

Executive Summary – Enforcement Matter – Case No. 61657
CITGO Refining and Chemicals Company L.P.
RN102555166
Docket No. 2021-1586-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

CITGO Corpus Christi Refinery East Plant, 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County

Type of Operation:

Petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 28, 2023

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,563

Amount Deferred for Expedited Settlement: \$2,712

Total Paid to General Revenue: \$10,851

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: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 30, 2021 through October 27, 2021

Date(s) of NOE(s): November 30, 2021

Executive Summary – Enforcement Matter – Case No. 61657
CITGO Refining and Chemicals Company L.P.
RN102555166
Docket No. 2021-1586-AIR-E

Violation Information

1. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify 0.65 pound ("lb") of hydrogen sulfide ("H₂S"), 85.20 lbs of sulfur dioxide ("SO₂"), 30.97 lbs of nitrogen oxides ("NO_x"), and 191.23 lbs of carbon monoxide ("CO") that were released from the Fluor Flare, Emissions Point Number ("EPN") F442, on the final record for Incident No. 360514 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(D), (G), and (H) and 122.143(4), Federal Operating Permit ("FOP") No. O1423, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 69 percent opacity at the No. 2 Fluid Catalytic Cracking Unit Regenerator/Electrostatic Precipitator Stack, EPN 31-PR-1, and released 0.67 lb of H₂S, 2,253.00 lbs of SO₂, 260.24 lbs of NO_x, 3,227.32 lbs of CO, and 349.68 lbs of volatile organic compounds from multiple EPNs as shown in the table below, during an emissions event (Incident No. 360514) that began on June 18, 2021 and lasted 327 hours and 21 minutes. The emissions event occurred due to a total loss of third-party steam that caused an unplanned shutdown of multiple units, resulting in the release to the atmosphere and flaring. Since the Respondent did not comply with the emissions event reporting requirements, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 111.111(a)(1)(B), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 2699A, PSDTX36, PSDTX96, PSDTX653M1, and PSDTX831, Special Conditions ("SC") No. 1, NSR Permit Nos. 9604A and PSDTX653M1, SC No. 1, FOP No. O1423, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On October 27, 2021, provided the estimated total quantities for the compounds or mixtures that were released during Incident No. 360514; and
- b. By November 1, 2021, implemented the revised emissions event reporting guideline and the review of the workflow process for the Air Programs & Compliance Team to ensure that all of the required information are identified on the final records for reportable emissions events in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 360514.

Technical Requirements:

N/A

**Executive Summary – Enforcement Matter – Case No. 61657
CITGO Refining and Chemicals Company L.P.
RN102555166
Docket No. 2021-1586-AIR-E**

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Desmond Martin, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2814; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Dennis Willig, Vice President and General Manager, CITGO Refining and Chemicals Company L.P., P.O. Box 9176, Corpus Christi, Texas 78469-9176

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Dec-2021	Screening	7-Dec-2021	EPA Due	
	PCW	23-Feb-2023				

RESPONDENT/FACILITY INFORMATION	
Respondent	CITGO Refining and Chemicals Company L.P.
Reg. Ent. Ref. No.	RN102555166
Facility/Site Region	14-Corpus Christi
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	61657	No. of Violations	2
Docket No.	2021-1586-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Desmond Martin
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$7,750
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Notes: Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, and five orders containing a denial of liability. Reduction for five notices of intent to conduct an audit and two disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,937
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$31
 Estimated Cost of Compliance \$1,750
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,563
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$13,563
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,563
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,712
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$10,851
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Screening Date 7-Dec-2021

Docket No. 2021-1586-AIR-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 5 (January 28, 2021)

Case ID No. 61657

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102555166

Media Air

Enf. Coordinator Desmond Martin

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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	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>)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	2	-4%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 100%

>> 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/similar violations, two NOVs with dissimilar violations, and five orders containing a denial of liability. Reduction for five notices of intent to conduct an audit and two disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 100%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 7-Dec-2021

Docket No. 2021-1586-AIR-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 5 (January 28, 2021)

Case ID No. 61657

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102555166

Media Air

Enf. Coordinator Desmond Martin

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(b)(1)(D), (G), and (H) and 122.143(4), Federal Operating Permit ("FOP") No. O1423, General Terms and Conditions ("GTC") and Special Terms and Conditions ("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 identify 0.65 pound ("lb") of hydrogen sulfide ("H2S"), 85.20 lbs of sulfur dioxide ("SO2"), 30.97 lbs of nitrogen oxides ("NOx"), and 191.23 lbs of carbon monoxide ("CO") that were released from the Fluor Flare, Emissions Point Number ("EPN F442"), on the final record for Incident No. 360514.

