

PROJECT#: 404443
RECEIVED: 10/26/2007

STATUS: C
PROJTYPE: BUSE

DISP CODE: C
ISSUED DT: 10/27/2010
SUP-DISP DATE: 10/27/2010

STAFF ASSIGNED TO PROJECT:
BANDA, DANIEL

91 7108 2133 3935 2170 2267

PROJECT NOTES:

3/31/07-8/31/07 USE: THE RETAINED CERTIFICATE WILL NOT BE RETURNED TO THE COMPANY. THE GENERATING CERTIFICATE (D-1253) EXPIRED 9/8/2010.

GROUPWISE DOCUMENTS: DCUA/DCUS-15810 / DCTR-15811

PROJECT TRANSACTIONS**COMPANY DATA**

COMPANY NAME: AIR PRODUCTS LLC
CUSTOMER REGISTRY ID: CN602299257

AIR DERC_102041282-404443_
USE_20101027_Use_D2594

PORTFOLIO DATA

NUMBER: P0026 NAME: LA PORTE TEXAS FACILITY - RN102041282

SITE DATA

ACCOUNT:
HG0010N

REG ENTITY ID: RN102041282

SITE NAME: LA PORTE TEXAS FACILITY

COUNTY: HARRIS

NEAREST CITY: LA PORTE

LOCATION: 10202 STRANG RD, LA PORTE, TX

CONTACT DATA

NAME: PAUL MORRIS

TITLE: ENVIRONMENTAL ENGINEER

STREET: PO BOX 3326 CITY/STATE, ZIP: PASADENA, TX , 77501-0

FAX: 713-920-7445 ext 0

PHONE: 713-920-7296 ext 0

TRANSACTION DATA

TRANSACTION TYPE: DERC_USE

DATE ENTERED: 2010-03-08 00:00:00.0

CONTAMINATE: NOX
ALLOWANCE0

DELETED DATE:

TONS: 0.40

EFFECTIVE YEAR:

DOLLARS: 0

CERTIFICATE NO.: D2593 COUNTY : HARRIS

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2010-03-08 00:00:00.0

CONTAMINATE: NOX
ALLOWANCE

DELETED DATE:

TONS: 56.50

EFFECTIVE YEAR:

DOLLARS: 0

CERTIFICATE NO.: D2594 COUNTY : HARRIS

TRACKING ACTIVITIES

TR - ENGINEER RECEIVE
PROJECT :

10/22/2010

TR - SUP/MANGR
APP/RVW RQSTD :

10/27/2010 FA - PROJECT ISSUED : 10/27/2010

TR - PROJ TECH
COMPLETE :

10/27/2010

Form DEC-3 (Page 1)
Notice of Use of Discrete Emission Credits
 (Title 30 Texas Administrative Code § 101.370 - § 101.379)

I. Company Identifying Information			
A. Company Name: <u>Air Products LLC</u>			
Mailing Address: <u>10202 Strang Road</u>			
City: <u>La Porte</u>	State: <u>TX</u>	Zip Code: <u>77571</u>	
Telephone: <u>281-478-5901</u>		Fax: <u>281-478-3045</u>	
B. TCEQ Customer Number (CN): <u>CN602299257</u>			
C. Site Name: <u>La Porte Facility</u>			
Street Address: (If no street address, give driving directions to site)			
Nearest City: <u>La Porte</u>	Zip Code: <u>77571</u>	County: <u>Harris</u>	
D. TCEQ Regulated Entity Number (RN): <u>RN102041282</u>			
E. TCEQ Account Number: (if applicable)		<u>HG-0010-N</u>	
F. Primary SIC: <u>2813</u>		Air Permit Number: <u>21878</u>	
II. Technical Contact Identifying Information			
A. Technical Contact Name: (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.) <u>William F. Caldwell, PE, PG</u>			
Technical Contact Title: <u>Environmental Engineer</u>			
Mailing Address: <u>P.O. Box 3326</u>			
City: <u>Pasadena</u>	State: <u>TX</u>	Zip Code: <u>77501</u>	
Telephone: <u>713-920-7526</u>	Fax: <u>610-700-5344</u>	E-mail: <u>caldwelf@airproducts.com</u>	
III. Mass Emissions Cap and Trade Program (MECT)			
Is the DERC use for compliance with 30 TAC Chapter 101, Subchapter H, Division 3? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Year DERC Generated: _____ Year of use: _____ Ratio of DERC to Allowance: _____ to _____			
Note: If DERC use is to comply with MECT then go to Section IX			
IV. Use Period			
Use Start Date: <u>03/31/07</u>		Use End Date: <u>01/31/07</u>	
V. State and Federal Requirements			
Applicable State and Federal requirements that the DERCs were used for compliance:			
<u>117.210 - Systemcap</u>			
VI. Most Stringent Emission Rate			
Describe basis for most stringent allowable emission rate: <input type="checkbox"/> Permit <input checked="" type="checkbox"/> RACT <u>117.210</u> <input type="checkbox"/> Other: _____			
Notes: <u>1b/mabtu</u>			
<u>117.206(c)(1)(A)</u>			



