EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-2043-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 31795

RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
__1660 AGREED ORDER	X FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
X AIR	__MULTI-MEDIA (check all that apply)	__INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	__PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Harris County

TYPE OF OPERATION: Refining and supply company

SMALL BUSINESS: ____ Yes X No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are ten pending enforcement cases, Docket Nos. 2005-1824-AIR-E, 2006-0875-AIR-E, 2006-1196-AIR-E, 2006-1398-AIR-E, 2007-0463-AIR-E, 2007-0566-AIR-E, 2007-0672-AIR-E, 2006-0498-AIR-E, 2007-0077-AIR-E, and 2007-0214-AIR-E, for this facility location.

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 April 30, 2007. No comments were received.

CONTACTS AND MAILING LIST:
TCEQ Attorney/SEP Coordinator: None
TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Corpus Christi Regional Office, MC R-14, (361) 825-3423; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896
Respondent: Mr. Jonathan Yarbrough, Site Mechanical Manager, Exxon Mobil Corporation, P.O. Box 2519, Houston, Texas 77252-2519
Mr. Adam Cantu, Environmental Section Supervisor, Exxon Mobil Corporation, P.O. Box 3950, Baytown, Texas 77522
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(s) of Complaints Relating to this Case:** None **Date of Record Review Relating to this Case:** January 27, 2005 **Date of NOE Relating to this Case:** November 11, 2004(NOE) **Background Facts:** This was a routine record review. AIR 1) Failed to prevent unauthorized emissions. Since these emissions were avoidable, determined to be excessive and reported incorrectly, 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), Flexible Permit No. 18287, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 2) Failed to identify the permit number on the final report for the November 16, 2004 emissions event [30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH & SAFETY CODE § 382.085(b)].	**Total Assessed:** $10,469 **Total Deferred:** $0 __Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $5,234 **Total Paid to General Revenue:** $5,235 **Site Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Person Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002 **Findings Orders Justification:** This is a Findings Order because the Respondent had unauthorized emissions which were excessive emissions events.	**Ordering Provisions:** 1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP) (See Attachment A). 2) The Order will also require the Respondent to: a) Within 30 days after the effective date of this Agreed Order: i. Implement measures designed to ensure the proper reporting of emissions events; and ii. Submit a revised final report for the November 13, 2004 emissions event, including permit numbers for the units that experienced the upset. b) Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a.; c) Comply with the TCEQ request dated November 13, 2006 for submittal of a corrective action plan (CAP) to address the excessive emissions event that occurred November 16, 2004; d) Respond completely and adequately, as determined by the executive director, to all written requests for information concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing; e) Upon Commission approval, implement the CAP in accordance with the approved schedule; and f) Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions 2.c. through 2.e.

Attachment A
Docket Number: 2006-2043-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Payable Penalty Amount:	**Ten Thousand Four Hundred Sixty-Nine Dollars ($10,469)**
SEP Amount:	**Five Thousand Two Hundred Thirty-Four Dollars ($5,234)**
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 November 17, 2006*

TCEQ

DATES					
Assigned	20-Nov-2006				
PCW	4-Dec-2006	Screening	29-Nov-2006	EPA Due	10-Aug-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.	31795	No. of Violations	2
Docket No.	2006-2043-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	EnforcementTeam 6
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* $10,100

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 369% Enhancement — *Subtotals 2, 3, & 7* $37,269

Notes: Enhancement due to 21 NOVs with same or similar violations, 12 unrelated NOVs (including four self-reported effluent violations), eight Findings Orders, and two 1660 Agreed Orders.

Culpability — No — 0% Enhancement — *Subtotal 4* $0

Notes: Respondent 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 x)

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

0% Enhancement* — *Subtotal 6* $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$194
Approx. Cost of Compliance	$1,550

SUM OF SUBTOTALS 1-7 — *Final Subtotal* $47,369

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 $47,369

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* $10,469

DEFERRAL — 0% Reduction — *Adjustment* $0

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY $10,469

Screening Date	29-Nov-2006	**Docket No.** 2006-2043-AIR-E	**PCW**
Respondent	Exxon Mobil Corporation		*Policy Revision 2 (September 2002)*
Case ID No.	31795		*PCW Revision November 17, 2006*
Reg. Ent. Reference No.	RN102579307		
Media [Statute]	Air Quality		
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	12	24%
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	8	200%
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) 369%

