EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-1743-AIR-E **TCEQ ID:** RN100542844 **CASE NO.:** 31280

RESPONDENT NAME: ExxonMobil Oil Corporation

ORDER TYPE:

X 1660 AGREED ORDER	__FINDINGS AGREED ORDER	__AMENDED ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__SHUTDOWN ORDER	__FINDINGS DEFAULT ORDER	__EMERGENCY ORDER	

CASE TYPE:

__AGRICULTURE	X AIR	__INDUSTRIAL AND HAZARDOUS WASTE	__MUNICIPAL SOLID WASTE
__OCCUPATIONAL CERTIFICATION	__PETROLEUM STORAGE TANKS	__PUBLIC WATER SUPPLY	__RADIOACTIVE WASTE
__MULTI-MEDIA (check all that apply)	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL	__USED OIL
__USED OIL FILTER	__WATER QUALITY		

SITE WHERE VIOLATION(S) OCCURRED: Mobil Chemical Beaumont Chemical Plant, 2775 Gulf States Road, Beaumont, Jefferson County

TYPE OF OPERATION: Petrochemical plant

SMALL BUSINESS: ___ Yes __X__ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are three pending enforcement actions regarding this facility location, Docket Nos. 2003-1455-AIR-E, 2004-0125-AIR-E, and 2006-1703-AIR-E

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on March 12, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, Enforcement Division, MC 219, (512) 239-1768

TCEQ Enforcement Coordinator: Ms. Audra Ruble, Enforcement Division, Enforcement Section III, MC R-14, (361) 825-3126; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Marion Everhart, Beaumont Regional Office, MC R-10, (409) 898-3838

Respondent: Mr. John Townsend, Site Manager, ExxonMobil Oil Corporation, P. O. Box 3868, Beaumont, Texas 77704
Mr. Jason Booth, BMCP Environmental Advisor, ExxonMobil Oil Corporation, P.O. Box 3868, Beaumont, Texas 77704
Prentice Hall Corporation, Registered Agent of ExxonMobil Oil Corporation, 701 Brazos Street, Suite 1050, Austin, Texas 78701

Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint ___ Routine ___ Enforcement Follow-up _X_ Records Review **Date of Complaint Relating to this Case:** None **Date of Investigation Relating to this Case:** September 5, 2006 **Date of NOE Relating to this Case:** September 22, 2006 (NOE) **Background Facts:** This was a routine record review. One violation was documented. **AIR** Failed to comply with the emissions limits in the Maximum Allowable Emissions Rate Table of the permit. On July 7, 2006, the company experienced an emissions event at the Ethylene Unit during which unauthorized releases of approximately 1,492 pounds ("lb") of volatile organic compounds, 623 lb of carbon monoxide, and 126 lb of oxides of nitrogen from the High and Low Pressure Flares occurred over a five hour and 15 minute period. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), Air Permit No. 7799, Special Condition 1, and TEX HEALTH & SAFETY CODE § 382.085(b)].	**Total Assessed:** $5,975 **Total Deferred:** $1,195 _X_ Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $2,390 **Total Paid to General Revenue:** $2,390 **Site Compliance History Classification:** __High _X_ Avg. __Poor **Person Compliance History Classification:** __High _X_ Avg. __Poor **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002	**Ordering Provisions:** 1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A). 2) The Order will also require the Respondent to: a. Within 30 days after the effective date of this Agreed Order, address the emissions event that occurred on July 7, 2006, by drafting and implementing improvements in applicable operations procedures; and b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.

