

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0672-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 33306

RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Refining and supply company</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are seventeen additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0932-AIR-E, 2006-2043-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2007-0463-AIR-E, 2005-1824-AIR-E, 2007-1134-AIR-E, 2007-1221-AIR-E, 2007-0802-AIR-E, 2007-1134-AIR-E, 2007-1183-AIR-E, 2006-0875-AIR-E, 2007-0872-AIR-E, 2006-0498-AIR-E, 2007-0214-AIR-E, 2007-0077-AIR-E, and 2007-1004-AIR-E</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on September 17, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, R-14, (361) 825-3423; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Adam Cantu, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522; Mr. Gary W. Wilson, Manager, Baytown Refining, P.O. Box 4004, Baytown, Texas 77522 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 2 and 20, 2007</p> <p>Date of NOV/NOE Relating to this Case: April 19 and 20, 2007 (NOE)</p> <p>Background Facts: This was a routine records review. Two violations were documented.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, Exxon released 1,059 pounds ("lbs") of volatile organic compounds, 6,430 lbs of carbon monoxide, 680 lbs of nitrogen oxide, 169 lbs of hydrogen sulfide and 15,552 lbs of sulfur dioxide ("SO2") from Flare 27 during an avoidable emissions event that began September 12, 2006 and lasted 36 hours and 12 minutes. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, Exxon released 19,972 lbs of SO2 from the Fuels North Unit during an avoidable emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity averaged over a six-minute period during the event. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.715(a) and 111.111(a)(1)(A), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1].</p>	<p>Total Assessed: \$70,400</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$35,200</p> <p>Total Paid to General Revenue: \$35,200</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: This is a Findings Order due to excessive emissions which exceeded levels protective of human health or the environment.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See Attachment A)</p> <p>2) The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent the reoccurrence of emissions due to the same causes as that of the September 12 and October 20, 2006 emissions events; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision 2.a.</p>

Attachment A
Docket Number: 2007-0672-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Seventy Thousand Four Hundred Dollars (\$70,400)
SEP Amount:	Thirty-Five Thousand Two Hundred Dollars (\$35,200)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

TCEQ

DATES	Assigned	23-Apr-2007	Screening	25-Apr-2007	EPA Due	15-Jan-2008
	PCW	25-Apr-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Exxon Mobil Corporation		
Reg. Ent. Ref. No.	RN102579307		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	33306	No. of Violations	2	
Docket No.	2007-0672-AIR-E	Order Type	Findings	
Media Program(s)	Air	Enf. Coordinator	John Muennink	
Multi-Media		EC's Team	Enforcement Team 6	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	404% Enhancement	Subtotals 2, 3, & 7	\$60,600
---------------------------	------------------	--------------------------------	-----------------

Notes: Enhancement due to 21 NOVs with same or similar violations, 17 NOVs with unrelated violations (including four self-reported monthly effluent violations), two 1660 Agreed Orders and nine Findings Orders.

Culpability	No	0% Enhancement	Subtotal 4	\$0
--------------------	----	----------------	-------------------	------------

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
------------------------------------	--------------	-------------------	------------

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts	\$655	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$12,000	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$75,600
-----------------------------	-----------------------	-----------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0%	Adjustment	
---	----	-------------------	--

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount	\$75,600
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$70,400
-----------------------------------	-------------------------------	-----------------

DEFERRAL	0%	Reduction	Adjustment	\$0
-----------------	----	-----------	-------------------	------------

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$70,400
------------------------	-----------------

Screening Date 25-Apr-2007

Docket No. 2007-0672-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33306

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	21	105%
	Other written NOVs	17	34%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	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	9	225%
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 (number of judgements or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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) 404%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to 21 NOVs with same or similar violations, 17 NOVs with unrelated violations (including four self-reported monthly effluent violations), two 1660 Agreed Orders and nine Findings Orders.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 404%

Screening Date 25-Apr-2007

Docket No. 2007-0672-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33306

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, Exxon released 1,059 pounds ("lbs") of volatile organic compounds, 6,430 lbs of carbon monoxide, 680 lbs of nitrogen oxide, 169 lbs of hydrogen sulfide and 15,552 lbs of sulfur dioxide ("SO2") from Flare 27 during an avoidable emissions event that began September 12, 2006 and lasted 36 hours and 12 minutes. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		x		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 Number of violation days 2