>> 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, 12 unrelated NOVs (including four self-reported effluent violations), eight Findings Orders, and two 1660 Agreed Orders.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 369%

Screening Date	29-Nov-2006	**Docket No.** 2006-2043-AIR-E	**PCW**
Respondent	Exxon Mobil Corporation		*Policy Revision 2 (September 2002)*
Case ID No.	31795		*PCW Revision November 17, 2006*
Reg. Ent. Reference No.	RN102579307		
Media [Statute]	Air Quality		
Enf. Coordinator	John Muennink		

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes. Since these emissions were avoidable, determined to be excessive and reported incorrectly, 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 which exceed levels protective of human health or environmental receptors.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $182

Statutory Limit Test

Violation Final Penalty Total $46,900

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 31795
Reg. Ent. Reference No. RN102579307
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	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				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)	$1,450	16-Nov-2004	19-May-2007	2.5	$182	n/a	$182
Notes for DELAYED costs	Estimated expense to submit and implement a corrective action plan. Date required is the date of the emissions event. Final date is the estimated date that corrective action 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: $1,450

TOTAL: $182

Screening Date	29-Nov-2006	Docket No. 2006-2043-AIR-E	PCW
Respondent	Exxon Mobil Corporation		Policy Revision 2 (September 2002)
Case ID No.	31795		PCW Revision November 17, 2006
Reg. Ent. Reference No.	RN102579307		
Media [Statute]	Air Quality		
Enf. Coordinator	John Muennink		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1)(H) and Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to identify the permit number on the final report for the November 16, 2004 emissions event.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The respondent met at least 70% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $13

Statutory Limit Test

Violation Final Penalty Total $469

This violation Final Assessed Penalty (adjusted for limits) $469

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 31795
Reg. Ent. Reference No. RN102579307
Media Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	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				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)	$100	16-Nov-2004	19-May-2007	2.5	$13	n/a	$13
Notes for DELAYED costs	Estimated expense to implement measures designed to ensure the proper reporting of emissions events. Date required is the date of the emissions event. Final date is the estimated date that corrective action 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 $100 TOTAL $13

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	1384
	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	2389
	AIR NEW SOURCE PERMITS	PERMIT	2521
	AIR NEW SOURCE PERMITS	PERMIT	2665
	AIR NEW SOURCE PERMITS	PERMIT	2794
	AIR NEW SOURCE PERMITS	PERMIT	2977
	AIR NEW SOURCE PERMITS	PERMIT	2979
	AIR NEW SOURCE PERMITS	PERMIT	4973
	AIR NEW SOURCE PERMITS	PERMIT	9163
	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	18448
	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	28697
	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	0027
AIR NEW SOURCE PERMITS	REGISTRATION	56702
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	75409
AIR NEW SOURCE PERMITS	REGISTRATION	75412
AIR NEW SOURCE PERMITS	REGISTRATION	75543
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	74344
AIR NEW SOURCE PERMITS	REGISTRATION	74483
AIR NEW SOURCE PERMITS	REGISTRATION	74575
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	74885
AIR NEW SOURCE PERMITS	REGISTRATION	75075
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
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
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, 77520

Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 27, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 27, 2001 to November 27, 2006

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

Name: John Muennink Phone: (361) 825-3423

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?	No
3. If Yes, who is the current owner?	N/A
4. if Yes, who was/were the prior owner(s)?	N/A
5. When did the change(s) in ownership occur?	N/A

Components (Multimedia) for the Site :

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

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: 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 sulfure 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 if nitrogen dioxide during an emissions event on September 12, 2005, which lasted for one hour.

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: 03/11/2005 ADMINORDER 2002-1243-AIR-E

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: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

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: Special Condition No. 1 OP
Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.

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: Special Condition No. 1 PERMIT
Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.

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: Special Condition No. 1 OP
Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.

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: 09/23/2002 ADMINORDER 2001-1269-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: Spec Cond 1 PERMIT
Description: Failure to demonstrate that the upset that occurred from February 23, 2001 to March 5, 2001 could not have been prevented.

Effective Date: 08/07/2005 ADMINORDER 2003-1185-AIR-E

Classification: Moderater

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

Rqmt Prov: 18287 and PSD-TX-730, SC No. 20.D PA
Description: Failure to conduct grab samples which is representative of the vent gas to flares 14, 15, 17, 19, 20, 22, 25, 26 and 27.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Description: Failure to submit a timely initial notification after discovery of a reportable emissions event.