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

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 84 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

25.0%

Reduction \$62

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

Extraordinary	
Ordinary	x
N/A	

Notes The Respondent completed the corrective measures by October 27, 2021, prior to the Notice of Enforcement ("NOE") dated November 30, 2021.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$438

This violation Final Assessed Penalty (adjusted for limits) \$438

Economic Benefit Worksheet

Respondent CITGO Refining and Chemicals Company L.P.
Case ID No. 61657
Reg. Ent. Reference No. RN102555166
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)	\$250	4-Aug-2021	27-Oct-2021	0.23	\$3	n/a	\$3
Notes for DELAYED costs	Estimated cost to provide the estimated total quantities for the compounds or mixtures that were released during Incident No. 360514. The Date Required is the date the complete and accurate final record was due 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 \$250

TOTAL \$3

Screening Date 7-Dec-2021

Docket No. 2021-1586-AIR-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 5 (January 28, 2021)

Case ID No. 61657

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102555166

Media Air

Enf. Coordinator Desmond Martin

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 111.111(a)(1)(B), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 2699A, PSDTX36, PSDTX96, PSDTX653M1, and PSDTX831, Special Conditions ("SC") No. 1, NSR Permit Nos. 9604A and PSDTX653M1, SC No. 1, FOP No. O1423, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 69 percent opacity at the No. 2 Fluid Catalytic Cracking Unit ("FCCU") Regenerator/Electrostatic Precipitator ("ESP") Stack, EPN 31-PR-1, and released 0.67 lb of H2S, 2,253.87 lbs of SO2, 260.24 lbs of NOx, 3,227.32 lbs of CO, and 349.68 lbs of volatile organic compounds ("VOC") from multiple EPNs (see attached Emissions Event Table), during an emissions event (Incident No. 360514) that began on June 18, 2021 and lasted 327 hours and 21 minutes. The emissions event occurred due to a total loss of third-party steam that caused an unplanned shutdown of multiple units, resulting in the release to the atmosphere and flaring. Since the Respondent did not comply with the emissions event reporting requirements, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 14 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

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

Extraordinary		
Ordinary	x	
N/A		

Notes

The Respondent completed the corrective measures by November 1, 2021, prior to the NOE dated November 30, 2021.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$28

Violation Final Penalty Total \$13,125

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

Economic Benefit Worksheet

Respondent CITGO Refining and Chemicals Company L.P.
Case ID No. 61657
Reg. Ent. Reference No. RN102555166
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)	\$1,500	18-Jun-2021	1-Nov-2021	0.37	\$28	n/a	\$28

Notes for DELAYED costs

Estimated cost to implement the revised emissions event reporting guideline and the review of the workflow process for the Air Programs & Compliance Team to ensure that all of the required information are identified on the final records for reportable emissions events in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 360514. The Date Required is the date the emissions event began 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

\$1,500

TOTAL

\$28

CITGO Refining and Chemicals Company, L.P.
Docket No. 2021-1586-AIR-E; Case No. 61657

Emissions Event Table (Incident No. 360514)						
Source Name	EPN	Pollutants (lbs)				
		H2S	SO2	NOx	CO	VOC
Sulfur Recovery Incinerator Stack Unit	412	0.02	2,005.05	0.00	0.00	0.00
Fluor Flare	F442	0.65	85.20	30.97	191.23	349.68
No. 2 FCCU Regenerator/ ESP Stack	31-PR-1	0.00	163.62	229.27	3036.09	0.00
Totals:		0.67	2,253.87	260.24	3227.32	349.68