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$397

Violation Final Penalty Total \$25,200

This violation Final Assessed Penalty (adjusted for limits) \$20,000

Economic Benefit Worksheet

Respondent: Exxon Mobil Corporation
Case ID No.: 33306
Reg. Ent. Reference No.: RN102579307
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$7,000	12-Sep-2006	31-Oct-2007	1.1	\$397	n/a	\$397

Notes for DELAYED costs

Estimated expense to properly maintain jet vent gas piping to prevent corrosion deposits to prevent the reoccurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions are estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$7,000

TOTAL \$397

Screening Date 25-Apr-2007

Docket No. 2007-0672-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33306

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.715(a) and 111.111(a)(1)(A), Tex. Health & Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, Exxon released 19,972 lbs of SO2 from the Fuels North Unit during an avoidable emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity averaged over a six-minute period during the event. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

9 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$10,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$258

Violation Final Penalty Total \$50,400

This violation Final Assessed Penalty (adjusted for limits) \$50,400

Economic Benefit Worksheet

Respondent: Exxon Mobil Corporation
Case ID No.: 33306
Reg. Ent. Reference No.: RN102579307
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	20-Oct-2006	31-Oct-2007	1.0	\$258	n/a	\$258

Notes for DELAYED costs

Estimated expense to properly maintain nuts and bolts on seals in the Monoethanolamine tower system to prevent the recurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions are estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$258

Compliance History

Customer/Respondent/Owner-Operator:	CN600123939	Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.79
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 2.61
ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT		11007
	AIR NEW SOURCE PERMITS	PERMIT		1632
	AIR NEW SOURCE PERMITS	PERMIT		2007
	AIR NEW SOURCE PERMITS	PERMIT		2073
	AIR NEW SOURCE PERMITS	PERMIT		2185
	AIR NEW SOURCE PERMITS	PERMIT		2209
	AIR NEW SOURCE PERMITS	PERMIT		2258
	AIR NEW SOURCE PERMITS	PERMIT		2521
	AIR NEW SOURCE PERMITS	PERMIT		2865
	AIR NEW SOURCE PERMITS	PERMIT		2977
	AIR NEW SOURCE PERMITS	PERMIT		2979
	AIR NEW SOURCE PERMITS	PERMIT		4973
	AIR NEW SOURCE PERMITS	PERMIT		9556
	AIR NEW SOURCE PERMITS	PERMIT		10461
	AIR NEW SOURCE PERMITS	PERMIT		10550
	AIR NEW SOURCE PERMITS	PERMIT		11053
	AIR NEW SOURCE PERMITS	PERMIT		11206
	AIR NEW SOURCE PERMITS	PERMIT		11250
	AIR NEW SOURCE PERMITS	PERMIT		11380
	AIR NEW SOURCE PERMITS	PERMIT		11464
	AIR NEW SOURCE PERMITS	PERMIT		11475
	AIR NEW SOURCE PERMITS	PERMIT		11483
	AIR NEW SOURCE PERMITS	PERMIT		11555
	AIR NEW SOURCE PERMITS	PERMIT		11624
	AIR NEW SOURCE PERMITS	PERMIT		11703
	AIR NEW SOURCE PERMITS	PERMIT		11939
	AIR NEW SOURCE PERMITS	PERMIT		12226
	AIR NEW SOURCE PERMITS	PERMIT		12380
	AIR NEW SOURCE PERMITS	PERMIT		12628
	AIR NEW SOURCE PERMITS	PERMIT		12968
	AIR NEW SOURCE PERMITS	PERMIT		12977
	AIR NEW SOURCE PERMITS	PERMIT		12994
	AIR NEW SOURCE PERMITS	PERMIT		17160
	AIR NEW SOURCE PERMITS	PERMIT		17369
	AIR NEW SOURCE PERMITS	PERMIT		17370
	AIR NEW SOURCE PERMITS	PERMIT		18287
	AIR NEW SOURCE PERMITS	PERMIT		18318
	AIR NEW SOURCE PERMITS	PERMIT		19301
	AIR NEW SOURCE PERMITS	PERMIT		21222
	AIR NEW SOURCE PERMITS	PERMIT		22874
	AIR NEW SOURCE PERMITS	PERMIT		24669
	AIR NEW SOURCE PERMITS	PERMIT		26486
	AIR NEW SOURCE PERMITS	PERMIT		26294
	AIR NEW SOURCE PERMITS	PERMIT		27403
	AIR NEW SOURCE PERMITS	PERMIT		26443
	AIR NEW SOURCE PERMITS	PERMIT		30186
	AIR NEW SOURCE PERMITS	PERMIT		31067
	AIR NEW SOURCE PERMITS	PERMIT		31008
	AIR NEW SOURCE PERMITS	PERMIT		31690
	AIR NEW SOURCE PERMITS	PERMIT		31852
	AIR NEW SOURCE PERMITS	PERMIT		31915
	AIR NEW SOURCE PERMITS	PERMIT		34139
	AIR NEW SOURCE PERMITS	PERMIT		34295
	AIR NEW SOURCE PERMITS	PERMIT		33875
	AIR NEW SOURCE PERMITS	PERMIT		36536
	AIR NEW SOURCE PERMITS	PERMIT		36664
	AIR NEW SOURCE PERMITS	PERMIT		38532
	AIR NEW SOURCE PERMITS	PERMIT		39164
	AIR NEW SOURCE PERMITS	PERMIT		40394
	AIR NEW SOURCE PERMITS	PERMIT		40421
	AIR NEW SOURCE PERMITS	PERMIT		38572
	AIR NEW SOURCE PERMITS	PERMIT		42509
	AIR NEW SOURCE PERMITS	PERMIT		43489
	AIR NEW SOURCE PERMITS	PERMIT		43582
	AIR NEW SOURCE PERMITS	PERMIT		44162
	AIR NEW SOURCE PERMITS	PERMIT		47145
	AIR NEW SOURCE PERMITS	PERMIT		47912
	AIR NEW SOURCE PERMITS	PERMIT		49342
	AIR NEW SOURCE PERMITS	PERMIT		49893
	AIR NEW SOURCE PERMITS	PERMIT		50203
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		HG0232Q
	AIR NEW SOURCE PERMITS	PERMIT		51246
	AIR NEW SOURCE PERMITS	REGISTRATION		55381
	AIR NEW SOURCE PERMITS	AFS NUM		4820100027
	AIR NEW SOURCE PERMITS	PERMIT		PSDTX730M2
	AIR NEW SOURCE PERMITS	REGISTRATION		76221
	AIR NEW SOURCE PERMITS	REGISTRATION		76269
	AIR NEW SOURCE PERMITS	REGISTRATION		75420
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX975

AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	54582
AIR NEW SOURCE PERMITS	PERMIT	54497
AIR NEW SOURCE PERMITS	PERMIT	71394
AIR NEW SOURCE PERMITS	PERMIT	50582
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
AIR NEW SOURCE PERMITS	PERMIT	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
STORMWATER	PERMIT	TXR157592
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040

Location: 2800 Decker Dr, Baytown, TX

Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 16, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 23, 2002 to April 23, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: John Muennink Phone: (631) 825-3423

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT
Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT
Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include authorization number for HCU1 on the final report for the December 17, 2004 emissions event.

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 2 hours and 16 minutes, releasing 15,261 pounds of carbon monoxide, 37 pounds of ammonia and 6 pounds of hydrogen cyanide.

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT

Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfur dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT

Description: Failed to prevent an avoidable emissions event on August 9, 2005 that lasted for one hour and 43 minutes, releasing 3,887 lbs of sulfur dioxide, 1,080 lbs of nitrogen monoxide, 120 lbs of nitrogen dioxide and 569 lbs of carbon monoxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA

Description: Failed to prevent the unauthorized emissions of 11,582 lbs of sulfur dioxide, 1,591 lbs of nitrogen monoxide, 839 lbs of carbon monoxide and 180 lbs of nitrogen dioxide during an emissions event on September 12, 2005, which lasted for one hour.

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT

Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of amonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfid

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on Septemeber 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

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

1	05/14/2002	(246551)
2	05/20/2002	(158962)
3	05/30/2002	(1344)
4	06/14/2002	(158966)
5	06/27/2002	(246552)
6	07/12/2002	(158970)
7	07/19/2002	(1862)
8	07/26/2002	(1750)
9	08/13/2002	(7822)
10	08/21/2002	(158974)
11	08/26/2002	(8617)
12	08/27/2002	(9555)
13	08/28/2002	(10138)
14	08/28/2002	(10060)
15	08/28/2002	(9533)
16	08/31/2002	(4925)
17	08/31/2002	(10348)
18	08/31/2002	(10406)
19	08/31/2002	(9353)
20	08/31/2002	(4790)
21	08/31/2002	(10215)
22	08/31/2002	(9535)
23	08/31/2002	(9989)
24	08/31/2002	(9518)
25	08/31/2002	(9514)
26	08/31/2002	(9505)
27	08/31/2002	(4782)
28	08/31/2002	(10002)
29	08/31/2002	(9984)
30	08/31/2002	(10376)
31	08/31/2002	(9873)
32	08/31/2002	(9839)
33	08/31/2002	(10301)
34	08/31/2002	(10337)
35	08/31/2002	(9529)
36	09/12/2002	(6717)
37	09/16/2002	(158977)
38	09/25/2002	(11688)
39	09/25/2002	(11704)
40	09/25/2002	(10278)
41	09/25/2002	(11714)