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: 03/03/2005 ADMINORDER 2004-0296-AIR-E
Classification: Major

Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operated FINs LS243RP1, LS243RP2 &LS24RP3 during the 2002 without first obtaining allowances for the emissions

Effective Date: 02/20/2006 ADMINORDER 2004-0818-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 / #PSD-TX-730M2 PERMIT
Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

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	08/13/2002	(7822)
2	07/21/2003	(145449)
3	09/25/2002	(11688)
4	10/14/2002	(158980)
5	09/25/2002	(11704)
6	11/25/2002	(16480)
7	08/31/2002	(4925)
8	10/26/2006	(517328)
9	05/14/2003	(21719)
10	05/16/2006	(462451)
11	08/26/2002	(8617)
12	02/18/2004	(295740)
13	02/15/2005	(381907)
14	07/08/2004	(332775)
15	01/07/2005	(341981)
16	06/02/2006	(464665)
17	08/18/2006	(347307)
18	03/15/2005	(381908)
19	11/15/2002	(158984)
20	03/10/2004	(260889)
21	11/23/2004	(340185)
22	11/22/2004	(337719)
23	12/20/2004	(381909)
24	08/27/2002	(9555)
25	03/15/2004	(295742)
26	01/31/2005	(347261)
27	05/26/2005	(333676)
28	08/02/2005	(402576)
29	09/01/2004	(292073)
30	06/02/2006	(454646)
31	01/25/2005	(381910)
32	04/19/2004	(295743)

33	12/28/2004	(268993)
34	08/28/2002	(10138)
35	07/20/2006	(484814)
36	05/17/2006	(457374)
37	05/22/2006	(466175)
38	11/08/2004	(335879)
39	05/17/2004	(295745)
40	02/21/2006	(452651)
41	04/27/2006	(461574)
42	08/18/2006	(487811)
43	09/28/2005	(432076)
44	08/09/2005	(403164)
45	12/13/2004	(268246)
46	11/15/2006	(514799)
47	12/14/2001	(158987)
48	08/05/2004	(284996)
49	05/31/2006	(465081)
50	06/14/2004	(295747)
51	11/11/2004	(340075)
52	01/21/2005	(342494)
53	12/30/2004	(268760)
54	07/13/2005	(399494)
55	12/19/2002	(158988)
56	09/01/2004	(290594)
57	08/31/2002	(10348)
58	08/18/2003	(295750)
59	10/27/2004	(333600)
60	09/01/2004	(283208)
61	10/07/2002	(9492)
62	07/31/2006	(489107)
63	09/01/2006	(509264)
64	11/17/2004	(340163)
65	08/28/2002	(10060)
66	09/16/2003	(295752)
67	01/15/2002	(158991)
68	07/02/2004	(268937)
69	12/28/2004	(337673)
70	08/27/2003	(113043)
71	09/25/2006	(497145)
72	05/10/2005	(380346)
73	01/04/2005	(267623)
74	09/05/2006	(489701)
75	09/01/2005	(399476)
76	11/22/2005	(435072)
77	01/21/2003	(158992)
78	10/20/2003	(295754)
79	07/28/2004	(352252)
80	08/16/2005	(404547)
81	02/28/2005	(267818)
82	12/13/2004	(267690)
83	08/16/2004	(352253)
84	05/12/2005	(374170)
85	12/27/2004	(341022)
86	06/30/2004	(273343)
87	12/28/2004	(334795)
88	08/28/2004	(268055)
89	11/18/2003	(295756)
90	09/20/2004	(352254)
91	08/31/2002	(10406)
92	08/04/2003	(27210)
93	04/28/2006	(463895)
94	12/29/2004	(278295)
95	08/02/2005	(402917)
96	10/07/2005	(347309)
97	11/07/2005	(431591)
98	12/17/2003	(295757)
99	10/18/2004	(352255)
100	02/26/2004	(263843)
101	05/30/2006	(479780)
102	03/17/2004	(263880)
103	02/17/2006	(468531)
104	08/31/2002	(9353)
105	01/23/2004	(295758)
106	11/15/2004	(352256)
107	10/11/2004	(335357)
108	10/25/2002	(12472)
109	03/18/2003	(28114)
110	11/12/2004	(340365)
111	04/17/2006	(468532)
112	06/30/2005	(396806)