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 CN600127922, RN102555166, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator:	CN600127922, CITGO Refining and Chemicals Company L.P.	Classification:	SATISFACTORY	Rating:	6.78
Regulated Entity:	RN102555166, CITGO Corpus Christi Refinery East Plant	Classification:	SATISFACTORY	Rating:	10.49
Complexity Points:	35	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	1801 Nueces Bay Boulevard, Corpus Christi, Nueces County, Texas				
TCEQ Region:	REGION 14 - CORPUS CHRISTI				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER NE0027V
AIR OPERATING PERMITS PERMIT 3542
AIR NEW SOURCE PERMITS PERMIT 2697A
AIR NEW SOURCE PERMITS PERMIT 2700A
AIR NEW SOURCE PERMITS PERMIT 2704A
AIR NEW SOURCE PERMITS PERMIT 2708A
AIR NEW SOURCE PERMITS PERMIT 3123A
AIR NEW SOURCE PERMITS PERMIT 5418A
AIR NEW SOURCE PERMITS PERMIT 8653A
AIR NEW SOURCE PERMITS REGISTRATION 10733A
AIR NEW SOURCE PERMITS PERMIT 2709A
AIR NEW SOURCE PERMITS PERMIT 19044
AIR NEW SOURCE PERMITS PERMIT 21358
AIR NEW SOURCE PERMITS PERMIT 22312
AIR NEW SOURCE PERMITS REGISTRATION 23834
AIR NEW SOURCE PERMITS PERMIT 46637
AIR NEW SOURCE PERMITS PERMIT 46640
AIR NEW SOURCE PERMITS ACCOUNT NUMBER NE0027V
AIR NEW SOURCE PERMITS REGISTRATION 10309
AIR NEW SOURCE PERMITS REGISTRATION 56720
AIR NEW SOURCE PERMITS REGISTRATION 53921
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX653M1
AIR NEW SOURCE PERMITS REGISTRATION 75340
AIR NEW SOURCE PERMITS REGISTRATION 76742
AIR NEW SOURCE PERMITS REGISTRATION 77066
AIR NEW SOURCE PERMITS REGISTRATION 78522
AIR NEW SOURCE PERMITS REGISTRATION 80521
AIR NEW SOURCE PERMITS REGISTRATION 83882
AIR NEW SOURCE PERMITS PERMIT 103666
AIR NEW SOURCE PERMITS REGISTRATION 139385
AIR NEW SOURCE PERMITS REGISTRATION 111399
AIR NEW SOURCE PERMITS REGISTRATION 138157
AIR NEW SOURCE PERMITS REGISTRATION 139767
AIR NEW SOURCE PERMITS REGISTRATION 111443
AIR NEW SOURCE PERMITS REGISTRATION 111391
AIR NEW SOURCE PERMITS PERMIT AMOC53
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX36
AIR NEW SOURCE PERMITS REGISTRATION 167713
AIR NEW SOURCE PERMITS REGISTRATION 168537
AIR NEW SOURCE PERMITS REGISTRATION 141429

AIR OPERATING PERMITS PERMIT 1423
AIR NEW SOURCE PERMITS PERMIT 2695A
AIR NEW SOURCE PERMITS PERMIT 2699A
AIR NEW SOURCE PERMITS PERMIT 2703A
AIR NEW SOURCE PERMITS PERMIT 2706A
AIR NEW SOURCE PERMITS PERMIT 3119A
AIR NEW SOURCE PERMITS PERMIT 3857A
AIR NEW SOURCE PERMITS PERMIT 6722A
AIR NEW SOURCE PERMITS PERMIT 9604A
AIR NEW SOURCE PERMITS REGISTRATION 12005A
AIR NEW SOURCE PERMITS PERMIT 4979A
AIR NEW SOURCE PERMITS PERMIT 20156
AIR NEW SOURCE PERMITS PERMIT 21706
AIR NEW SOURCE PERMITS REGISTRATION 22418
AIR NEW SOURCE PERMITS REGISTRATION 30099
AIR NEW SOURCE PERMITS PERMIT 46641
AIR NEW SOURCE PERMITS PERMIT 46642
AIR NEW SOURCE PERMITS PERMIT 6748
AIR NEW SOURCE PERMITS REGISTRATION 170413
AIR NEW SOURCE PERMITS AFS NUM 4835500003
AIR NEW SOURCE PERMITS REGISTRATION 54775
AIR NEW SOURCE PERMITS PERMIT 72654
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX831
AIR NEW SOURCE PERMITS REGISTRATION 76883
AIR NEW SOURCE PERMITS REGISTRATION 77094
AIR NEW SOURCE PERMITS REGISTRATION 78195
AIR NEW SOURCE PERMITS PERMIT 80801
AIR NEW SOURCE PERMITS REGISTRATION 83913
AIR NEW SOURCE PERMITS REGISTRATION 139905
AIR NEW SOURCE PERMITS REGISTRATION 129920
AIR NEW SOURCE PERMITS REGISTRATION 111397
AIR NEW SOURCE PERMITS REGISTRATION 139781
AIR NEW SOURCE PERMITS REGISTRATION 136760
AIR NEW SOURCE PERMITS REGISTRATION 111955
AIR NEW SOURCE PERMITS REGISTRATION 154927
AIR NEW SOURCE PERMITS PERMIT AMOC68
AIR NEW SOURCE PERMITS REGISTRATION 164588
AIR NEW SOURCE PERMITS REGISTRATION 163223
AIR NEW SOURCE PERMITS REGISTRATION 167712
AIR NEW SOURCE PERMITS REGISTRATION 141703