Form DEC-3 (Page 2)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

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OCT 26 2007

AIR QUALITY PLANNING

VII. Tons of Dioxin Used									
Emission Point No.	PIN	Air Contaminant	Calculation of DERGs						
			Actual Activity (units)	Actual Emission Rate (units/hr)	Actual Total Emissions (tons)	Regulated Activity (units)	Regulated Emission Rate (units/hr)	Regulated Total Emissions (tons)	DERGs Used (tons)
GT-1	PERCEN 1	NO _x							
GT-2	PERCEN 2	NO _x							
GT-3	PERCEN 3	NO _x							
GT-4	PERCEN 4	NO _x							
								Total:	56.8

Established System Cap of 218.9 lbs NO_x/day



Form DEC-3 (Page 3)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

VIII. Protocol

Protocol used to calculate DERC:

Note: Attach the actual calculations that were used to determine the amounts of DERCs needed to this form

IX. Total DERCs Used (Round up to the nearest tenth of a ton)

Tons of DERCs required (from Sect. VI)	CO: _____	NO _x : <u>0.867</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO _x : <u>NA</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO _x : <u>0.1</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Total DERCs Used	CO: _____	NO _x : <u>0.97</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____

X. DERC Information

Name of the DERC Generator: NATIONAL OFFSETS

DERC Generator Regulated Entity Number: P1149 Broker Account

Certificate number of the DERCs used: D2135

Note: The certificate number is assigned by the TCEQ

XI. Purchase Dates and Prices

Date on which the DERCs were acquired or registered: 02/14/2007

Price of the DERCs: \$ 650 per ton (Required)

XII. CERTIFICATION BY RESPONSIBLE OFFICIAL

I, DAVID C. HEFELE, hereby certify, to the best of my knowledge and belief, that this application is correct and the use strategy claimed on this notice has met the requirements of all applicable state and federal rules and regulations. I further state that to the best of my knowledge and belief the information in this certification is not in any way in violation of 30 TAC, Subchapter H, Division 4, §101.370-101.379 or any applicable air quality rule or regulation of the Texas Commission on Environmental Quality and that intentionally or knowingly making or causing to be made false material statements or representations in this certification is a CRIMINAL OFFENSE subject to criminal penalties. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits

Signature DC HeFele

Signature Date 10-23-07

Title Houston Area Manager

Air Products, LLC
 La Porte Facility
 10202 Strang Road
 La Porte, TX 77571

Attachment
 DERC Calculation to Satisfy
 Sections VII and VIII of
 Notice of Intent to Use
 Form DEC-2

RECEIVED
 OCT 26 2007

AIR QUALITY
 PLANNING
 CN 602299257

Capacity MW/unit	Turbines # of Units	Expected Hours of Operation- Daily hrs/day	Expected New Daily Heat Input mmbtu/day	Expected Emission Rate lb/mmbtu	Expected New Daily Total lbs NOx/day	Regulatory Limit- System Cap per 117.210 lbs NOx/day	Difference lbs NOx/day	Use Period days	DERCs tons	10% Compliance Contribution tons	5% Compliance Margin tons	Total DERCs Required tons
38	4	16	29670.4	0.029	860.4	218.9	641.5	154	49.4	4.94	2.47	56.8

Heat Rate: 12,200 Btu/kwh

Calculation based upon the DERC calculation in 101.378(d)(2)(I):

Expected New Daily Total = 4 units * 38 MW/unit * 12,200 btu/kwh * 1000 kw/ 1 MW * 0.029 lb NOx/mmbtu * 1 mmbtu/10⁶ btu * 16 hr/day

Established system cap of 218.9 lbs NOx/day established per 117.210

Air Products, LLC
La Porte Facility
10202 Strang Road
La Porte, TX 77571

Attachment
Form DEC-3 (Page 2)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