113	11/21/2005	(468533)
114	01/25/2005	(341747)
115	12/28/2004	(268990)
116	08/31/2004	(268738)
117	11/08/2004	(340028)
118	01/25/2005	(348070)
119	12/19/2005	(468534)
120	08/05/2004	(285905)
121	08/06/2003	(148752)
122	12/20/2004	(338518)
123	12/28/2004	(343607)
124	01/17/2006	(468535)
125	06/16/2004	(267859)
126	12/13/2004	(342452)
127	01/06/2005	(344763)
128	04/22/2005	(349214)
129	05/01/2003	(34037)
130	05/19/2003	(28334)
131	05/31/2006	(462401)
132	04/03/2003	(26192)
133	11/03/2005	(418987)
134	01/10/2005	(341982)
135	08/12/2004	(287978)
136	12/13/2004	(267765)
137	08/31/2002	(4790)
138	01/23/2005	(334796)
139	12/28/2004	(334936)
140	04/26/2006	(338552)
141	04/12/2005	(375744)
142	06/28/2004	(268917)
143	08/09/2005	(403721)
144	01/13/2005	(346338)
145	07/05/2004	(268960)
146	08/08/2005	(402336)
147	06/30/2004	(272731)
148	06/19/2006	(481233)
149	01/06/2005	(267642)
150	04/03/2003	(24466)
151	11/05/2004	(334294)
152	06/30/2006	(481533)
153	01/07/2005	(343633)
154	07/12/2005	(349438)
155	04/07/2005	(344010)
156	04/04/2006	(461224)
157	07/13/2005	(348979)
158	12/28/2004	(269717)
159	10/07/2002	(10732)
160	11/08/2004	(340024)
161	05/16/2006	(465569)
162	08/08/2006	(520282)
163	12/22/2004	(278243)
164	03/28/2003	(27429)
165	06/14/2006	(466357)
166	09/11/2006	(520283)
167	06/30/2004	(268942)
168	02/21/2005	(351015)
169	08/31/2002	(10215)
170	10/06/2006	(520284)
171	12/22/2004	(268731)
172	01/12/2005	(267368)
173	09/01/2006	(510727)
174	11/09/2004	(339020)
175	04/20/2006	(457398)
176	08/31/2005	(418871)
177	08/31/2006	(489776)
178	11/04/2005	(436195)
179	03/28/2003	(26898)
180	04/22/2005	(349058)
181	11/15/2006	(347306)
182	08/09/2005	(403230)
183	08/31/2002	(9535)
184	11/12/2004	(340615)
185	08/31/2002	(9989)
186	05/31/2006	(344766)
187	06/29/2006	(480981)
188	12/31/2004	(267843)
189	01/04/2005	(341983)
190	05/30/2006	(479785)
191	12/21/2005	(435335)
192	04/18/2005	(419750)