Attachment A
Docket Number: 2006-1743-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**ExxonMobil Oil Corporation**
Payable Penalty Amount:	**Four Thousand Seven Hundred Eighty Dollars ($4,780)**
SEP Amount:	**Two Thousand Three Hundred Ninety Dollars ($2,390)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles**
Location of SEP:	**Jefferson 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 shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

C. Minimum Expenditure

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:

The Honorable Carl R. Griffith, Jr.
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

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)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision April 25, 2006*

DATES					
Assigned	25-Sep-2006				
PCW	26-Sep-2006	Screening	26-Sep-2006	EPA Due	19-Jun-2007

RESPONDENT/FACILITY INFORMATION

Respondent	ExxonMobil Oil Corporation		
Reg. Ent. Ref. No.	RN100542844		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major Source

CASE INFORMATION

Enf./Case ID No.	31280	No. of Violations	1
Docket No.	2006-1743-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	John Barry
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* $2,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 139% Enhancement *Subtotals 2, 3, & 7* $3,475

Notes: The enhancement is due to six orders with denial of liability, two same or similar NOVs, and five self-reported other NOVs. A reduction is due to one letter of intent to audit.

Culpability No 0% Enhancement *Subtotal 4* $0

Notes: Does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction *Subtotal 5* $0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	*(mark with a small x)*

Notes: Does not meet the good faith effort criteria.

Economic Benefit 0% Enhancement* *Subtotal 6* $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$18
Approx. Cost of Compliance	$500

SUM OF SUBTOTALS 1-7 Final Subtotal $5,975

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment $0

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

Notes:

Final Penalty Amount $5,975

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $5,975

DEFERRAL 20% Reduction Adjustment -$1,195

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

Notes: A deferral is offered for expedited settlement.

PAYABLE PENALTY $4,780

Screening Date	26-Sep-2006	**Docket No.** 2006-1743-AIR-E	**PCW**
Respondent	ExxonMobil Oil Corporation		*Policy Revision 2 (September 2002)*
Case ID No.	31280		*PCW Revision April 25, 2006*
Reg. Ent. Reference No.	RN100542844		
Media [Statute]	Air Quality		
Enf. Coordinator	John Barry		

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)*	2	10%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*	6	120%
	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	0	0%
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*	1	-1%
	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) **139%**

>> 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 The enhancement is due to six orders with denial of liability, two same or similar NOVs, and five self-reported other NOVs. A reduction is due to one letter of intent to audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **139%**

PCW

Policy Revision 2 (September 2002)
PCW Revision April 25, 2006

Screening Date 26-Sep-2006 **Docket No.** 2006-1743-AIR-E
Respondent ExxonMobil Oil Corporation
Case ID No. 31280
Reg. Ent. Reference No. RN100542844
Media [Statute] Air Quality
Enf. Coordinator John Barry

Violation Number 1

Primary Rule Cite(s) Air Permit No. 7799, Special Condition 1

Secondary Rule Cite(s) 30 Tex. Admin. Code § 116.115(b)(2)(F) and (c) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failure to comply with emissions limits found in the Maximum Allowable Emissions Rate Table of TCEQ Permit 7799. On July 7, 2006, the company experienced an emissions event at the Ethylene Unit during which unauthorized releases of approximately 1,492 pounds ("lb") of volatile organic compounds, 623 lb of carbon monoxide, and 126 lb of oxides of nitrogen from the High and Low Pressure Flares occurred over a five hour and 15 minute period. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense under 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 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $18

Statutory Limit Test

Violation Final Penalty Total $5,975

This violation Final Assessed Penalty (adjusted for limits) $5,975

Economic Benefit Worksheet

Respondent: ExxonMobil Oil Corporation
Case ID No.: 31280
Reg. Ent. Reference No.: RN100542844
Media [Statute]: Air Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	$500	07-Jul-2006	01-Apr-2007	0.7	$18	n/a	$18
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost of re-training of personnel on shift change procedures; the date required was the date of the releases; the final date is the estimated date retraining will 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: $500

TOTAL: $18

Compliance History

Customer/Respondent/Owner-Operator:	CN600920748	ExxonMobil Oil Corporation	Classification: Average	Rating: 2.63
Regulated Entity:	RN100542844	MOBIL CHEMICAL BEAUMONT CHEMICAL PLANT BMCP	Classification: Average	Site Rating: 4.26

