

AIR CP_100213016_CP_20210421_INVESTIGATION_1710077
Texas Commission on Environmental Quality
Investigation Report

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Customer: Western Refining Company LLC
Customer Number: CN601510191

Regulated Entity Name: MARATHON EL PASO REFINERY
Regulated Entity Number: RN100213016

Investigation # 1710077

Investigator: NATHAN READE

Conducted: 04/21/2021 -- 04/21/2021

Program(s): AIR OPERATING PERMITS
AIR NEW SOURCE PERMITS
AIR EMISSIONS INVENTORY

Investigation Type: Compliance Invest File Review

Additional ID(s): 3929
EE0015H
4814100004

Address: 6501 TROWBRIDGE DR,
EL PASO, TX , 79905

Incident Numbers

Site Classification MAJOR SOURCE

NAIC Code: 324110

NAIC Code: 562910

SIC Code: 2911

NAIC Code: 32411

SIC Code: 4959

Location:

Local Unit: REGION 06 - EL PASO

Activity Type(s): OACC - AIR OACC - OFFICE
ANNUAL COMPLIANCE
CERTIFICATION
OG - Oil and Gas - AIR QUALITY High
Level

Principal(s):

Role

RESPONDENT

Name

WESTERN REFINING COMPANY LLC

Contact(s):

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Role	Title	Name	Phone
REGULATED ENTITY MAIL CONTACT	ENVIRONMENTAL SUPERVISOR	John Moore	
REGULATED ENTITY CONTACT	ADVS HES PROFESSIONAL	MRS YVONNE OJEDA	Phone (915) 526-9471
REGULATED ENTITY MAIL CONTACT	ENVIRONMENTAL SUPERVISOR	MR KEVIN ADAMS	Phone (915) 775-7864 Fax (915) 775-3420
REGULATED ENTITY CONTACT	HES PROFESSIONAL	MR RUBEN IGUARAN	Phone (915) 775-3478

Other Staff Member(s):

Role	Name
Supervisor	KENT WAGGONER
QA Reviewer	JOSEPH MILLER

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
AIR GENERIC INVESTIGATION (10 ITEMS)	O-3929
AIR ANNUAL COMPLIANCE CERTIFICATION REVIEW - OACC	O-3929 Pt.1
AIR ANNUAL COMPLIANCE CERTIFICATION REVIEW - OACC	O-3929 Pt.2

Investigation Comments:**INTRODUCTION**

On April 21, 2021, Mr. Nathan Reade, Environmental Investigator for the Texas Commission on Environmental Quality (TCEQ) El Paso Region Office, conducted an Office Annual Compliance Certification Investigation (OACC) for the Marathon El Paso Refinery (MERP) facility, located at 6501 Trowbridge Drive, El Paso (El Paso County), Texas 79905.

The purpose of the investigation was to verify the regulated entity's compliance with applicable rules and regulations pertaining to air quality; specifically, with Title V Federal Operating Permit (FOP) No. O-3929, as set forth by Title 30 of the Texas Administrative Code (30 TAC) §122.145, and 30 TAC §122.146 Reporting and Compliance Certification Terms and Conditions Compliance was verified through review of the submitted annual Permit Compliance Certification (PCC) and Semi-Annual Deviation Reports (SADR).

The investigation was recorded on the TCEQ's Consolidated Compliance and Enforcement Data System (CCEDS) database as Investigation No.1710077.

PRE-INVESTIGATION

On March 24, 2021, a pre-investigation file review was conducted using TCEQ Central Registry (CR), TCEQ's CCEDS. Central Registry indicates MERP as the Regulated Entity RN100213016, "Status Active", and is affiliated to Customer Number CN601510191, Western Refining Company LP (Electronic Attachment 1. CR). A search using CCEDS indicated no previous Title V compliance investigation had been conducted. Physical files for permit O-3929 are located in the TCEQ El Paso Region Office.

A second file review was conducted on the State of Texas Environmental Electronic Reporting System (STEERS). There were five (5) reportable and one hundred seven (107) non-reportable emissions events reported to TCEQ during the 2019 emissions inventory year (Electronic Attachment 2. Air Emission Inventory Report).