42	10/04/2002	(11966)
43	10/07/2002	(9492)
44	10/07/2002	(10732)
45	10/09/2002	(12765)
46	10/14/2002	(158980)
47	10/21/2002	(11574)
48	10/25/2002	(12472)
49	11/15/2002	(158984)
50	11/19/2002	(14312)
51	11/25/2002	(16480)
52	12/02/2002	(16777)
53	12/19/2002	(158988)
54	01/08/2003	(16789)
55	01/10/2003	(19176)
56	01/17/2003	(21370)
57	01/21/2003	(158992)
58	02/08/2003	(158951)
59	03/18/2003	(28114)
60	03/21/2003	(158954)
61	03/21/2003	(22728)
62	03/28/2003	(27429)
63	03/28/2003	(26898)
64	04/03/2003	(26192)
65	04/03/2003	(24466)
66	04/15/2003	(158959)
67	05/01/2003	(34037)
68	05/08/2003	(24899)
69	05/14/2003	(21719)
70	05/19/2003	(28334)
71	05/20/2003	(158963)
72	06/03/2003	(31487)
73	06/18/2003	(158967)
74	06/27/2003	(23997)
75	07/11/2003	(38025)
76	07/15/2003	(158971)
77	07/21/2003	(145449)
78	07/28/2003	(143775)
79	07/31/2003	(143468)
80	08/04/2003	(27210)
81	08/05/2003	(12119)
82	08/06/2003	(148752)
83	08/18/2003	(295750)
84	08/27/2003	(113043)
85	08/27/2003	(152197)
86	08/29/2003	(150365)
87	08/29/2003	(150864)
88	09/16/2003	(295752)
89	10/20/2003	(295754)
90	11/18/2003	(295756)
91	12/17/2003	(295757)
92	01/23/2004	(295758)
93	01/30/2004	(258928)
94	01/30/2004	(258921)
95	02/18/2004	(295740)
96	02/20/2004	(262675)
97	02/26/2004	(263843)
98	03/10/2004	(260889)
99	03/10/2004	(260872)
100	03/15/2004	(295742)
101	03/15/2004	(263857)
102	03/17/2004	(263880)
103	04/07/2004	(263885)
104	04/19/2004	(295743)
105	04/30/2004	(266933)
106	05/10/2004	(151755)
107	05/17/2004	(295745)
108	05/17/2004	(267458)
109	06/03/2004	(269088)
110	06/14/2004	(295747)
111	06/16/2004	(267859)
112	06/22/2004	(267197)
113	06/25/2004	(267327)
114	06/28/2004	(268917)
115	06/28/2004	(267243)
116	06/30/2004	(273343)
117	06/30/2004	(272731)
118	06/30/2004	(268942)
119	06/30/2004	(268976)
120	07/02/2004	(268937)
121	07/05/2004	(268960)