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0062S
AIR OPERATING PERMITS	PERMIT	1173
AIR OPERATING PERMITS	PERMIT	2201
AIR OPERATING PERMITS	PERMIT	1354
AIR OPERATING PERMITS	PERMIT	2292
AIR OPERATING PERMITS	PERMIT	2293
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0064O
AIR OPERATING PERMITS	PERMIT	1354
AIR OPERATING PERMITS	PERMIT	2292
AIR OPERATING PERMITS	PERMIT	2293
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1230089
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30047
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000449694
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	ID NUMBER	30047
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000449694
WASTEWATER	PERMIT	WQ0002029000
WASTEWATER	PERMIT	TX0068934
WASTEWATER	PERMIT	WQ0000462000
WASTEWATER	PERMIT	TPDES0004227
WASTEWATER	PERMIT	TX0004227
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	51575
AIR NEW SOURCE PERMITS	PERMIT	9907
AIR NEW SOURCE PERMITS	PERMIT	485
AIR NEW SOURCE PERMITS	PERMIT	7799
AIR NEW SOURCE PERMITS	PERMIT	10248
AIR NEW SOURCE PERMITS	PERMIT	10249
AIR NEW SOURCE PERMITS	PERMIT	10575
AIR NEW SOURCE PERMITS	PERMIT	10728
AIR NEW SOURCE PERMITS	PERMIT	11238
AIR NEW SOURCE PERMITS	PERMIT	11791
AIR NEW SOURCE PERMITS	PERMIT	13942
AIR NEW SOURCE PERMITS	PERMIT	14021
AIR NEW SOURCE PERMITS	PERMIT	15160
AIR NEW SOURCE PERMITS	PERMIT	18838
AIR NEW SOURCE PERMITS	PERMIT	19000
AIR NEW SOURCE PERMITS	PERMIT	39233
AIR NEW SOURCE PERMITS	PERMIT	41728
AIR NEW SOURCE PERMITS	PERMIT	43948
AIR NEW SOURCE PERMITS	PERMIT	44968
AIR NEW SOURCE PERMITS	PERMIT	44969
AIR NEW SOURCE PERMITS	PERMIT	44976
AIR NEW SOURCE PERMITS	PERMIT	44975
AIR NEW SOURCE PERMITS	PERMIT	44974
AIR NEW SOURCE PERMITS	PERMIT	44973
AIR NEW SOURCE PERMITS	PERMIT	44972
AIR NEW SOURCE PERMITS	PERMIT	44971
AIR NEW SOURCE PERMITS	PERMIT	44970
AIR NEW SOURCE PERMITS	PERMIT	48054
AIR NEW SOURCE PERMITS	PERMIT	48163
AIR NEW SOURCE PERMITS	PERMIT	50210
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0062S
AIR NEW SOURCE PERMITS	PERMIT	53384
AIR NEW SOURCE PERMITS	REGISTRATION	72114
AIR NEW SOURCE PERMITS	REGISTRATION	72115
AIR NEW SOURCE PERMITS	REGISTRATION	55190
AIR NEW SOURCE PERMITS	REGISTRATION	76364
AIR NEW SOURCE PERMITS	REGISTRATION	76365
AIR NEW SOURCE PERMITS	REGISTRATION	55831