On March 24, 2021, Investigator Reade contacted Mr. Ruben Iguaran, HES Professional with MERP, requesting copies of the PCCs and SADRs, along with their postage information, for the certification period May 19, 2019 through May 18, 2020. Later that day, Mrs. Yvonne Ojeda, Advs HES Professional with MERP, emailed

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Investigator Reade the requested documents.

On April 5, 2021, Investigator Reade called the Austin Air Permits Division via telephone to discuss if a regulated entity could submit a PCC and SADR including two different Title V Permits. They explained they have never seen it done but that it should not be a problem if the two Title V Permits certification periods were the same. They did however explain that they would prefer separate PCCs and SADRs be submitted for the two Title V Permits as they are tracked separately by TCEQ.

On April 6, 2021, Investigator Reade called Mrs. Ojeda via telephone to discuss why the PCCs and SADRs MERP submitted include Title V Permits O-1348 and O-3929. Mrs. Ojeda stated she believed MERP submitted documentation to align the two permits certification periods. Investigator Reade requested that documentation. Mrs. Ojeda stated she would get with her team and get back to Investigator Reade with that information.

On April 13, 2021, Investigator Reade called Mrs. Ojeda to see if she had an update regarding the PCCs and SADRS. Mrs. Ojeda explained the PCC and SADR submitted to the TCEQ El Paso Region Office on July 30, 2019 was the first to include both Title V Permits, O-1348 and O-3929. She explained it covered certification period January 1, 2019 through June 30, 2019 for Permit O-1348 and certification period May 19, 2019 through June 30, 2019 for Permit O-3929. She explained they did this to align the certification periods for both permits. Since then MERP has been submitting PCCs and SADRs including both permits O-1348 and O-3929 as their certification periods matched. For full explanation see attached email explanation from MERP (See Electronic Attachment 3. Email Explanation).

With information and clarification from MERP, this investigation will focus on the certification periods of May 19, 2019 through June 30, 2019 and July 1, 2019 through December 31, 2019.

INVESTIGATION

On April 21, 2021, Investigator Reade reviewed and examined the PCC and SADR dated July 30, 2019 (Electronic Attachment 4. PCC & SADR (May-June 2019)).

Certification Period (PCC) & Reporting Period (SADR): May 19, 2019 through June 30, 2019.

Certifier: William McClain Jr., Responsible Official.

The PCC & SADR were postmarked: July 30, 2019.

The PCC & SADR were received by the El Paso Region Office: August 2, 2019.

The PCC & SADR were submitted within the required time frame, due on July 30, 2019.

Four (4) deviations were noted during this reporting period.

On April 21, 2021, Investigator Reade reviewed and examined the PCC and SADR dated January 28, 2020 (Electronic Attachment 5. PCC & SADR (Jul-Dec 2019)).

Certification Period (PCC) & Reporting Period (SADR): July 1, 2019 through December 31, 2019.

Certifier: Charalabos Patsatzis, Responsible Official.

The PCC & SADR were postmarked: January 30, 2020.

The PCC & SADR were received by the El Paso Region Office: February 6, 2020.

The PCC & SADR were submitted within the required time frame, due on January 30, 2020.

Eight (8) deviations were noted during this reporting period.

The complete PCC and DRs listed above can be found in the El Paso region files.

No violations were noted during the review; however, two additional issues were noted,

- Marathon El Paso Refinery will properly fill out Form OP-CRO1. No time period or specific dates are listed on the form. Certification is not valid without documentation dates.
- Marathon El Paso Refinery will submit separate Semi-Annual Deviation Reports and Permit Compliance Certification Reports for Title V Permits O-1348 and O-3929.

EXIT INTERVIEW

An Exit Interview Form was emailed to Mrs. Yvonne Ojeda on April 23, 2021, noting the additional issues (Electronic Attachment 6. Exit Interview Form).

