21A PERMIT  
 Special Term & Condition 29 OP  
 Description: Failure to maintain Unit ID: 39.1-95-118 temperatures within permitted limit.  
 (CATEGORY C4 Violation)  
 Classification: Minor

Self Report? NO For Informational Purposes Only  
 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 21A PERMIT  
Special Term & Condition 29 OP

Description: Failure to maintain Unit ID: 28.2-36-2 temperatures within permitted limit.  
(CATEGORY C4 Violation)

35 Date: 09/30/2020 (1693294)

Classification: Moderate

Self Report? YES

For Informational Purposes Only

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

\* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

## Appendix B

### All Investigations Conducted During Component Period January 27, 2016 and January 27, 2021

Item 1	February 01, 2016**	(1301439) For Informational Purposes Only
Item 2*	February 05, 2016**	(1299740) For Informational Purposes Only
Item 3*	February 08, 2016**	(1299751) For Informational Purposes Only
Item 4*	February 19, 2016**	(1325059) For Informational Purposes Only
Item 5*	February 29, 2016**	(1295825) For Informational Purposes Only
Item 6	March 20, 2016**	(1331788) For Informational Purposes Only
Item 7*	March 29, 2016**	(1307607) For Informational Purposes Only
Item 8*	April 15, 2016**	(1338951) For Informational Purposes Only
Item 9*	April 20, 2016**	(1281087) For Informational Purposes Only
Item 10	May 02, 2016**	(1329109) For Informational Purposes Only
Item 11	May 18, 2016**	(1345751) For Informational Purposes Only
Item 12*	June 09, 2016**	(1322555) For Informational Purposes Only
Item 13	June 20, 2016**	(1352194) For Informational Purposes Only
Item 14	June 27, 2016**	(1307003) For Informational Purposes Only
Item 15	July 19, 2016**	(1359167) For Informational Purposes Only
		(1337365)

Item 16	August 01, 2016**	For Informational Purposes Only (1331633)
Item 17*	August 02, 2016**	For Informational Purposes Only (1330031)
Item 18	August 12, 2016**	For Informational Purposes Only (1365591)
Item 19*	August 17, 2016**	For Informational Purposes Only (1337914)
Item 20*	August 23, 2016**	For Informational Purposes Only (1355904)
Item 21*	September 07, 2016**	For Informational Purposes Only (1344196)
Item 22*	September 13, 2016**	For Informational Purposes Only (1372292)
Item 23*	September 15, 2016**	For Informational Purposes Only (1348858)
Item 24*	October 03, 2016**	For Informational Purposes Only (1378469)
Item 25*	October 19, 2016**	For Informational Purposes Only (1356402)
Item 26*	November 02, 2016**	For Informational Purposes Only (1355500)
Item 27	November 04, 2016**	For Informational Purposes Only (1384429)
Item 28*	November 18, 2016**	For Informational Purposes Only (1358009)
Item 29	December 16, 2016**	For Informational Purposes Only (1390566)
Item 30*	December 20, 2016**	For Informational Purposes Only (1365030)
Item 31	January 11, 2017**	For Informational Purposes Only (1397182)
Item 32*	January 20, 2017**	For Informational Purposes Only (1382936)
Item 33	February 03, 2017**	For Informational Purposes Only (1404065)
Item 34*	February 20, 2017**	For Informational Purposes Only (1393538)
Item 35*	February 24, 2017**	For Informational Purposes Only (1396976)
Item 36	March 15, 2017**	For Informational Purposes Only (1411167)
Item 37*	March 20, 2017**	For Informational Purposes Only

Item 38*	March 23, 2017**	(1095316) For Informational Purposes Only
Item 39*	April 20, 2017**	(1417669) For Informational Purposes Only
Item 40*	April 27, 2017**	(1400505) For Informational Purposes Only
Item 41*	May 18, 2017**	(1425258) For Informational Purposes Only
Item 42	June 13, 2017**	(1390170) For Informational Purposes Only
Item 43*	June 20, 2017**	(1421859) For Informational Purposes Only
Item 44	July 11, 2017**	(1394441) For Informational Purposes Only
Item 45*	July 14, 2017**	(1403847) For Informational Purposes Only
Item 46*	July 20, 2017**	(1439869) For Informational Purposes Only
Item 47*	August 11, 2017**	(1434229) For Informational Purposes Only
Item 48*	August 18, 2017**	(1443560) For Informational Purposes Only
Item 49	August 22, 2017**	(1401131) For Informational Purposes Only
Item 50	September 20, 2017**	(1450185) For Informational Purposes Only
Item 51	October 19, 2017**	(1456005) For Informational Purposes Only
Item 52*	November 20, 2017**	(1461485) For Informational Purposes Only
Item 53*	December 11, 2017**	(1449642) For Informational Purposes Only
Item 54*	December 15, 2017**	(1467865) For Informational Purposes Only
Item 55	January 19, 2018**	(1474569) For Informational Purposes Only
Item 56	March 29, 2018**	(1486796) For Informational Purposes Only
Item 57*	April 20, 2018**	(1493710) For Informational Purposes Only
Item 58	May 11, 2018**	(1472989) For Informational Purposes Only