122	07/08/2004	(332775)
123	07/23/2004	(267916)
124	07/28/2004	(352252)
125	07/28/2004	(273430)
126	07/30/2004	(281613)
127	08/03/2004	(278115)
128	08/05/2004	(284996)
129	08/05/2004	(285905)
130	08/06/2004	(283891)
131	08/12/2004	(287978)
132	08/16/2004	(352253)
133	08/28/2004	(268055)
134	08/28/2004	(268992)
135	08/30/2004	(268034)
136	08/31/2004	(268738)
137	08/31/2004	(268748)
138	08/31/2004	(268764)
139	09/01/2004	(292073)
140	09/01/2004	(290594)
141	09/01/2004	(283208)
142	09/01/2004	(291353)
143	09/01/2004	(290226)
144	09/01/2004	(292083)
145	09/20/2004	(352254)
146	09/24/2004	(270454)
147	10/11/2004	(335357)
148	10/18/2004	(352255)
149	10/26/2004	(292710)
150	10/27/2004	(333600)
151	11/03/2004	(338702)
152	11/05/2004	(334294)
153	11/08/2004	(335879)
154	11/08/2004	(340028)
155	11/08/2004	(340024)
156	11/08/2004	(337651)
157	11/09/2004	(339020)
158	11/09/2004	(339949)
159	11/09/2004	(340023)
160	11/11/2004	(340075)
161	11/11/2004	(340145)
162	11/12/2004	(340365)
163	11/12/2004	(340615)
164	11/12/2004	(335883)
165	11/15/2004	(352256)
166	11/17/2004	(340163)
167	11/17/2004	(340565)
168	11/22/2004	(337719)
169	11/22/2004	(340689)
170	11/22/2004	(340575)
171	11/22/2004	(339656)
172	11/22/2004	(267703)
173	11/23/2004	(340185)
174	11/29/2004	(340829)
175	12/05/2004	(269620)
176	12/09/2004	(341224)
177	12/13/2004	(268246)
178	12/13/2004	(267690)
179	12/13/2004	(342452)
180	12/13/2004	(267765)
181	12/13/2004	(342441)
182	12/14/2004	(342432)
183	12/14/2004	(342708)
184	12/14/2004	(342152)
185	12/16/2004	(342682)
186	12/20/2004	(381909)
187	12/20/2004	(338518)
188	12/21/2004	(341978)
189	12/22/2004	(278243)
190	12/22/2004	(268731)
191	12/22/2004	(339607)
192	12/22/2004	(340759)
193	12/22/2004	(342051)
194	12/27/2004	(341022)
195	12/28/2004	(268993)
196	12/28/2004	(337673)
197	12/28/2004	(334795)
198	12/28/2004	(268990)
199	12/28/2004	(343607)
200	12/28/2004	(334936)
201	12/28/2004	(269717)

202	12/28/2004	(272677)
203	12/28/2004	(341014)
204	12/28/2004	(267530)
205	12/28/2004	(341980)
206	12/28/2004	(268918)
207	12/28/2004	(338557)
208	12/29/2004	(278295)
209	12/29/2004	(341979)
210	12/30/2004	(268760)
211	12/31/2004	(267843)
212	12/31/2004	(272589)
213	01/04/2005	(267623)
214	01/04/2005	(341983)
215	01/04/2005	(267736)
216	01/06/2005	(344763)
217	01/06/2005	(267642)
218	01/07/2005	(341981)
219	01/07/2005	(343633)
220	01/10/2005	(341982)
221	01/10/2005	(339231)
222	01/12/2005	(267368)
223	01/12/2005	(344761)
224	01/13/2005	(346338)
225	01/21/2005	(342494)
226	01/23/2005	(334796)
227	01/25/2005	(381910)
228	01/25/2005	(341747)
229	01/25/2005	(348070)
230	01/27/2005	(342684)
231	01/31/2005	(347261)
232	02/15/2005	(381907)
233	02/21/2005	(351015)
234	02/21/2005	(337401)
235	02/28/2005	(267818)
236	03/15/2005	(381908)
237	03/29/2005	(375295)
238	04/07/2005	(344010)
239	04/07/2005	(337403)
240	04/12/2005	(375744)
241	04/18/2005	(419750)
242	04/22/2005	(349214)
243	04/22/2005	(349058)
244	04/22/2005	(347659)
245	04/28/2005	(348685)
246	05/10/2005	(380346)
247	05/12/2005	(374170)
248	05/13/2005	(379379)
249	05/17/2005	(419751)
250	05/26/2005	(333676)
251	06/09/2005	(394572)
252	06/13/2005	(395496)
253	06/20/2005	(419752)
254	06/20/2005	(343630)
255	06/23/2005	(395306)
256	06/30/2005	(396806)
257	06/30/2005	(396852)
258	07/12/2005	(349438)
259	07/12/2005	(399391)
260	07/13/2005	(399494)
261	07/13/2005	(348979)
262	07/13/2005	(349569)
263	07/18/2005	(440885)
264	07/22/2005	(349408)
265	07/29/2005	(349505)
266	08/02/2005	(402576)
267	08/02/2005	(402917)
268	08/02/2005	(402737)
269	08/02/2005	(402844)
270	08/03/2005	(401816)
271	08/08/2005	(402336)
272	08/08/2005	(399628)
273	08/09/2005	(403164)
274	08/09/2005	(403721)
275	08/09/2005	(403230)
276	08/09/2005	(403380)
277	08/09/2005	(404259)
278	08/09/2005	(404230)
279	08/09/2005	(404296)
280	08/09/2005	(403017)
281	08/15/2005	(405021)