AIR NEW SOURCE PERMITS REGISTRATION 151026
AIR NEW SOURCE PERMITS REGISTRATION 151002
AIR NEW SOURCE PERMITS REGISTRATION 146219
AIR NEW SOURCE PERMITS REGISTRATION 160982
AIR NEW SOURCE PERMITS REGISTRATION 161396
AIR NEW SOURCE PERMITS REGISTRATION 159107
AIR NEW SOURCE PERMITS REGISTRATION 170743
AIR NEW SOURCE PERMITS REGISTRATION 169854

WASTEWATER PERMIT WQ0000467000
WASTEWATER PERMIT TXG670236
POLLUTION PREVENTION PLANNING ID NUMBER P00139
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD051161990

Compliance History Period: September 01, 2017 to August 31, 2022

Rating Year: 2022

Rating Date: 09/01/2022

Date Compliance History Report Prepared: December 20, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 20, 2017 to December 20, 2022

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

Name: Desmond Martin

Phone: (512) 239-2814

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: 03/07/2018 ADMINORDER 2017-0421-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: FOP OP

Description: Failed to submit an initial notification for an excess opacity event within 24 hours after discovery, in violation of 30 TEX. ADMIN. CODE §§101.201(e) and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), and Federal Operating Permit ("FOP") No. O1423, Special Terms and Conditions ("STC") No. 2.F. Specifically, the Respondent did not notify the TCEQ within 24 hours after the discovery of an excess opacity event that occurred on March 10, 2015.

Classification: Moderate

Citation: 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: FOP OP

NSR PERMIT

Description: Failed to comply with the opacity limit of 20 percent averaged over a six-minute period, in violation of 30 TEX. ADMIN. CODE §§111.111(a)(1)(B), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), FOP No. O1423, STC No. 26, and New Source Review ("NSR") Permit No. 3123A, Special Conditions ("SC") No. 3. Specifically, on March 10, 2015, the Number 1 Fluid Catalytic Cracking Unit's Continuous Opacity Monitoring System measured an average opacity of 77 percent for a period that

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT Y 61.272(a)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP OP

NSR PERMIT

Description: Failed to perform an annual inspection of benzene storage vessels, in violation of 30 TEX. ADMIN. CODE §§101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), 40 CODE OF FEDERAL REGULATIONS ("CFR") §61.272(a)(2), FOP No. O1423, STC No. 26, and NSR Permit No. 20156, SC No. 7.C. Specifically, the Respondent did not perform an annual inspection of the benzene storage vessel, EPN 85-TK-33, in calendar year 2015.
Classification: Moderate

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

Rqmt Prov: FOP OP

Description: Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE §382.085(b), and FOP No. O1423, General Terms and Conditions. Specifically, the Respondent did not include the deviations for failing to report an excess opacity event within 24 hours after discovery, failing to comply with the opacity limit of 20 percent averaged over a six-minute period, failing to perform an annual inspection of the benzene storage v

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.567(h)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP OP

NSR PERMIT

Description: Failed to maintain records of the vessel's annual vapor tightness test, in violation of 30 TEX. ADMIN. CODE §§101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), 40 CFR §63.567(h), FOP No. O1423, STC No. 26, and NSR Permit No. 3857A, SC No. 8. Specifically, on September 10, 2015, Barge KB/K 10087 11019B was loaded, however, there were no records of the vessel's annual vapor tightness test.

2 Effective Date: 01/14/2020 ADMINORDER 2019-0609-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: [PSDTX653M1] Special Condition 1 PERMIT
Special Term & Condition 26 OP

Description: Failure to prevent unauthorized emissions and to prevent an excess opacity event.

3 Effective Date: 02/14/2022 ADMINORDER 2020-1175-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: FOP No. O1423, GTC and STC No. 28 OP
NSR 3123A, Special Condition 1 PERMIT
NSR 9604A/PSDTX653M1 Special Condition 1 PERMIT
NSR No. 9604A and PSDTX653M1, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 48% opacity and released 763.20 lbs of CO, 175.72 lbs of NOx, and 152.24 lbs of SO2 from the No. 1 FCCU Regenerator Stack, EPN F066, and experienced 47% opacity and released 4,462.30 lbs of CO, 178.90 lbs of NOx, and 364.60 lbs of SO2 from the No. 2 FCCU Regenerator/ESP Stack EPN 31-PR-1, during an emissions event (Incident No. 323605) that began on October 28, 2019 and lasted 49 hours and 42 minutes