193	01/10/2003	(19176)
194	04/13/2006	(431716)
195	07/07/2006	(483457)
196	05/17/2005	(419751)
197	07/07/2006	(483683)
198	08/31/2002	(9518)
199	10/12/2005	(342414)
200	12/28/2004	(272677)
201	08/09/2005	(403380)
202	06/20/2005	(419752)
203	12/02/2002	(16777)
204	02/20/2004	(262675)
205	07/18/2005	(440885)
206	11/09/2005	(431596)
207	01/17/2006	(273538)
208	07/31/2003	(143468)
209	11/09/2005	(431541)
210	08/18/2005	(440886)
211	11/07/2005	(431566)
212	06/27/2003	(23997)
213	09/23/2005	(440887)
214	11/11/2004	(340145)
215	12/28/2004	(341014)
216	10/21/2005	(440888)
217	08/02/2005	(402737)
218	10/17/2005	(434480)
219	02/06/2006	(450733)
220	08/09/2005	(404259)
221	12/22/2004	(339607)
222	11/15/2005	(431597)
223	04/07/2005	(337403)
224	05/30/2002	(1344)
225	07/13/2005	(349569)
226	11/09/2004	(339949)
227	08/31/2002	(9514)
228	02/19/2002	(158950)
229	01/10/2005	(339231)
230	10/04/2002	(11966)
231	11/17/2004	(340565)
232	02/08/2003	(158951)
233	03/23/2006	(343625)
234	03/15/2004	(263857)
235	09/01/2004	(291353)
236	08/31/2004	(268748)
237	02/16/2006	(337610)
238	11/22/2004	(340689)
239	12/21/2004	(341978)
240	12/30/2005	(435909)
241	07/28/2004	(273430)
242	08/03/2006	(489455)
243	08/31/2002	(9505)
244	01/17/2003	(21370)
245	03/15/2002	(158953)
246	08/31/2002	(4782)
247	09/25/2002	(10278)
248	12/28/2004	(267530)
249	03/21/2003	(158954)
250	06/02/2006	(460480)
251	05/30/2006	(479729)
252	02/28/2006	(456441)
253	08/31/2002	(10002)
254	08/28/2002	(9533)
255	06/30/2005	(396852)
256	08/03/2004	(278115)
257	12/30/2005	(435916)
258	08/30/2004	(268034)
259	08/29/2003	(150365)
260	06/13/2005	(395496)
261	05/02/2006	(460481)
262	08/09/2005	(404230)
263	09/24/2004	(270454)
264	04/28/2005	(348685)
265	09/25/2002	(11714)
266	04/22/2005	(347659)
267	08/23/2005	(405305)
268	03/29/2005	(375295)
269	04/18/2002	(158958)
270	05/30/2006	(479791)
271	12/14/2004	(342432)
272	12/29/2004	(341979)

273	04/15/2003	(158959)
274	11/22/2005	(438130)
275	11/03/2005	(431598)
276	04/30/2004	(266933)
277	07/19/2002	(1862)
278	08/09/2005	(404296)
279	08/28/2004	(268992)
280	10/21/2002	(11574)
281	05/03/2006	(463377)
282	08/05/2003	(12119)
283	09/28/2005	(431581)
284	08/03/2006	(454867)
285	11/22/2004	(340575)
286	05/13/2005	(379379)
287	08/02/2005	(402844)
288	09/05/2006	(489770)
289	05/20/2002	(158962)
290	06/09/2005	(394572)
291	05/30/2006	(479710)
292	03/24/2006	(459648)
293	05/20/2003	(158963)
294	08/19/2005	(404792)
295	01/04/2005	(267736)
296	08/29/2005	(405928)
297	07/28/2003	(143775)
298	12/28/2004	(341980)
299	05/04/2006	(462741)
300	10/18/2006	(513741)
301	06/26/2006	(481569)
302	12/31/2004	(272589)
303	12/16/2004	(342682)
304	06/28/2004	(267243)
305	11/15/2006	(518447)
306	12/20/2005	(267563)
307	12/14/2004	(342708)
308	08/29/2003	(150864)
309	07/29/2005	(349505)
310	05/31/2006	(463588)
311	06/27/2002	(246552)
312	01/30/2004	(258928)
313	09/12/2002	(6717)
314	05/30/2006	(479817)
315	08/29/2005	(405272)
316	06/14/2002	(158966)
317	01/12/2005	(344761)
318	01/17/2006	(450474)
319	08/09/2006	(484809)
320	12/28/2004	(268918)
321	07/26/2002	(1750)
322	06/30/2004	(268976)
323	06/18/2003	(158967)
324	11/19/2002	(14312)
325	05/25/2006	(431599)
326	12/14/2004	(342152)
327	05/14/2002	(246551)
328	08/06/2004	(283891)
329	02/28/2006	(457051)
330	04/20/2006	(457390)
331	08/31/2002	(9984)
332	11/03/2004	(338702)
333	07/12/2005	(399391)
334	05/08/2003	(24899)
335	06/22/2004	(267197)
336	09/29/2006	(489710)
337	07/22/2005	(349408)
338	05/10/2004	(151755)
339	08/27/2003	(152197)
340	10/30/2006	(516968)
341	06/20/2005	(343630)
342	04/20/2006	(461537)
343	07/12/2002	(158970)
344	04/07/2004	(263885)
345	07/31/2006	(484463)
346	07/15/2003	(158971)
347	09/01/2004	(290226)
348	01/08/2003	(16789)
349	06/23/2005	(395306)
350	08/31/2004	(268764)
351	12/22/2004	(340759)
352	06/19/2006	(481262)