AIR NEW SOURCE PERMITS	REGISTRATION	75511
AIR NEW SOURCE PERMITS	REGISTRATION	76058
AIR NEW SOURCE PERMITS	AFS NUM	0087
AIR NEW SOURCE PERMITS	PERMIT	56360
AIR NEW SOURCE PERMITS	REGISTRATION	70717
AIR NEW SOURCE PERMITS	REGISTRATION	71387
AIR NEW SOURCE PERMITS	REGISTRATION	71388
AIR NEW SOURCE PERMITS	REGISTRATION	71524
AIR NEW SOURCE PERMITS	REGISTRATION	71675
AIR NEW SOURCE PERMITS	REGISTRATION	71841
AIR NEW SOURCE PERMITS	REGISTRATION	71832
AIR NEW SOURCE PERMITS	PERMIT	50767
AIR NEW SOURCE PERMITS	PERMIT	54743
AIR NEW SOURCE PERMITS	REGISTRATION	72706
AIR NEW SOURCE PERMITS	REGISTRATION	72767
AIR NEW SOURCE PERMITS	REGISTRATION	72934
AIR NEW SOURCE PERMITS	REGISTRATION	72936
AIR NEW SOURCE PERMITS	REGISTRATION	73014
AIR NEW SOURCE PERMITS	REGISTRATION	73733
AIR NEW SOURCE PERMITS	REGISTRATION	74662
AIR NEW SOURCE PERMITS	REGISTRATION	74950
AIR NEW SOURCE PERMITS	REGISTRATION	75162
AIR NEW SOURCE PERMITS	REGISTRATION	75328
AIR NEW SOURCE PERMITS	REGISTRATION	75304
AIR NEW SOURCE PERMITS	REGISTRATION	76456
AIR NEW SOURCE PERMITS	REGISTRATION	76498
AIR NEW SOURCE PERMITS	EPA ID	PSDTX754
AIR NEW SOURCE PERMITS	REGISTRATION	76584
AIR NEW SOURCE PERMITS	REGISTRATION	76710
AIR NEW SOURCE PERMITS	REGISTRATION	77711
AIR NEW SOURCE PERMITS	REGISTRATION	78058
AIR NEW SOURCE PERMITS	REGISTRATION	78170
AIR NEW SOURCE PERMITS	REGISTRATION	78284
AIR NEW SOURCE PERMITS	REGISTRATION	78554
AIR NEW SOURCE PERMITS	REGISTRATION	78861
AIR NEW SOURCE PERMITS	REGISTRATION	78903
AIR NEW SOURCE PERMITS	PERMIT	1295
AIR NEW SOURCE PERMITS	PERMIT	1295A
AIR NEW SOURCE PERMITS	PERMIT	10194
AIR NEW SOURCE PERMITS	PERMIT	10242
AIR NEW SOURCE PERMITS	PERMIT	11641
AIR NEW SOURCE PERMITS	PERMIT	11642
AIR NEW SOURCE PERMITS	PERMIT	11983
AIR NEW SOURCE PERMITS	PERMIT	12105
AIR NEW SOURCE PERMITS	PERMIT	12362
AIR NEW SOURCE PERMITS	PERMIT	12575
AIR NEW SOURCE PERMITS	PERMIT	13789
AIR NEW SOURCE PERMITS	PERMIT	14492
AIR NEW SOURCE PERMITS	PERMIT	19366
AIR NEW SOURCE PERMITS	PERMIT	19950
AIR NEW SOURCE PERMITS	PERMIT	21015
AIR NEW SOURCE PERMITS	PERMIT	23327
AIR NEW SOURCE PERMITS	PERMIT	24243
AIR NEW SOURCE PERMITS	PERMIT	24975
AIR NEW SOURCE PERMITS	PERMIT	26126
AIR NEW SOURCE PERMITS	PERMIT	26152
AIR NEW SOURCE PERMITS	PERMIT	24857
AIR NEW SOURCE PERMITS	PERMIT	32200
AIR NEW SOURCE PERMITS	PERMIT	32614
AIR NEW SOURCE PERMITS	PERMIT	32865
AIR NEW SOURCE PERMITS	PERMIT	34347
AIR NEW SOURCE PERMITS	PERMIT	34780
AIR NEW SOURCE PERMITS	PERMIT	34427
AIR NEW SOURCE PERMITS	PERMIT	37362
AIR NEW SOURCE PERMITS	PERMIT	40289
AIR NEW SOURCE PERMITS	PERMIT	41445
AIR NEW SOURCE PERMITS	PERMIT	42983
AIR NEW SOURCE PERMITS	PERMIT	43123
AIR NEW SOURCE PERMITS	PERMIT	41935