CN 602299257

Date	MWhs Generation	Heat Input	Expected Emission Rate	Nox Emissions (lbs/day)	Regulatory Limit System Cap per 117.320	Difference	DERCs	10%	5%	Total DERCS Required
	MWhs	mmBtu	lb/mmBtu		lbs Nox/day	lbs Nox	tons	tons	tons	tons
4/3/2007		14058	0.029	407.7	218.9	188.8	0.09			
5/7/2007		12889	0.029	373.8	218.9	154.9	0.08			
6/9/2007		10692	0.029	310.1	218.9	91.2	0.05			
6/19/2007		10027	0.029	290.8	218.9	71.9	0.04			
7/7/2007		10922	0.029	316.7	218.9	97.8	0.05			

Total for Use Period

0.3 ~~0.0~~ N/A 0.3
0.31 + 0.03 0.4

Heat Rate: 12,220 Btu/kwh

Calculation based upon the DERC calculation in 101.376(d)(2)(I)

Dates only include days where emissions exceeded 30 day rolling average (218.9 lbs Nox/day)

MWhs Generation is total for all 4 emission units

Established system cap of 218.9 lbs Nox/day established per 117.320

0.4 ✓

From: "Morris, Paul J." <MORRISPJ@airproducts.com>
To: Daniel Banda <DaBanda@tceq.state.tx.us>
Date: 10/22/2010 3:21 PM
Subject: RE: Air Products, L.L.C. - La Porte Facility System Cap and DERCs
Attachments: La_Porte_20101022_Peakers_2007_Emissions.pdf

Daniel,

Sorry for the delay. I had to reconstruct the numbers from paper copies of the EDRs. Please let me know if you have any questions or need additional information.

- Paul

—Original Message—

From: Daniel Banda [mailto:DaBanda@tceq.state.tx.us]
Sent: Friday, October 01, 2010 4:59 PM
To: Morris, Paul J.
Subject: RE: Air Products, L.L.C. - La Porte Facility System Cap and DERCs

Paul,

I just realized that the documentation attached to the previous email with the DERC usage information was for the incorrect use period. I need the documentation for the period 3/31/07-8/31/07. If you have any questions, feel free to contact me. Thank you.

-Daniel

>>> "Morris, Paul J." <MORRISPJ@airproducts.com> 9/30/2010 4:32 PM >>>
Mr. Banda,

I reviewed our copy of the DEC-3 report you referenced below. The final page attached to the was actually part of the DEC-2 information. I am attaching two versions of the correct sheet. The first page of the attached document is the emissions summary that matches the rest of the DEC-3 form submitted. In the course of investigating this and comparing it to subsequent DEC-3 submissions, it looks like the DERCs were calculated incorrectly. The "Difference" column is actually the emissions and does not subtract the System Cap value. On page two of the attached document, I have corrected that.

Please let me know if you need any additional information.

- Paul

—Original Message—

From: Daniel Banda [mailto:DaBanda@tceq.state.tx.us]
Sent: Friday, September 24, 2010 2:28 PM
To: Morris, Paul J.
Subject: Air Products, L.L.C. - La Porte Facility System Cap and DERCs

Mr. Morris:

Re:
Air Products, L.L.C.
La Porte Facility
DERC Use for 3/31/07-8/31/07

The Notice of Use Form DEC-3, received October 26, 2007, indicates that Air Products, L.L.C., exceeded their system cap by 0.8 tons (0.9 with the environmental contribution). Please submit a documentation that specifies the dates the system cap was exceeded and observed heat input during those days so I can verify your DERC usage. If you have any questions, feel free to contact me. Thank you.

All the best,

Daniel A. Banda
TCEQ
Emissions Banking and Trading Program
Air Quality Division
Phone: 512-239-4701
Fax: 512-239-5687

La Porte Units Heat Input/Rolling 30 Day Average Emission Limitation

$$\text{NO}_x \text{ 30-day rolling average emission cap (lb/day)} = \sum_{i=1}^N (H_i \times R_i)$$

