

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

UNITED STATES of AMERICA,)
)
Plaintiff,)
 v.) Civil Action
) No. H-01-0978
Deer Park Refining)
Limited Partnership,)
)
Defendant.)
_____)

FIRST ADDENDUM TO CONSENT DECREE

Plaintiff, the United States of America (hereinafter "Plaintiff" or "the United States"), on behalf of the United States Environmental Protection Agency (hereinafter, "EPA"), and Defendant, Deer Park Refining Limited Partnership ("DPRLP"), hereby execute this First Addendum to the Consent Decree in the above-styled action. By the agreement of the United States and DPRLP, and pursuant to the provisions of Paragraph 183, this First Addendum hereby modifies the Decree by (1) correcting the requirement to measure FCCU feed *nitrogen* content instead of FCCU feed *sulfur* content; (2) adding language to allow DPRLP to exempt start up, shutdown, and malfunctions that result in an SCR bypass from consent

Consent Decree Addendum

decree NOx emission limits; (3) revising the deadline by which DPRLP must comply with NSPS Subpart J at SRU 5; and (4) correcting the references in the reporting section.

The changed provisions to the Decree are as follows, and shall be binding on all parties and signatories to the Decree in this action.

With regard to Reductions of NOx Emissions from the Fluidized Catalytic Cracking Unit ("FCCU"):

13. DPRLP shall submit the results of the Optimization Studies to EPA in a written report no later than sixty (60) days after the completion of the studies. The reports shall identify the relevant operating parameters and their levels that result in maximum reductions of NOx emissions from its FCCU. The reports shall include, at a minimum, the following information:

- (a) Regenerator flue gas temperature and flow rate;
- (b) Coke burn rate;
- (c) FCCU feed rate;
- (d) FCCU feed nitrogen content;
- (e) CO boiler firing rate and fuel type;
- (f) Reductant addition rates;

Respectfully submitted,

FOR PLAINTIFF, UNITED STATES OF AMERICA:



Date 3/19/02

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Date: 4/10/02

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