		(1500628)
Item 59	May 18, 2018**	For Informational Purposes Only
		(1478384)
Item 60	May 25, 2018**	For Informational Purposes Only
		(1496896)
Item 61*	June 20, 2018**	For Informational Purposes Only
		(1486622)
Item 62	June 25, 2018**	For Informational Purposes Only
		(1514063)
Item 63*	July 20, 2018**	For Informational Purposes Only
		(1439430)
Item 64*	July 25, 2018**	For Informational Purposes Only
		(1498714)
Item 65*	August 09, 2018**	For Informational Purposes Only
		(1481805)
Item 66	August 13, 2018**	For Informational Purposes Only
		(1520125)
Item 67*	August 20, 2018**	For Informational Purposes Only
		(1428886)
Item 68	August 29, 2018**	For Informational Purposes Only
		(1517765)
Item 69*	September 19, 2018**	For Informational Purposes Only
		(1517438)
Item 70*	October 18, 2018**	For Informational Purposes Only
		(1533647)
Item 71	October 19, 2018**	For Informational Purposes Only
		(1541482)
Item 72*	November 20, 2018**	For Informational Purposes Only
		(1479390)
Item 73	December 13, 2018**	For Informational Purposes Only
		(1545266)
Item 74*	December 20, 2018**	For Informational Purposes Only
		(1532466)
Item 75*	December 21, 2018**	For Informational Purposes Only
		(1559773)
Item 76*	January 18, 2019**	For Informational Purposes Only
		(1496983)
Item 77	February 19, 2019**	For Informational Purposes Only
		(1559772)
Item 78*	March 19, 2019**	For Informational Purposes Only
		(1571863)
Item 79	April 18, 2019**	For Informational Purposes Only
		(1583334)

Item 80*	May 15, 2019**	For Informational Purposes Only (1583335)
Item 81*	June 14, 2019**	For Informational Purposes Only (1593178)
Item 82	July 19, 2019**	For Informational Purposes Only (1599522)
Item 83	August 20, 2019**	For Informational Purposes Only (1590826)
Item 84*	August 23, 2019**	For Informational Purposes Only (1581493)
Item 85*	September 09, 2019**	For Informational Purposes Only (1606427)
Item 86	September 20, 2019**	For Informational Purposes Only (1581663)
Item 87*	September 30, 2019**	For Informational Purposes Only (1589774)
Item 88*	October 15, 2019**	For Informational Purposes Only (1613273)
Item 89	October 18, 2019**	For Informational Purposes Only (1603885)
Item 90*	October 21, 2019**	For Informational Purposes Only (1619087)
Item 91	November 20, 2019**	For Informational Purposes Only (1483157)
Item 92	November 26, 2019**	For Informational Purposes Only (1603434)
Item 93*	December 06, 2019**	For Informational Purposes Only (1612136)
Item 94*	December 16, 2019**	For Informational Purposes Only (1526639)
Item 95	December 18, 2019**	For Informational Purposes Only (1634080)
Item 96	January 17, 2020**	For Informational Purposes Only (1611301)
Item 97*	February 04, 2020**	For Informational Purposes Only (1570233)
Item 98	February 11, 2020**	For Informational Purposes Only (1629758)
Item 99*	February 13, 2020**	For Informational Purposes Only (1640699)
Item 100	February 17, 2020**	For Informational Purposes Only (1647219)