Calendar Year

	APCI			Exelon	
	2005	2006		2005	2006
	mscf/mo	mscf/mo		mmbtu/mo	mmbtu/mo
July	230450	216941	July	235792	222482
August	212156	332196	August	220271	337890
September	109941	124392	September	114829	127320
Total	552547	673529	Total	570892	687692
avg daily heat input, Hi=	6,663.5		avg daily heat input, Hi=	6,840.1	
cap=	213.2 lbs NOx/day		cap=	218.9 lbs NOx/day	

regulated emission rate in 117.510 (2) (10)
stationary gas turbines = 0.032 lb/MMBtu

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 15, 2010

Certified Mail # 91 7108 2133 3935 2170 2267

Mr. Paul J. Morris
Senior Principal Environmental Engineer
Air Products, L.L.C.
P.O. Box 3326
Pasadena, Texas 75501

Re: Notice of Violation of Notice of Intent to Use Discrete Emission Credits at:
La Porte Texas Facility
La Porte, Harris County
Regulated Entity Number (RN): RN102041282
Customer Reference Number: CN602299257
Portfolio Number: P0026

Dear Mr. Morris:

This letter is in response to Air Products, L.L.C.'s, multiple Forms DEC-2, Notice of Intent to Use Discrete Emission Credits, and multiple Forms DEC-3, Notice of Use of Discrete Emission Credits, for the purpose of complying with the 30-day rolling average nitrogen oxides (NO_x) system cap under Title 30 Texas Administrative Code (TAC) §117.320 (previously 30 TAC §117.210) at the La Porte Facility. During this review, any instances of non-compliance with applicable Emissions Banking and Trading Program regulations under 30 TAC Chapter 101 Subchapter H have been noted as violations. Enclosed is a summary that lists the findings. All violations were resolved during or subsequent to the review. No further response from you is necessary at this time.

We have reviewed your applications and have found that the notices and the credits to be used meet the requirements of 30 TAC §§101.370 through 101.379. Please refer to the table summaries below for details.

All intent amounts in the table are reflective of the actual use amount, specified in the use projects. The retained credits from DERC Certificate D-2188 have now expired. All DERCs generated from shutdown strategies prior to September 30, 2002, may only be used until September 8, 2010, per 30 TAC §101.378(b)(1). Though these credits have expired, they may be used to satisfy compliance requirements for intent and use projects received by the Texas Commission on Environmental Quality (TCEQ) with use periods prior to September 9, 2010.

PROJECT NUMBER	RECEIVE DATE	PROJECT TYPE	USE PERIOD	TOTAL TONS REQUIRED/USED
401456 ¹	3/15/2006	Intent	3/31/07-	56.9
404443	10/26/2007	Use	8/31/07	0.4
404444	7/10/2007	Intent	9/1/07-	0.5 ²
402384	1/30/2008	Use	10/31/07	0.5
402051	9/14/2007	Intent	11/1/07-	0.2 ²
402873	4/30/2008	Use	3/31/08	0.2
402440	2/19/2008 ³	Intent	4/1/08-	2.3 ²
403372	2/10/2009 ⁴	Use	10/31/08	2.3
403475	9/19/2008	Intent	11/1/08-	2.9 ²
403373	2/10/2009	Use	12/31/08	2.9
403476	11/10/2008	Intent	1/1/09-	1.2 ²
404817	3/26/2010 ⁴	Use	6/30/09	1.2
403867	5/14/2009	Intent	7/1/09-	0.1 ²
405018	3/26/2010	Use	12/31/09	0.1

¹ A letter for project number 401456 has already been mailed. It has been included in this table for reference purposes.

² The total ton amount for the intent is based on the DERC use amount.

³ Form DEC-2 was accepted late due to Hurricane Ike. No violation is required.

⁴ Form DEC-3 was submitted past the specified due date. Please refer to the attached violation summary.

Please note that the legislature has granted the TCEQ enforcement powers to ensure compliance with environmental regulatory requirements. This action is taken under authority delegated by the Executive Director of the TCEQ. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the staff listed below within 30 days from the date of this letter.

Thank you for your cooperation in this matter. If you have questions concerning this review or need further assistance regarding the banking program, please contact Mr. Daniel Banda at (512) 239-4701, or write to the Texas Commission on Environmental Quality, Chief Engineer's Office, Air Quality Division (MC-206), P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,



David Brymer, Director
Air Quality Division
Texas Commission on Environmental Quality

DB/DB/sd

cc: Air Section Manager, Region 12 – Houston
Mr. Michael Schaffer, Director, Environmental Public Health Division, Harris County Public Health and Environmental Services, Pasadena

Violation Summary
Regulated Entity Number: RN102041282

Violation: Air Products, L.L.C., is in violation for submitting the Form DEC-3, Notice of Use of Discrete Emission Credits, past the required due date. The Forms DEC-3 are due no later than 90 days after the end of each use period and were received late on two occasions; February 10, 2009, and March 26, 2010.