Classification: Moderate

Citation: 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: FOP No. O1423, GTC and STC No. 28 OP
GC 14 PERMIT
GC 8 PERMIT
NSR Permit No. 3123A, SC No. 1 PERMIT

SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 100% opacity and released 962 lbs of CO, 294 lbs of NOx, 16 lbs of SO2, and 9,937.50 lbs of particulate matter from the No. 1 FCCU Regenerator Stack, EPN F066, during an emissions event (Incident No. 338409) that began on July 3, 2020 and lasted 100 hours

Classification: Moderate

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

Rqmt Prov: FOP No. O1423, GTC and STC No. 28 OP
GC 14 PERMIT
GC 8 PERMIT
NSR Permit No. 19044, SC No. 1 PERMIT
SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 814.36 lbs of VOC, 329.68 lbs of CO, 634.96 lbs of SO2, and 4.82 lbs of H2S from the Fluor Flare, EPN F442, during an emissions event (Incident No. 338511) that occurred on July 8, 2020 and lasted two hours and 23 minutes

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: FOP No. O1423, GTC and STC No. 28 OP
GC PA
NSR Nos. 9604A & PSDTX653M1, SC No. 1 PERMIT
NSR Permit No. 19044, SC No. 1 PERMIT
NSR Permit No. 20156, SC No. 1 PERMIT
SC 1 PA

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5.94 lbs of VOC, 2.84 lbs of CO, 0.05 lb of H2S, 0.39 lb of NOx, and 5.12 lbs of SO2 from EPN 446, released 114.31 lbs of VOC, 51.23 lbs of CO, 1.01 lbs of H2S, 7.09 lbs of NOx, and 103.61 lbs of SO2 from EPN F442, and experienced 93% opacity and released 1,795.20 lbs of CO, 315.20 lbs of NOx, and 153.80 lbs of SO2 from EPN 31-PR-1 during an emissions event (Incident No. 338083) that began on July 1, 2020 and lasted

Classification: Moderate

Citation: 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: FOP No. O1423, GTC and STC No. 28 OP
NSR Permit No. 3123A, SC No. 1 PERMIT
Special Condition 3 PERMIT
Special Term and Condition 26 OP
Special Term and Condition 3.A OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 50% opacity and released 1.55 lbs of CO, 2.67 lbs of NOx, and 4.16 lbs of SO2 from the No. 1 FCCU Regenerator Stack, EPN F066, during an emissions event (Incident No. 343318) that occurred on October 5, 2020 and lasted six minutes

4 Effective Date: 03/29/2022 ADMINORDER 2021-0678-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 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: FOP 1423 STC No. 28 OP
NSR GC No. 14 PERMIT
NSR SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 3, 2019 (TCEQ/STEERS Incident No. 320142).

5 Effective Date: 07/07/2022 ADMINORDER 2021-1085-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: GTC and STC No. 28 PERMIT
Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event, TCEQ/STEERS Incident No. 354954 which was discovered on April 28, 2021 that lasted for a duration of five hours and 33 minutes.
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: GTC and STC No. 28 PERMIT
SC 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 2, 2021, TCEQ/STEERS Incident No. 355167. Specifically, Citgo released 1,053.15 lbs of VOC, 291.76 lbs of CO, 53.36 lbs of NOx, 338.60 lbs of SO2, and 2.65 lbs of H2S from multiple sources.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	January 18, 2018	(1474537)
Item 2	February 20, 2018	(1486763)
Item 3	March 20, 2018	(1490440)
Item 4	April 09, 2018	(1474374)
Item 5	May 11, 2018	(1467671)
Item 6	May 18, 2018	(1500595)
Item 7	June 13, 2018	(1489885)
Item 8	June 15, 2018	(1489938)
Item 9	June 20, 2018	(1507712)
Item 10	July 10, 2018	(1497698)
Item 11	July 20, 2018	(1514030)
Item 12	July 31, 2018	(1505514)
Item 13	August 13, 2018	(1483437)
Item 14	August 20, 2018	(1520091)
Item 15	August 22, 2018	(1474386)
Item 16	August 23, 2018	(1511601)
Item 17	August 28, 2018	(1483503)
Item 18	August 31, 2018	(1512865)
Item 19	September 17, 2018	(1513808)
Item 20	September 19, 2018	(1527256)
Item 21	October 11, 2018	(1512375)
Item 22	October 18, 2018	(1533614)
Item 23	November 14, 2018	(1541449)
Item 24	December 20, 2018	(1545233)
Item 25	January 17, 2019	(1559674)
Item 26	March 07, 2019	(1544752)
Item 27	May 06, 2019	(1436881)
Item 28	May 20, 2019	(1583269)
Item 29	May 30, 2019	(1558217)
Item 30	August 02, 2019	(1557848)
Item 31	August 14, 2019	(1575453)
Item 32	August 30, 2019	(1576152)
Item 33	November 25, 2019	(1592698)
Item 34	December 18, 2019	(1626406)
Item 35	December 19, 2019	(1592903)
Item 36	February 18, 2020	(1640666)