AIR NEW SOURCE PERMITS	PERMIT	44863
AIR NEW SOURCE PERMITS	PERMIT	44991
AIR NEW SOURCE PERMITS	PERMIT	44990
AIR NEW SOURCE PERMITS	PERMIT	46421
AIR NEW SOURCE PERMITS	PERMIT	46852
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0064O
AIR NEW SOURCE PERMITS	REGISTRATION	79510
AIR NEW SOURCE PERMITS	REGISTRATION	79796
AIR NEW SOURCE PERMITS	REGISTRATION	79874
WATER LICENSING	LICENSE	1230089
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30047

Location: 2775 GULF STATES ROAD, BEAUMONT, TX, 77703 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: September 25, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 26, 2001 to September 25, 2006

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

Name: John Barry Phone: (409) 899-8781

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner? ExxonMobil Oil Corporation
Mobil Chemical Company Inc.
Groendyke Transport, Inc.
4. if Yes, who was/were the prior owner(s)? ExxonMobil Oil Corporation
Exxon Mobil Corporation
5. When did the change(s) in ownership occur? 11/18/2002

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 11/26/2004 ADMINORDER 2004-0491-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 7799/PSD-TX-860, SC1 PERMIT

Description: Failure to comply with Special Condition 1 which states that the total emissions of air contaminants from any of the sources shall not exceed the values stated on the table entitled Emission Sources - Maximum Allowable Emission Rates.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Unauthorized emissions from emission point number D-411 during emissions event number 34727.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 7799/PSD-TX-860, SC1 PERMIT

Description: Failure to comply with Special Condition 1 which states that the total emissions of air contaminants from any of the sources shall not exceed the values stated on the table entitled Emission Sources - Maximum Allowable Emission Rates.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to comply with the emissions limits found in the Maximum Allowable Emission Rate Table of permits 7799 and PSD-TX-860.

Effective Date: 01/30/2004 ADMINORDER 2001-1044-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 B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(e)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to submit initial stack test reports for temporary flares EH100 and EH101 w/in 180 days after initial startup.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(g)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Vapor Compressors C44A and C44B within 15 days after detection of a leak.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 779/PSD-TX-860 PERMIT

Description: Failure to monitor water from Cooling Tower 4 (EPN EM26) utilizing an approved method.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failure to comply with the permitted SO2 and CO emission limits at Decoking Vents B-6151A, B (EPN EM25) and B6301A, B(EPN EM6301) and B-6101C, D (EPN EM24).

Effective Date: 06/26/2006 ADMINORDER 2006-0007-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1 PERMIT

Description: Failure to prevent unauthorized emissions and comply with Special Condition 1 of Permit 18838 for emissions which occurred at the Refinery Tank Farm (EPN EF-11) and the Paraxylene Unit stage III crystallizer pump (EPN EF-17).

Effective Date: 03/06/2006 ADMINORDER 2004-2052-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the initial report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the HP and LP Flares that occurred from September 27, 2004 to September 28, 2004.

Classification: Minor

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

Description: Failure to identify in the final report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

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

Description: Failure to submit a copy of the final record for a reportable emissions event to the

commission office for the region in which the facility is located no later than two weeks after the end of the emissions event.

Effective Date: 07/14/2006 ADMINORDER 2005-1903-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799, Special Condition 1 PERMIT

Description: Failed to comply with permitted and visible emissions limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a timely emission event report.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits.

Effective Date: 08/28/2006 ADMINORDER 2006-0132-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799 PERMIT

Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR Permit No. 7799/PSD-TX-860

Classification: Minor

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

Description: Failed to submit a copy of the final record for a reportable emissions event which occurred on November 14, 2005 no later than two weeks after the end of the emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR Permit No. 7799/PSD-TX-860.

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.)