282	08/16/2005	(404547)
283	08/16/2005	(404301)
284	08/18/2005	(440886)
285	08/19/2005	(404792)
286	08/23/2005	(405305)
287	08/24/2005	(399636)
288	08/24/2005	(399637)
289	08/29/2005	(405928)
290	08/29/2005	(405272)
291	08/31/2005	(418871)
292	09/01/2005	(399476)
293	09/23/2005	(440887)
294	09/28/2005	(432076)
295	09/28/2005	(431581)
296	10/07/2005	(347309)
297	10/12/2005	(342414)
298	10/17/2005	(434480)
299	10/21/2005	(440888)
300	11/03/2005	(418987)
301	11/03/2005	(431598)
302	11/04/2005	(436195)
303	11/07/2005	(431591)
304	11/07/2005	(431566)
305	11/09/2005	(431596)
306	11/09/2005	(431541)
307	11/15/2005	(431597)
308	11/21/2005	(468533)
309	11/22/2005	(435072)
310	11/22/2005	(438130)
311	11/22/2005	(433933)
312	12/19/2005	(468534)
313	12/20/2005	(267563)
314	12/21/2005	(435335)
315	12/21/2005	(434204)
316	12/30/2005	(435909)
317	12/30/2005	(435916)
318	01/17/2006	(468535)
319	01/17/2006	(273538)
320	01/17/2006	(450474)
321	02/06/2006	(450733)
322	02/16/2006	(337610)
323	02/17/2006	(468531)
324	02/21/2006	(452651)
325	02/28/2006	(456441)
326	02/28/2006	(457051)
327	03/20/2006	(498267)
328	03/23/2006	(343625)
329	03/24/2006	(459648)
330	04/04/2006	(461224)
331	04/13/2006	(431716)
332	04/17/2006	(468532)
333	04/20/2006	(457398)
334	04/20/2006	(457390)
335	04/20/2006	(461537)
336	04/26/2006	(338552)
337	04/27/2006	(461574)
338	04/28/2006	(463895)
339	05/02/2006	(460481)
340	05/03/2006	(463377)
341	05/04/2006	(462741)
342	05/08/2006	(457378)
343	05/16/2006	(462451)
344	05/16/2006	(465569)
345	05/17/2006	(457374)
346	05/17/2006	(498268)
347	05/22/2006	(466175)
348	05/25/2006	(431599)
349	05/30/2006	(479780)
350	05/30/2006	(479785)
351	05/30/2006	(479729)
352	05/30/2006	(479791)
353	05/30/2006	(479710)
354	05/30/2006	(479817)
355	05/31/2006	(465081)
356	05/31/2006	(462401)
357	05/31/2006	(344766)
358	05/31/2006	(463588)
359	06/02/2006	(464665)
360	06/02/2006	(454646)
361	06/02/2006	(460480)

362	06/13/2006	(498269)
363	06/14/2006	(466357)
364	06/19/2006	(481233)
365	06/19/2006	(481262)
366	06/26/2006	(481569)
367	06/29/2006	(480981)
368	06/30/2006	(481533)
369	07/07/2006	(483457)
370	07/07/2006	(483683)
371	07/07/2006	(484811)
372	07/17/2006	(498270)
373	07/20/2006	(484814)
374	07/31/2006	(489107)
375	07/31/2006	(484463)
376	08/03/2006	(489455)
377	08/03/2006	(454867)
378	08/08/2006	(520282)
379	08/09/2006	(484809)
380	08/18/2006	(347307)
381	08/18/2006	(487811)
382	08/31/2006	(489776)
383	08/31/2006	(465761)
384	09/01/2006	(509264)
385	09/01/2006	(510727)
386	09/01/2006	(510733)
387	09/05/2006	(489701)
388	09/05/2006	(489770)
389	09/11/2006	(520283)
390	09/25/2006	(497145)
391	09/29/2006	(489710)
392	10/06/2006	(520284)
393	10/18/2006	(513741)
394	10/18/2006	(512809)
395	10/26/2006	(517328)
396	10/30/2006	(516968)
397	11/06/2006	(544605)
398	11/15/2006	(514799)
399	11/15/2006	(347306)
400	11/15/2006	(518447)
401	11/30/2006	(457899)
402	11/30/2006	(531626)
403	12/07/2006	(544606)
404	12/08/2006	(532394)
405	12/13/2006	(519183)
406	12/21/2006	(393692)
407	01/08/2007	(533556)
408	01/09/2007	(535937)
409	01/11/2007	(544607)
410	01/11/2007	(534949)
411	01/12/2007	(481287)
412	01/23/2007	(536577)
413	01/29/2007	(532949)
414	01/29/2007	(449587)
415	01/31/2007	(517160)
416	01/31/2007	(538653)
417	02/02/2007	(462413)
418	02/05/2007	(457903)
419	02/06/2007	(539165)
420	02/07/2007	(544604)
421	02/08/2007	(539319)
422	02/09/2007	(484815)
423	02/09/2007	(440421)
424	02/09/2007	(449579)
425	02/15/2007	(535801)
426	02/15/2007	(457902)
427	02/27/2007	(515654)
428	02/28/2007	(481875)
429	03/08/2007	(449583)
430	03/23/2007	(489664)
431	03/23/2007	(490037)
432	03/26/2007	(541019)
433	03/26/2007	(541089)
434	03/26/2007	(541133)
435	03/27/2007	(534342)
436	03/28/2007	(555118)
437	03/30/2007	(541407)
438	03/30/2007	(535817)
439	04/04/2007	(511045)
440	04/05/2007	(536574)
441	04/05/2007	(543125)