Item 37	February 20, 2020	(1631151)
Item 38	February 21, 2020	(1631434)
Item 39	February 23, 2020	(1625258)
Item 40	March 17, 2020	(1647186)
Item 41	April 16, 2020	(1653522)
Item 42	April 23, 2020	(1638147)
Item 43	May 14, 2020	(1660109)
Item 44	May 20, 2020	(1650792)
Item 45	May 22, 2020	(1651695)
Item 46	June 09, 2020	(1652251)
Item 47	June 12, 2020	(1656852)
Item 48	June 23, 2020	(1633340)
Item 49	June 29, 2020	(1657204)
Item 50	August 03, 2020	(1665634)
Item 51	August 17, 2020	(1680345)
Item 52	August 20, 2020	(1664710)
Item 53	September 11, 2020	(1672929)
Item 54	September 16, 2020	(1686914)
Item 55	October 08, 2020	(1679594)
Item 56	October 14, 2020	(1693261)
Item 57	November 13, 2020	(1685531)
Item 58	November 18, 2020	(1679959)
Item 59	December 02, 2020	(1678296)
Item 60	December 03, 2020	(1683718)
Item 61	December 07, 2020	(1692445)
Item 62	December 09, 2020	(1692775)
Item 63	December 10, 2020	(1686115)
Item 64	December 17, 2020	(1712474)
Item 65	December 23, 2020	(1685530)
Item 66	December 28, 2020	(1692498)
Item 67	January 14, 2021	(1692840)
Item 68	January 29, 2021	(1692742)
Item 69	February 16, 2021	(1725528)
Item 70	March 17, 2021	(1725529)
Item 71	April 19, 2021	(1725530)
Item 72	April 23, 2021	(1704190)
Item 73	May 06, 2021	(1704761)
Item 74	May 14, 2021	(1710873)
Item 75	May 28, 2021	(1706539)
Item 76	June 17, 2021	(1747581)
Item 77	July 14, 2021	(1751710)
Item 78	July 20, 2021	(1722540)
Item 79	July 27, 2021	(1737911)
Item 80	August 27, 2021	(1735088)
Item 81	September 01, 2021	(1710473)
Item 82	September 15, 2021	(1766254)
Item 83	October 13, 2021	(1749275)
Item 84	December 02, 2021	(1756564)
Item 85	January 11, 2022	(1798446)
Item 86	February 14, 2022	(1806320)
Item 87	March 16, 2022	(1788661)
Item 88	March 17, 2022	(1802124)
Item 89	April 13, 2022	(1819958)
Item 90	May 06, 2022	(1828797)
Item 91	May 27, 2022	(1812425)
Item 92	June 09, 2022	(1835089)
Item 94	July 14, 2022	(1842294)
Item 95	July 21, 2022	(1787937)

Item 96	August 11, 2022	(1848427)
Item 97	September 27, 2022	(1846041)
Item 98	October 10, 2022	(1862582)
Item 99	December 13, 2022	(1861961)

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: 02/28/2022 (1813387)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 08/31/2022 (1856225)
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: 08/31/2022 (1774722)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 7 PERMIT
STC No. 28 OP
Description: Failure to comply with the NOx limit of 0.035 lbs/MMBtu at the Charge Heater (EPN 207-H-1). Specifically, during the compliance period of February 20, 2020 through February 19, 2021, Citgo East reported one instance where the GHT Charge Heater exceeded the 1-hour average NOx limit. Citgo indicated that the event was a deviation from the maximum Charge Heater duty limit of 62MMBtu/h, which is used as a surrogate indicator for the NOx limit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 13 PERMIT
SC No. 5 PERMIT
STC No. 28 OP
Description: Failure to comply with the permitted emissions rates for nitrogen oxides (NOx). Specifically, during the compliance period of February 20, 2020 through February 19, 2021, Citgo East reported four instances where emissions from the No. 4 Platformer Heater (ID#29-H1) exceeded the permitted 0.045 lb/MMBtu fired duty of NOx limit. Further, Citgo East reported 76 instances where emissions from the Sat. Gas Absorber Reboiler Heater (ID# 41-H1) exceeded the permitted 0.040 lb/MMBtu fired duty of NOx
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 28 OP
SC No. 3 PERMIT
Description: Failure to comply with the feed rate to the C4 Selective Hydrogenation Process (C4SHP) Unit (ID #37-U37). Specifically, on July 21, 2020 during the No 2. FCCU startup, an influx of splitter bottoms feed quickly increased the rate to the Feed/Effluent exchanger, exceeding the 258,839 lbs/hr feed rate temporarily.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)
SC No. 5 PERMIT
STC No. 28 OP
Description: Failure to comply with the 500 ppm carbon monoxide (CO) limit at the FCCU catalyst regenerators. Specifically, during the compliance period of February 20, 2020 through February 19, 2021, Citgo East reported two instances where the No. 1 FCCU (ID #38-V6) exceeded the 500 ppmvd limit for CO. Further, Citgo East reported two instances when the No. 2 FCCU (ID# 31-PR-1) exceeded the