N/A

1	05/17/2002	(157243)
2	04/11/2003	(28778)
3	05/08/2003	(157244)
4	10/13/2003	(295035)
5	06/24/2002	(157248)
6	04/18/2006	(458326)
7	01/12/2006	(468281)
8	08/09/2002	(6134)
9	07/21/2005	(440745)
10	06/07/2005	(393622)
11	11/20/2002	(295036)
12	01/21/2003	(157249)

13	08/22/2005	(440746)
14	09/23/2004	(333290)
15	09/06/2005	(440747)
16	09/21/2006	(489166)
17	05/20/2005	(378697)
18	11/10/2003	(295037)
19	09/25/2003	(247942)
20	08/19/2003	(148800)
21	04/21/2006	(461141)
22	12/12/2003	(295038)
23	01/04/2005	(344309)
24	01/13/2004	(295039)
25	04/25/2003	(31435)
26	04/04/2005	(373527)
27	07/22/2002	(157252)
28	06/25/2004	(351948)
29	10/29/2003	(252720)
30	08/12/2005	(402429)
31	09/22/2006	(511416)
32	04/08/2004	(265862)
33	10/17/2003	(252368)
34	01/14/2004	(254182)
35	03/18/2004	(264108)
36	08/19/2002	(157255)
37	07/19/2004	(351949)
38	02/16/2005	(381771)
39	08/31/2006	(438315)
40	08/09/2002	(5094)
41	03/14/2005	(381772)
42	04/11/2003	(28777)
43	03/19/2004	(265439)
44	08/19/2003	(148797)
45	02/16/2005	(381773)
46	09/17/2002	(157258)
47	09/25/2003	(247943)
48	08/13/2004	(351950)
49	10/07/2004	(381774)
50	11/29/2004	(338558)
51	04/28/2006	(458040)
52	11/12/2004	(381775)
53	03/25/2005	(373598)
54	08/19/2003	(148777)
55	12/14/2004	(342891)
56	10/24/2001	(157260)
57	05/20/2005	(377601)
58	01/11/2005	(381776)
59	09/09/2004	(351951)
60	04/11/2003	(28775)
61	06/08/2004	(271363)
62	08/21/2003	(135509)
63	04/11/2003	(28774)
64	04/21/2006	(461550)
65	10/15/2002	(157261)
66	04/24/2006	(498092)
67	04/08/2004	(265864)
68	11/06/2003	(254210)
69	03/27/2003	(25115)
70	04/15/2005	(374940)
71	05/22/2006	(498093)
72	06/13/2003	(34614)
73	06/22/2006	(498094)
74	11/12/2004	(351952)
75	01/09/2004	(253997)
76	12/22/2004	(341934)
77	08/11/2004	(283476)
78	06/22/2006	(498095)
79	11/11/2001	(157264)
80	03/19/2004	(262155)

81	07/27/2006	(483687)
82	12/20/2001	(157267)
83	07/05/2005	(395523)
84	12/16/2002	(157268)
85	01/24/2005	(347162)
86	01/24/2005	(346430)
87	11/06/2003	(254213)
88	02/28/2003	(26512)
89	05/18/2005	(376394)
90	10/24/2002	(13941)
91	04/04/2005	(373546)
92	11/14/2003	(254019)
93	01/22/2002	(157271)
94	12/08/2004	(336179)
95	04/08/2004	(265866)
96	03/18/2004	(263711)
97	01/21/2003	(157272)
98	09/25/2003	(247947)
99	08/18/2006	(509390)
100	09/23/2004	(286727)
101	03/25/2005	(373612)
102	05/11/2006	(465117)
103	05/17/2005	(379171)
104	07/31/2003	(144539)
105	12/22/2005	(440335)
106	07/26/2006	(484018)
107	02/26/2004	(260495)
108	06/09/2006	(464823)
109	04/01/2005	(350006)
110	07/26/2006	(484019)
111	08/16/2004	(283483)
112	02/18/2003	(24104)
113	02/18/2003	(24115)
114	01/30/2004	(259841)
115	06/12/2003	(37861)
116	07/28/2006	(484021)
117	08/10/2006	(497294)
118	04/15/2005	(374959)
119	10/28/2003	(253354)
120	10/17/2003	(252385)
121	06/15/2005	(343658)
122	09/25/2003	(145552)
123	11/06/2003	(254200)
124	02/25/2004	(261400)
125	01/27/2005	(347142)
126	02/18/2003	(24098)
127	10/29/2003	(252713)
128	01/28/2003	(21294)
129	11/06/2003	(254212)
130	09/19/2005	(431106)
131	05/17/2005	(379173)
132	09/11/2006	(489225)
133	05/02/2002	(106174)
134	03/29/2002	(106173)
135	12/22/2004	(341860)
136	01/30/2002	(106172)
137	01/29/2004	(259142)
138	04/08/2004	(265858)
139	05/27/2004	(267998)
140	02/18/2003	(24075)
141	01/03/2002	(106171)
142	12/11/2001	(106170)
143	02/27/2006	(455014)
144	11/14/2001	(106169)
145	09/25/2003	(247926)
146	10/26/2001	(106168)
147	08/29/2003	(131527)
148	05/01/2006	(460605)