GENERAL FACILITY AND PROCESS INFORMATION

The North plant side of Western Refining is designed to operate in conjunction with South plant side to refine and process crude oil into various petroleum products. The crude oil is pipe-lined from the Permian Basin in West Texas to the refinery and stored in tanks. The crude is then sent to the desalter and heated at the Crude Unit. From the Crude unit the vacuum distillation heavy gas oil product is sent to the Fluidized Catalytic Cracking Unit (FCCU). The FCCU catalytically cracks the large gas oil hydrocarbons into smaller hydrocarbon molecules that are suitable for motor gasoline blending stock. The Wet Gas Compressors take the cooled gases prior to the Light Ends Recovery Unit and Hydrotreating and compress these gases to re-introduce them into the FCCU to ensure complete fractionation has occurred. Co-products of the FCC product fractionation include heavy cycle oil, light

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cycle oil for diesel blending, butanes and fuel gas.

BACKGROUND

Agreed Orders, Court Orders and Other Compliance Agreements?

No prior agreed orders issued by the TCEQ, court orders issued by the Attorney General of Texas, and other compliance agreements within the past five (5) years (Electronic Attachment No. 5: Compliance History Report).

PRIOR ENFORCEMENT

No prior enforcement issues within the past five (5) years (Electronic Attachment No. 5: Compliance History Report).

COMPLAINTS

No complaints for this site within the past five (5) years. (Electronic Attachment No. 5: Compliance History Report).

CONCLUSION

No violations were noted during the investigation. A General Compliance letter, noting additional issues, dated May 7, 2021, will be issued to the regulated entity.

Electronic Attachments

1. Central Registry (CR)
2. Air Emissions Inventory Report 2019
3. Email Explanation
4. PCC & SADR (May-Jun 2019)
5. PCC & SADR (Jul-Dec 2019)
6. Exit Interview Form
7. Compliance History Report

No Violations Associated to this Investigation

Additional Issues

Description Item 1

Additional Comments

Marathon El Paso Refinery will properly fill out Form OP-CR01. No time period or specific dates are listed on the form. Certification is not valid without documentation dates.

Description Item 2

Additional Comments

Marathon El Paso Refinery will submit separate Semi-Annual Deviation Reports and Permit Compliance Certification Reports for Title V Permits O-1348 and O-3929.

Signed


Environmental Investigator

Date

5/7/2021

Signed


Supervisor

Date

5/10/21

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Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

✓ Letter to Facility (specify type) : GCL

___ Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

___ Other (specify) :

Electronic Attachments

List of Attached files

Air Emission Inventory(2019)_Marathon.pdf

Central Registry_Marathon El Paso Refinery.pdf

Compliance History Report(2019)_Marathon.pdf

Email Explanation_Marathon.pdf

Exit Interview Form(O-3929)_Marathon .pdf

PCC & SADR_Jan-June 2019_Marathon.pdf

PCC & SADR_Jul-Dec 2019_Marathon.pdf

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 7, 2021

Mr. John Moore, Environmental Supervisor
Western Refining Company LP
212 N Clark Dr.
El Paso, TX 19905

Re: Office Permit Compliance Certification Investigation at:
Marathon El Paso Refinery, 6501 Trowbridge (El Paso County), Texas
Reporting Periods: May 19, 2019 through June 30, 2019 & July 1, 2019 through December 31, 2019
TCEQ ID No.: EE0015H. Permit No.: O-3929

Dear Mr. Moore,

On April 21, 2021, Mr. Nathan Reade of the Texas Commission on Environmental Quality (TCEQ) El Paso Region Office, conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for air quality. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Reade in the El Paso Region Office at (915) 834-4954.

Sincerely,

A handwritten signature in cursive script that reads "Kent Waggoner".

Kent Waggoner, P.G.
Section Manager
El Paso Region office

KW/nr

cc: Mrs. Yvonne Ojeda, Advs HES Professional
Western Refining Company LP
212 N Clark Dr.
El Paso, TX 19905

Summary of Investigation Findings

MARATHON EL PASO REFINERY

6501 TROWBRIDGE DR

EL PASO, EL PASO COUNTY, TX 79905

Investigation #

1710077

Investigation Date: 04/21/2021

Additional ID(s): 3929
EE0015H
4814100004

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item 1

Additional Comments

Marathon El Paso Refinery will properly fill out Form OP-CR01. No time period or specific dates are listed on the form. Certification is not valid without documentation dates.

Item 2

Marathon El Paso Refinery will submit separate Semi-Annual Deviation Reports and Permit Compliance Certification Reports for Title V Permits O-1348 and O-3929.