500 ppmvd limit.
Refer to the deviation items on pages 6 and 15 of 52 of the deviation report dated September 18, 20

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(c)(4)
5C THSC Chapter 382 382.085(b)
SC No. 11-14 PERMIT
STC No. 28 OP
Description: Failure to continuously operate the continuous emission monitoring system (CEMS).

Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(v)
5C THSC Chapter 382 382.085(b)
Description: Failure to ensure an automatic vacuum breaker is in the closed position while a tank roof is floating.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GTCs OP
Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 28 PERMIT
SC No. 6C PERMIT
Description: Failure to comply with permitted TDS limits.

Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to complete the annual tank seal inspection.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 10.A.(5) PERMIT
STC No. 28 OP
Description: Failure to replace a carbon canister four hours after breakthrough.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Sc. No. 6.C.(4) PERMIT
STC No. 28 OP
Description: Failure to maintain complete records for each vacuum truck at the site each day.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1 PERMIT
STC No. 28 OP
Description: Failure to comply with the permitted emissions limit for carbon monoxide (CO).

Self Report? NO Classification: Moderate
Citation: 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)
SC No. 3 PERMIT
STC No. 28 OP
Description: Failure to comply with the opacity limit of 20 percent averaged over a six-minute period.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1 PERMIT

Description: STC No. 28 OP
 Failure to comply with the minimum oxygen percent (O2%) limits at the Crude Heater and Vacuum Heater.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1 PERMIT
 STC No. 28 OP

Description: Failure to comply with the permitted emissions limits for nitrogen oxide (NOx).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 6 PERMIT
 STC No. 28 OP

Description: Failure to comply with the permitted NOx limit of 0.085 lb/MMBtu at the Crude Heater and Vacuum Heater.

Self Report? NO Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6
 5C THSC Chapter 382 382.085(b)
 STC No. 1.A. OP

Description: Failure to equip each open-ended valve or line (OEL) with a cap, blind flange, plug, or a second valve.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 4 PERMIT
 STC No. 28 OP

Description: Failure to comply with the permitted emissions rates for sulfur dioxide (SO2).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1 PERMIT
 STC No. 28 OP

Description: Failure to maintain the temperature at the No. 1 and No. 2 SRU Incinerators above 1309 degrees Fahrenheit (°F).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1 PERMIT
 STC No. 28 OP

Description: Failure to comply with the CO limits of 287.23 lbs/hr at the No. 2 FCCU Regenerator/ESP Stack.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1 PERMIT
 STC No. 28 OP

Description: Failure to comply with the 11.4 MMBtu/hr heater duty surrogate limit at the No. 1 SRU Incinerator.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1 PERMIT
 STC No. 28 OP

Description: Failure to comply with the permitted emissions limit for carbon monoxide (CO) at the No. 1 SRU Incinerator.

F. Environmental audits:

Notice of Intent Date: 01/15/2018 (1466408)

No DOV Associated

Notice of Intent Date: 11/30/2018 (1537379)

Disclosure Date: 06/13/2019

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.658(a)

Description: Failure to set passive monitor locations at the proper height such that the bottom cap of the passive tube is between 4.9 feet and 9.8 feet above ground level.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.658(c)(1)

Description: Failure to establish adequate number of passive monitors along the fence line, including sufficient siting along shoreline adjacent to the dock area, to meet spacing requirements.

Notice of Intent Date: 09/23/2019 (1602712)

Disclosure Date: 09/29/2020

Viol. Classification: Moderate

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.13(d)

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

40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.15

Description: Failure to properly manage and dispose of universal waste lamps including properly labeling and dating.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(b)(1)

Description: Failure to ensure the overfill spill control equipment is clearly identified on the daily inspections of hazardous waste.