149	04/13/2006	(458301)
150	09/26/2003	(249856)
151	05/18/2005	(376397)
152	10/09/2003	(248598)
153	08/15/2003	(147299)
154	04/13/2005	(419603)
155	09/25/2003	(247927)
156	05/16/2005	(419604)
157	11/02/2004	(336327)
158	09/25/2003	(247928)
159	08/19/2003	(148754)
160	08/19/2003	(148786)
161	04/08/2004	(265859)
162	02/23/2004	(295023)
163	03/19/2003	(295024)
164	02/22/2002	(157233)
165	12/23/2004	(344306)
166	06/14/2005	(394339)
167	11/22/2004	(339443)
168	08/12/2005	(404419)
169	03/17/2004	(295025)
170	08/08/2005	(399209)
171	11/06/2003	(252449)
172	04/15/2005	(374964)
173	01/07/2005	(344744)
174	11/26/2002	(16013)
175	02/10/2003	(157234)
176	10/05/2004	(292551)
177	04/14/2004	(295026)
178	05/03/2006	(461386)
179	03/19/2002	(157236)
180	12/22/2003	(253031)
181	02/27/2004	(261399)
182	07/10/2003	(295029)
183	01/19/2006	(450582)
184	03/08/2004	(263017)
185	01/27/2006	(452740)
186	01/27/2006	(438784)
187	02/21/2006	(468276)
188	08/14/2003	(295031)
189	03/04/2004	(263223)
190	08/12/2005	(402412)
191	03/20/2006	(468277)
192	04/08/2004	(265861)
193	04/19/2002	(157240)
194	02/10/2004	(260798)
195	10/21/2005	(468278)
196	09/15/2003	(295033)
197	04/07/2003	(157241)
198	11/28/2005	(468279)
199	05/14/2004	(270134)
200	11/19/2002	(14888)
201	12/16/2005	(468280)

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

Date: 02/28/2003 (26512)

Self Report? NO 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 B 116.115(c)

40 CFR Part 60, Subpart VV 60.482-7[G]

Rqmt Prov: PA IA

Description: Failure to conduct two successive leak free monthly fugitive monitoring events on three valves in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 60, Subpart VV 60.482-7[G]

Rqmt Prov: PA IA

Description: Failure to monitor three valves in VOC service in the ethylene unit.

Self Report? NO Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to authorize emissions from a wastewater drain.

Date: 04/30/2002 (157243)

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 (295036)

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: 09/30/2001 (157260)

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: 05/18/2005 (376394)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT IA

Description: Failure to maintain the MAERT and concentration emission limit for ammonia (NH3) at the ERU Train B Stack (EPN 537).