Citation: Title 30 Texas Administrative Code (TAC) §101.376(e)(3)(A)

Recommended Corrective Action: Submit the completed Forms DEC-3 and supporting documentation as detailed in 30 TAC §101.376 to the Texas Commission on Environmental Quality, Emissions Banking and Trading Program.

Resolution: Air Products, L.L.C., submitted the required Forms DEC-3 and the supporting documentation for the respective use periods.

DISCRETE EMISSION CREDITS INTENT AND USE TECHNICAL REVIEW

Project No.:	401456, 404443, 404444, 402384, 402051, 402873, 402440, 403372, 403475, 403373, 403476, 404817, 403867, 405018	Customer Reference No.:	CN602229257
Project Type:	BDIU / BUSE	Regulated Entity No.:	RN102041282
Company:	Air Products, L.L.C.	Facility Name:	La Porte Texas Facility
City:	La Porte	County:	Harris
Project Reviewer:	Mr. Daniel Banda	Portfolio Name:	P0026

Project Overview

Air Products, L.L.C., submitted multiple Forms DEC-2, Notice of Intent to Use of Discrete Emission Credits, and multiple Forms DEC-3, Notice of Use of Discrete Emission Credits, for the purpose of complying with the 30-day rolling average nitrogen oxides (NO_x) system cap under Title 30 Texas Administrative Code (TAC) §117.320 (previously 30 TAC §117.210) at the La Porte Facility. The table below identifies the Discrete Emission Reduction Credit (DERC) certificates and respective amounts used to cover excess emissions during periods between 2007 and 2009.

Air Products, L.L.C., is in violation of 30 TAC §101.376(e)(3)(A) for the late submittal of Form DEC-3. The Form DEC-3 is due 90 days after the end of each use period and was received late on two occasions; February 10, 2009, and March 26, 2010. By submitting the Forms DEC-3 Air Products, L.L.C., has resolved the violation.

Discrete Emission Credit Intent and Use Summary

PROJECT NUMBER	RECEIVE DATE	PROJECT TYPE	USE PERIOD	TOTAL TONS REQUIRED/USED	CERTIFICATES USED	CERTIFICATES RETAINED
401456 ¹	3/15/2006	Intent	3/31/07-8/31/07	56.9	D2188 (56.9)	D2208 (3.1)
404443	10/26/2007	Use		0.4	D2593 (0.4)	D2594 (56.5)
404444	7/10/2007	Intent	9/1/07-10/31/07	0.5 ²	D2594 (0.5)	D2646 (56.0)
402384	1/30/2008	Use		0.5	D2647 (0.5)	-
402051	9/14/2007	Intent	11/1/07-3/31/08	0.2 ²	D2646 (0.2)	D2648 (55.8)
402873	4/30/2008	Use		0.2	D2649 (0.2)	
402440	2/19/2008 ³	Intent	4/1/08-10/31/08	2.3 ²	D2648 (2.3)	D2650 (53.5)
403372	2/10/2009 ⁴	Use		2.3	D2651 (2.3)	-
403475	9/19/2008	Intent	11/1/08-12/31/08	2.9 ²	D2650 (2.9)	D2652 (50.6)
403373	2/10/2009	Use		2.9	D2653 (2.9)	-
403476	11/10/2008	Intent	1/1/09-6/30/09	1.2 ²	D2652 (1.2)	D2654 (49.4)
404817	3/26/2010 ⁴	Use		1.2	D2655 (1.2)	-
403867	5/14/2009	Intent	7/1/09-12/31/09	0.1 ²	D2654 (0.1)	D2656 (49.3)
405018	3/26/2010	Use		0.1	D2657 (0.1)	-

¹ A letter for project number 401456 has already been mailed. It has been included in this table for reference purposes.

² The total ton amount for the intent is based on the DERC use amount.

³ Form DEC-2 was accepted late due to Hurricane Ike. No violation is required.

⁴ Form DEC-3 was submitted past the specified due date. All violations have been resolved.

Discrete Emission Credits Use Calculation Method

Due to the quantity of backlogged projects for Air Products, L.L.C., the intent and use projects were processed together. All intent amounts in the table are reflective of the actual use amount, specified in the use projects. The amounts set aside in the intent projects were not taken into account to minimize the amount of certificates generated.