Viol. Classification: Moderate

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

Description: Failure to maintain documentation to demonstrate that the Waste Pile was inspected following storm events.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failure to properly maintain aerosol cans.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to properly characterize the individual waste streams in the East Plant laboratory at the point of generation to ensure proper management and disposal of each waste stream.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(d)

Description: Failure ensure waste stored in the East Plant Laboratory is labeled as hazardous waste or with words describing the container contents.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(7)

Description: Failure to maintain documentation demonstrating how each waste stream meets the exemption or exclusion for each waste managed as such.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to ensure waste profiles and waste characterization match waste streams observed in the field.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.1(c)

40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.2(c)

Description: Failure to maintain documentation to demonstrate that employees were trained to handle universal waste.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.4

Description: Failure to prevent waste blast media from being stored and accumulating on the ground.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failure to prevent waste debris from accumulating on the tarp covering the hazardous waste roll-off at the wash pad.

Notice of Intent Date: 12/03/2019 (1616698)

No DOV Associated

Notice of Intent Date: 11/09/2021 (1803616)

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITGO REFINING AND
CHEMICALS COMPANY L.P.
RN102555166

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1586-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 CITGO Refining and Chemicals Company L.P. (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 1801 Nueces Bay Boulevard in Corpus Christi, Nueces County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,563 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$10,851 of the penalty and \$2,712 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. On October 27, 2021, provided the estimated total quantities for the compounds or mixtures that were released during Incident No. 360514; and
 - b. By November 1, 2021, implemented the revised emissions event reporting guideline and the review of the workflow process for the Air Programs & Compliance Team to ensure that all of the required information are identified on the final records for reportable emissions events in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 360514.

II. ALLEGATIONS

During a record review for the Plant conducted from September 30, 2021 through October 27, 2021, an investigator documented that the Respondent:

1. 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)(D), (G), and (H) and 122.143(4), Federal Operating Permit ("FOP") No. 01423, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify 0.65 pound ("lb") of hydrogen sulfide ("H₂S"), 85.20 lbs of sulfur dioxide ("SO₂"), 30.97 lbs of nitrogen oxides ("NO_x"), and 191.23 lbs of carbon monoxide ("CO") that were released from the Fluor Flare, Emissions Point Number ("EPN") F442, on the final record for Incident No. 360514.
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 111.111(a)(1)(B), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 2699A, PSDTX36, PSDTX96, PSDTX653M1, and PSDTX831, Special Conditions ("SC") No. 1, NSR Permit Nos. 9604A and PSDTX653M1, SC No. 1, FOP No. 01423, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent experienced 69 percent opacity at the No. 2 Fluid Catalytic Cracking Unit ("FCCU") Regenerator/Electrostatic Precipitator ("ESP") Stack, EPN 31-PR-1, and released 0.67 lb of H₂S, 2,253.00 lbs of SO₂, 260.24 lbs of NO_x, 3,227.32 lbs of CO, and 349.68 lbs of volatile organic compounds ("VOC") from multiple EPNs as shown in the table below, during an emissions event (Incident No. 360514) that began on June 18, 2021 and lasted 327 hours and 21 minutes. The emissions event occurred due to a total loss of third-party steam that caused an unplanned shutdown of multiple units,

resulting in the release to the atmosphere and flaring. Since the Respondent did not comply with the emissions event reporting requirements, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Emissions Event Table (Incident No. 360514)						
Source Name	EPN	Pollutants (lbs)				
		H2S	SO2	NOx	CO	VOC
Sulfur Recovery Incinerator Stack Unit	412	0.02	2,005.05	0.00	0.00	0.00
Fluor Flare	F442	0.65	85.20	30.97	191.23	349.68
No. 2 FCCU Regenerator/ESP Stack	31-PR-1	0.00	163.62	229.27	3,036.09	0.00
Totals:		0.67	2,253.87	260.24	3,227.32	349.68

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: CITGO Refining and Chemicals Company L.P., Docket No. 2021-1586-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. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.


5. 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.
6. 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.
7. 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



6/16/2023

For the Executive Director

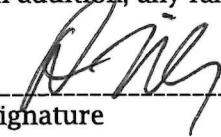
Date

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 OAG 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 OAG 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

3/23/23

Date

Dennis Willig

VP and GM Corpus Christi Refinery

Name (Printed or typed)

Title

Authorized Representative of
CITGO Refining and Chemicals Company L.P.

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.