442 04/12/2007 (535873)
 443 04/19/2007 (538065)
 444 04/19/2007 (537203)
 445 04/20/2007 (556917)
 446 04/20/2007 (536593)
 447 04/20/2007 (539663)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 05/14/2002 (246551)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 06/27/2002 (246552)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 07/31/2002 (158974)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2002 (158977)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2002 (158984)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/25/2003 (22728)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to prevent unauthorized emissions that resulted from a maintenance event.
 Date: 05/08/2003 (24899)
 Self Report? NO Classification: Moderate
 Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
 Description: Failed to control ethylene emissions during process operations.
 Date: 07/31/2003 (143468)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to draw representative samples from cooling towers CT 16/24 and CT 58
 Date: 08/29/2003 (150864)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Exxon failed to report an emissions event that occurred during a scheduled maintenance activity.
 Date: 07/08/2004 (332775)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 08/06/2004 (283891)
 Self Report? NO Classification: Minor
 Citation: TWC Chapter 26 26.121(a)(1)
 Description: Failure to prevent the unauthorized discharge of firewater.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT No. 00592-000 Page 2 No. 1
 Description: Failure to maintain compliance with permitted Total Suspended Solids (TSS) effluent limit at outfall 001. The grab sample collected during the inspection was noncompliant for TSS.
 Date: 08/28/2004 (268055)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287
 Description: Exceeded VOC permit limit.
 Date: 08/28/2004 (268992)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287
 Description: Failed to prevent unauthorized emissions during an emissions event.
 Date: 11/10/2004 (339949)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Flex Permit 18287, SC 1

Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.
 Date: 11/30/2004 (340185)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Flex Permit 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 687 lbs SO2.
 Date: 12/21/2004 (334796)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.
 Date: 12/22/2004 (339607)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.
 Date: 12/28/2004 (338518)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.
 Date: 12/28/2004 (341978)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.
 Date: 12/29/2004 (341979)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Flexible Permit 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.
 Date: 12/30/2004 (268990)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.
 Date: 12/31/2004 (267843)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.
 Date: 12/31/2004 (341980)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Permit 18287, SC 1
 Description: Failure to prevent emissions of 4035 lbs of SO2.
 Date: 01/24/2005 (342494)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPPT VV 60.482-6(a)(1)
 Rqmt Prov: PA Permit 18287 Special Condition 54E
 Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPPT VV 60.482-6(a)(2)

Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).
Date: 08/19/2005 (404792)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: failed to identify self heating waste material which caused a fire in a roll off bin.
Date: 09/30/2005 (440888)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
Date: 04/26/2006 (461574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Permit #18287, SC #1

Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.
Date: 05/15/2006 (462451)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit No. 44533, GC #8
Description: Exxon failed to submit a completed final report.
Date: 05/31/2006 (463588)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(l)

Description: Failed to report the permit authorization for the facility involved in the maintenance activity.
Date: 07/07/2006 (483457)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Exxon failed to submit a CAP in a timely manner.
Date: 08/18/2006 (487811)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

Description: Failed submit a CAP in a timely manner.
Date: 08/31/2006 (489776)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 18287

Description: EM failed to prevent this emissions event.
Date: 10/18/2006 (513741)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: Exxon Mobil failed to prevent a break on the instrument air line.
Date: 12/13/2006 (519183)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Exxon failed to submit a CAP in a timely manner.
Date: 01/08/2007 (533556)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1

Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.
Date: 01/29/2007 (532949)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00592-000
Description: Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT 00592-000
Description: Failure to properly operate and maintain the tricking filter.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Rqmt Prov: PERMIT 00592-000
Description: Failure to document the time of pH analyses for Outfalls 102 and 002, therefore, the pH holding time could not be determined.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00592-000
Description: Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]
 Rqmt Prov: PERMIT 00592-000
 Description: Failure to properly record the time of sample collection, as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
 Description: Failure to properly complete the 10/06 discharge monitoring report (DMR).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)
 30 TAC Chapter 319, SubChapter A 319.11(b)
 Description: Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(4)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 TWC Chapter 26 26.121
 TWC Chapter 26 26.121(a)(1)
 TWC Chapter 26 26.121(a)(2)
 TWC Chapter 26 26.121(a)(3)
 TWC Chapter 26 26.121(a)[G]
 TWC Chapter 26 26.121(b)
 TWC Chapter 26 26.121(c)
 TWC Chapter 26 26.121(d)
 TWC Chapter 26 26.121(e)
 TWC Chapter 26 26.121[G]
 Rqmt Prov: PERMIT 00592-000
 Description: Failure to prevent the unauthorized discharge of domestic sewage.
 Date: 02/13/2007 (539319)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PA TCEQ AIR FLEXIBLE PERMIT #18287, SC#1
 Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.
 Date: 04/04/2007 (511045)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT No. 18287/Special Condition No. 45E.
 Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.

F. Environmental audits.

N/A

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
EXXON MOBIL CORPORATION
RN102579307**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0672-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("Exxon") 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 Exxon presented this agreement to the Commission.

Exxon understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Exxon agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Exxon.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. Exxon owns and operates a refining and supply company at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During record reviews on March 2 and 20, 2007, TCEQ staff documented that:
 - a. Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 1,059 pounds ("lbs") of volatile organic compounds, 6,430 lbs of carbon monoxide, 680 lbs of nitrogen oxide, 169 lbs of hydrogen sulfide and 15,552 lbs of sulfur dioxide ("SO₂") from Flare 27 during an avoidable emissions event that began September 12, 2006 and lasted 36 hours and 12 minutes; and
 - b. Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 19,972 lbs of SO₂ from the Fuels North Unit during an avoidable emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity averaged over a six-minute period during the event.
4. Exxon received notice of the violations on April 24 and 25, 2007.

II. CONCLUSIONS OF LAW

1. Exxon is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3.a., Exxon failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Findings of Fact No. 3.b., Exxon failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.715(a) and 111.111(a)(1)(A), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Exxon for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of Seventy Thousand Four Hundred Dollars (\$70,400) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Exxon has paid Thirty-Five Thousand Two Hundred Dollars (\$35,200) of the administrative penalty. Thirty-Five Thousand Two Hundred Dollars (\$35,200) shall be conditionally offset by Exxon's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Exxon is assessed an administrative penalty in the amount of Seventy Thousand Four Hundred Dollars (\$70,400) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Exxon's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2007-0672-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Exxon shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5 above, Thirty-Five Thousand Two Hundred Dollars (\$35,200) of the assessed administrative penalty shall be offset with the condition that Exxon implement the SEP defined in Attachment A, incorporated herein by reference. Exxon's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. Exxon shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent the reoccurrence of emissions due to the same causes as that of the September 12 and October 20, 2006 emissions events; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision 3.a.

The certification shall be notarized by a State of Texas Notary Public and contain the following language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon Exxon. Exxon is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If Exxon fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Exxon's failure to comply is not a violation of this Agreed Order. Exxon shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Exxon shall notify the Executive Director within seven days after Exxon becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Exxon shall be made in writing to the Executive Director. Extensions are not effective until Exxon receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Exxon if the Executive Director determines that Exxon has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against Exxon in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed 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.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

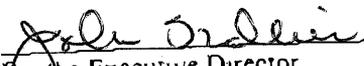
JUL-20-2007 FRI 09:22 AM EXXONMOBIL SHE ENVIRON

Exxon Mobil Corporation
DOCKET NO. 2007-0672-AIR-E
Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

9/16/07
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Exxon Mobil Corporation. I am authorized to agree to the attached Agreed Order on behalf of Exxon Mobil Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation

I understand that by entering into this Agreed Order, Exxon Mobil Corporation waives certain procedural rights, including but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me;
- and
- TCEQ seeking other relief as authorized by law

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

GARY W. WILSON
Name (Printed or typed)
Authorized Representative of
Exxon Mobil Corporation

7/19/07
Date
BOYD WILSON
MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2007-0672-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Seventy Thousand Four Hundred Dollars (\$70,400)
SEP Amount:	Thirty-Five Thousand Two Hundred Dollars (\$35,200)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

