



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

JUN 4 2013

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7011 3500 0000 0359 6426

Mr. Greg Willms  
General Manager  
Motiva Enterprises, LLC  
2555 Savannah Ave.  
P. O. Box 712  
Port Arthur, TX 77641-0712

Re: *United States et al. v. Motiva Enterprises LLC* – Civil Action No. H-01-0978  
(D. Co. August 21, 2001) Tail Gas Flaring Incident of August 15, 2012 - Motiva  
Enterprises LLC – Port Arthur Refinery, Jefferson County, Texas

Dear Mr. Willms:

The United States Environmental Protection Agency (EPA) received a report dated September 13, 2012 regarding the tail gas (TG) flaring incident that occurred on August 15, 2012, at the Motiva Enterprises LLC- Port Arthur Refinery (Motiva) located in Port Arthur, Jefferson County, Texas. According to the report, the acid gas flaring lasted a total of 16 hours and 20 minutes and resulted in a release of 0.659 tons of sulfur dioxide (SO<sub>2</sub>).

According to Motiva's report, the root cause of the incident was careless operation by the personnel charged with the responsibility for the Sulfur Recovery Unit (SRU) 2, as specified in paragraph 156(a) of the Consent Decree. In the interest of preventing a recurrence of this incident Motiva has completed the following corrective actions:

- Repaired a faulty level indicator on the primary condenser, and ensured that the alarm strategy was adequate
- Modified the startup procedure for SRU 2 to verify that level indicators and regulators are lined up and properly operating during the startup sequence.

Motiva is also modifying the startup procedures on all remaining SRUs, and creating communication plans to communicate all root causes and corrective actions to field and console operators.

Upon review of the information submitted by Motiva, EPA makes the following determinations:

- The findings of the inspection contained in the incident follow-up report supports Motiva's assertion that the incident resulted from careless operation.
- The preventive measures completed by Motiva are adequate given the nature of this incident.

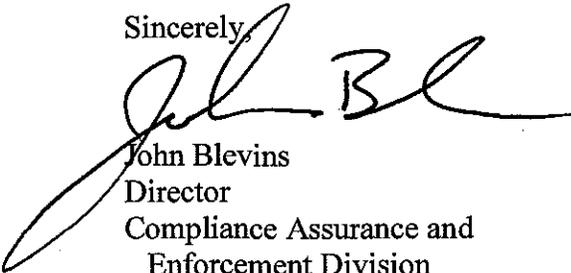
Motiva Port Arthur Refinery  
Response to Tail Gas Flaring Incident  
Civil Action No. H-01-0978

Therefore, in accordance with Paragraph 165(a) of the Consent Decree, Motiva is subject to a penalty of four hundred and ninety five dollars, \$495 = [\$750/ton x (0.659) tons], to be paid to the United States in accordance with Paragraph 176(a).

To expedite the processing of the payment of stipulated penalties, please clearly identify the incident date, Civil Action Number, and amount of the penalty, both on the check, if paying by check, and in the letter accompanying payment by check or wire transfer. Also, please send a copy of the letter accompanying the payment to [lundelius.diana@epa.gov](mailto:lundelius.diana@epa.gov).

If you have any questions about this response, please contact Emad Shahin of my staff at (214) 665-6717, or by email at [shahin.emad@epa.gov](mailto:shahin.emad@epa.gov).

Sincerely,



John Blevins  
Director  
Compliance Assurance and  
Enforcement Division

- cc: Chief, Environmental Enforcement Section,  
U.S. Department of Justice  
Tim Johnson, U.S. Department of Justice  
Phillip Brooks, U.S. Environmental Protection Agency
- ec: Diana Lundelius, U.S. EPA, Region 6  
Dominique Duplechain, U.S. EPA, Region 6  
Ramiro Garcia, Texas Commission on Environmental Quality  
Teresa Dykes, U.S. EPA, Headquarters  
Claire Sullivan, Matrix Engineering  
Kim White, USEPA/Cincinnati Finance Center