Date: 01/31/2002 (157233)

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: 02/29/2004 (295025)

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

F. Environmental audits.

Notice of Intent Date: 09/28/2001 (32824)

No DOV Associated

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	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
EXXONMOBIL OIL CORPORATION	§	
RN100542844	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2006-1743-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("ExxonMobil") 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 ExxonMobil appear before the Commission and together stipulate that:

1. ExxonMobil owns and operates a petrochemical plant at 2775 Gulf States Road in Beaumont, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. The Commission and ExxonMobil agree that the Commission has jurisdiction to enter this Agreed Order, and that ExxonMobil is subject to the Commission's jurisdiction.

4. ExxonMobil received notice of the violations alleged in Section II ("Allegations") on or about September 27, 2006.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by ExxonMobil of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Five Thousand Nine Hundred Seventy-Five Dollars ($5,975) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). ExxonMobil has paid Two Thousand Three Hundred Ninety Dollars ($2,390) of the administrative penalty and One Thousand One Hundred Ninety-Five Dollars ($1,195) is deferred contingent upon ExxonMobil's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If ExxonMobil fails to timely and satisfactorily comply with all requirements of this Agreed

Order, the Executive Director may require ExxonMobil to pay all or part of the deferred penalty. Two Thousand Three Hundred Ninety Dollars ($2,390) shall be conditionally offset by ExxonMobil's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.

8. The Executive Director of the TCEQ and ExxonMobil have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that ExxonMobil has not complied with one or more of the terms or conditions in this Agreed Order.

10. 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.

11. 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.

II. ALLEGATIONS

As owner and operator of the Plant, ExxonMobil is alleged to have failed to comply with the emissions limits in the Maximum Allowable Emissions Rate Table of the permit, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), Air Permit No. 7799, Special Condition 1, and TEX HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on September 5, 2006. On July 7, 2006, the company experienced an emissions event at the Ethylene Unit during which unauthorized releases of approximately 1,492 pounds ("lb") of volatile organic compounds, 623 lb of carbon monoxide, and 126 lb of oxides of nitrogen from the High and Low Pressure Flares occurred over a five hour and 15 minute period. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

ExxonMobil generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that ExxonMobil pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and ExxonMobil's compliance with all the terms and conditions set forth in this Agreed Order resolve only the

allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ExxonMobil Oil Corporation, Docket No. 2006-1743-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. ExxonMobil shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Two Thousand Three Hundred Ninety Dollars ($2,390) of the assessed administrative penalty shall be offset with the condition that ExxonMobil implement the SEP defined in Attachment A, incorporated herein by reference. ExxonMobil'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. It is further ordered that ExxonMobil shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Agreed Order, address the emissions event that occurred on July 7, 2006, by drafting and implementing improvements in applicable operations procedures; and

   b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a.

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

Manager, Air Section
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon ExxonMobil. ExxonMobil 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 ExxonMobil 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, ExxonMobil's failure to comply is not a violation of this Agreed Order. ExxonMobil shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. ExxonMobil shall notify the Executive Director within seven days after ExxonMobil 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 ExxonMobil shall be made in writing to the Executive Director. Extensions are not effective until ExxonMobil receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. This Agreed Order, issued by the Commission, shall not be admissible against ExxonMobil 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.

8. 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.

9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to ExxonMobil, or three days after the date on which the Commission mails notice of the Order to ExxonMobil, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

4/2/07
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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.

John R. Townsend
Signature

12/7/2006
Date

JOHN R. TOWNSEND
Name (Printed or typed)
Authorized Representative of
ExxonMobil Oil Corporation

Beaumont Chemical Plant Site Manager
Title

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

Attachment A
Docket Number: 2006-1743-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**ExxonMobil Oil Corporation**
Payable Penalty Amount:	**Four Thousand Seven Hundred Eighty Dollars ($4,780)**
SEP Amount:	**Two Thousand Three Hundred Ninety Dollars ($2,390)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles**
Location of SEP:	**Jefferson 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 shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

C. Minimum Expenditure

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:

The Honorable Carl R. Griffith, Jr.
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

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.