Air Products, L.L.C., calculated DERC usage by using Continuous Emission Monitoring Systems data to determine the difference between the actual 30-day rolling average emissions and the 30-day rolling average limit during days the cap was exceeded. The company provided data for each day the emissions exceeded the 30-day rolling average including heat input, emission factors and total DERC usage for each use period. The example calculation below outlines the method used to determine the excess emissions for days the 30-day rolling cap was exceeded.

30-day rolling average emissions for 9/8/07:

$$\begin{aligned} &= 1198 \text{ MW} \cdot 1000 \text{ kw/MW} \cdot 12,200 \text{ btu/kw} \cdot 1 \text{ MMBtu}/1,000,000 \text{ btu} \cdot 0.029 \text{ lb NO}_x \text{ /MMBtu} \\ &= 423.9 \text{ lb NO}_x \text{ /day} \end{aligned}$$

30-day rolling average system cap limit:

$$= 218.9 \text{ lb NO}_x \text{ /day}$$


Difference:


$$\begin{aligned} &= 423.9 \text{ lb NO}_x \text{ /day} - 218.9 \text{ lb NO}_x \text{ /day} \\ &= 205.0 \text{ lb NO}_x \text{ /day} \\ &= 0.1 \text{ ton NO}_x \text{ /day} \end{aligned}$$

The differences for each day the cap was exceeded were added together to determine the total amount of DERCs necessary for each respective period. All DERC use amounts for each respective period include the 10% environmental contribution. Note that all credits associated with these retained certificates originated from a shutdown strategy and will only be available for use until September 8, 2010.

Conclusion:

Air Products, L.L.C., has accurately calculated the amount of DERCs needed to cover emissions exceeding their 30-day system cap for the respective time periods. DERC Certificates D-2208 (3.1 tons) and D-2656 (49.3 tons) have been generated and retain the remaining credits available from DERC certificate D-2188. The credits associated with these retained certificates have expired but may be used to satisfy compliance requirements for intent projects received by the Texas Commission on Environmental Quality with use periods prior to September 9, 2010. No certificates will be returned to the company. DERC Certificate D-2188 has been cancelled.

 11/10/2010
Account Manager Date

 11/10/2010
Team Leader/Section Manager/Backup Date



Interoffice Memorandum

DATE:	November 19, 2010
TO:	Mr. Brandon Greulich
FROM:	Mr. Daniel Banda
SUBJECT:	Notice of Violation – Air Products, L.L.C.

Project Numbers: 403372, 404817
Customer: Air Products, L.L.C.
Customer ID: CN602229257
Registered Entity: RN102041282

Violation: Air Products, L.L.C., is in violation for submitting the Form DEC-3, Notice of Use of Discrete Emission Credits, past the required due date. The Forms DEC-3 are due no later than 90 days after the end of each use period and were received late on two occasions; February 10, 2009, and March 26, 2010.

Citation: Title 30 Texas Administrative Code (TAC) §101.376(e)(3)(A)

Recommended Corrective Action: Submit the completed Forms DEC-3 and supporting documentation as detailed in 30 TAC §101.376 to the Texas Commission on Environmental Quality, Emissions Banking and Trading Program.

Resolution: Air Products, L.L.C., submitted the required Forms DEC-3 and the supporting documentation for the respective use periods.

Banking and Trading Route Slip

Company:

Air Products, L.L.C.
La Porte Facility

Project
Number:

Refer to tab →

Type of Letter
Correspondence:

PCUA/DCUS

DCR

Letter Doc No:

15810

15811

15866

Certificate No:

N/A

	Initials:	Date
Author/Creator	DB	10/28
Peer Review Completed	SD	10/29
Author/Creator Review	DS	11/1
Review and Approval By:	Initials:	Date
WL Review: Danell Zawaski, P.E. Brandon Greenlich	BSG	11/8
Management Review: Chance Goodin	Good	11/8 edits
Donna Huff	VRM for OH	11/10/10
David Brymer	DB	11/11/10
Copies made		11/12
Mailed	DB	11/15

Comments/Special Instructions

~~See Daniel after project 3~~
~~closed to end date DEACUS~~

Please return **Routing Slip** and **Project Paperwork**
to ~~Danell Zawaski~~, MC-206, Ext. 2389

Brandon Greenlich

4954