Item 101*	March 19, 2020**	For Informational Purposes Only (1653555)
Item 102	April 20, 2020**	For Informational Purposes Only (1645136)
Item 103*	April 22, 2020**	For Informational Purposes Only (1646416)
Item 104*	May 15, 2020**	For Informational Purposes Only (1660142)
Item 105	May 18, 2020**	For Informational Purposes Only (1483767)
Item 106	May 27, 2020**	For Informational Purposes Only (1666646)
Item 107*	June 19, 2020**	For Informational Purposes Only (1639387)
Item 108*	June 24, 2020**	For Informational Purposes Only (1673603)
Item 109	July 20, 2020**	For Informational Purposes Only (1680379)
Item 110	August 20, 2020**	For Informational Purposes Only (1592469)
Item 111	August 31, 2020**	For Informational Purposes Only (1672190)
Item 112*	September 09, 2020	For Informational Purposes Only (1666358)
Item 113*	September 15, 2020	For Informational Purposes Only (1686947)
Item 114	September 17, 2020	For Informational Purposes Only (1693294)
Item 115	October 20, 2020	For Informational Purposes Only (1632678)
Item 116*	November 13, 2020	For Informational Purposes Only (1504162)
Item 117	November 20, 2020	For Informational Purposes Only (1678738)
Item 118	November 24, 2020	For Informational Purposes Only (1684789)
Item 119*	December 15, 2020	For Informational Purposes Only (1690910)
Item 120	January 21, 2021	For Informational Purposes Only

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
PHILLIPS 66 COMPANY  
RN101619179**

**§  
§  
§  
§  
§**

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2020-1530-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 Phillips 66 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 owns and operates a petroleum refinery located at 8189 Old Farm-to-Market Road 524 in Old Ocean, Brazoria 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 \$12,308 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$9,847 of the penalty and \$2,461 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
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 measures at the Plant:
  - a. By July 31, 2018, adjusted the Dual Modular Valve to fail open to import air into the secondary compressor and upgraded the backup portable compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273862.
  - b. By October 5, 2020, replaced the compressor ejector jets, tuned the 450 pounds per square inch gauge ("psig") to 150 psig steam letdown to improve the steam supply to Unit 26.2, and updated the procedures and trained the operators on ensuring sufficiently heated feed reaches the drum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341093.
  - c. On October 19, 2020, provided the best known cause for Incident No. 341093.

## **II. ALLEGATIONS**

1. During a record review conducted from July 17, 2018 through July 31, 2018, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 5920A and PSDTX103M4, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1626, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 29, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 111.30 pounds ("lbs") of volatile organic compounds ("VOC"), 30.60 lbs of carbon monoxide ("CO"), 5.40 lbs of hydrogen sulfide ("H<sub>2</sub>S"), 6.00 lbs of nitrogen oxides ("NO<sub>x</sub>"), and 3,638.30 lbs of sulfur dioxide ("SO<sub>2</sub>") from the Expansion Low Pressure Flare, Emissions Point Number ("EPN") 56-61-17, during an emissions event (Incident No. 273862) that occurred on December 5, 2017 and lasted 24 minutes. The emissions event occurred when a secondary compressor shut down due to an emergency trip, a backup portable compressor could not withstand the unit's load and shut down, and instrument air could not be imported from another part of the Plant due to the Dual Modular Valve failing in the closed



position, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

2. During a record review conducted from October 5, 2020 through October 23, 2020, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 5920A and PSDTX103M4, SC No. 1, FOP No. O1626, GTC and STC No. 29, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 152.21 lbs of VOC, 60.75 lbs of CO, 10.89 lbs of H<sub>2</sub>S, 8.57 lbs of NO<sub>x</sub>, and 1,004.84 lbs of SO<sub>2</sub> from the Coker Flare, EPN 29-61-1, during an emissions event (Incident No. 341093) that occurred on August 22, 2020 and lasted 37 minutes. The emissions event occurred when the change in the weather and shutting down the Unit 26.1 Gas Oil Hydrotreater caused a steam supply dip and when charging inadequately heated fuel to Coke Drum 29.2D101 after drum maintenance bypass that caused over-pressuring of Coke Drum 29.1D101, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
  - b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(J) and 122.143(4), FOP No. O1626, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not provide the connection between the root cause and the emissions events on the final record for Incident No. 341093.

### **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 No. 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: Phillips 66 Company, Docket No. 2020-1530-AIR-E" to:

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

2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, implement measures and/or procedures designed to ensure that all of the required information is identified on the final records for reportable emissions events.
  - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall 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 Street, Suite H  
Houston, Texas 77023-1452

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.

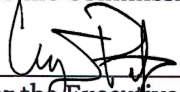
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall 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

\_\_\_\_\_  
12/01/2021  
\_\_\_\_\_  
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

\_\_\_\_\_  
6/15/2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
MARK E. EVANS  
Name (Printed or typed)  
Authorized Representative of  
Phillips 66 Company

\_\_\_\_\_  
GENERAL MANAGER, SWEENEY REFINERY  
Title

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

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