353 08/09/2005 (403017)
354 11/22/2004 (339656)
355 08/16/2005 (404301)
356 03/20/2006 (498267)
357 08/24/2005 (399636)
358 11/08/2004 (337651)
359 06/25/2004 (267327)
360 03/10/2004 (260872)
361 03/21/2003 (22728)
362 05/17/2006 (498268)
363 08/24/2005 (399637)
364 12/28/2004 (338557)
365 08/21/2002 (158974)
366 07/30/2004 (281613)
367 12/09/2004 (341224)
368 05/08/2006 (457378)
369 07/11/2003 (38025)
370 06/13/2006 (498269)
371 09/01/2006 (510733)
372 10/26/2004 (292710)
373 11/09/2004 (340023)
374 08/03/2005 (401816)
375 07/17/2006 (498270)
376 11/12/2004 (335883)
377 06/03/2003 (31487)
378 08/31/2002 (10376)
379 01/30/2004 (258921)
380 08/08/2005 (399628)
381 09/01/2004 (292083)
382 10/18/2006 (512809)
383 01/27/2005 (342684)
384 10/09/2002 (12765)
385 05/17/2004 (267458)
386 08/31/2002 (9873)
387 07/23/2004 (267916)
388 08/31/2002 (9839)
389 02/21/2005 (337401)
390 12/22/2004 (342051)
391 06/03/2004 (269088)
392 11/29/2004 (340829)
393 11/22/2005 (433933)
394 08/31/2002 (10301)
395 11/22/2004 (267703)
396 08/15/2005 (405021)
397 08/31/2002 (10337)
398 12/21/2005 (434204)
399 12/13/2004 (342441)
400 07/07/2006 (484811)
401 09/16/2002 (158977)
402 08/31/2006 (465761)
403 12/05/2004 (269620)
404 08/31/2002 (9529)

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

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: 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: 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 IA
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: 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: 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: 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 IA

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: 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 IA

Description: Exxon Mobil failed to prevent a break on the instrument air line.

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 IA

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: 05/31/2006 (463588)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(I)

Description: Failed to report the permit authorization for the facility involved in the maintenance activity.

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 IA

Description: Failure to prevent unauthorized emissions of 687 lbs SO2.

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: 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 IA

Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.

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: 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 IA

Description: Exceeded VOC permit limit.

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: 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 IA

Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.

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 IA

Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.

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, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PA IA

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, SubPT 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: 08/28/2004 (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 IA

Description: Failed to prevent unauthorized emissions during an emissions event.

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 IA

Description: Exxon failed to submit a completed final report.

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: 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 IA

Description: EM failed to prevent this emissions event.

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: 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: 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: 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 IA

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: 08/29/2003 (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: 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 IA

Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.

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 IA

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 explaned how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

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 IA

Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.

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: 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 IA

Description: Failure to prevent emissions of 4035 lbs of SO2.

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.

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	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
EXXON MOBIL CORPORATION	§	
RN102579307	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2006-2043-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 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 a record review on January 27, 2005, TCEQ staff documented that:

   a. 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes; and

   b. The permit number was not included on the final report for the November 16, 2004 emissions event.

4. Exxon received notice of the violations on November 16, 2006.

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 AND SAFETY CODE § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1. Since these emissions were avoidable, determined to be excessive and reported incorrectly, 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 identify the permit number on the final report for the November 16, 2004 emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH AND SAFETY CODE § 382.085(b).

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 Ten Thousand Four Hundred Sixty-Nine Dollars ($10,469) 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 Five Thousand Two Hundred Thirty-Five Dollars ($5,235) of the administrative penalty. Five Thousand Two Hundred Thirty-Four Dollars ($5,234) 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 Ten Thousand Four Hundred Sixty-Nine Dollars ($10,469) 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. 2006-2043-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, Five Thousand Two Hundred Thirty-Four Dollars ($5,234) 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:

      i. Implement measures designed to ensure the proper reporting of emissions events; and

      ii. Submit a revised final report for the November 13, 2004 emissions event, including permit numbers for the units that experienced the upset.

   b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 3.a.;

   c. Comply with the TCEQ request dated November 13, 2006 for submittal of a corrective action plan ("CAP") to address the excessive emissions event that occurred November 16, 2004, in accordance with 30 TEX. ADMIN. CODE § 101.223(a)(1);

   d. Respond completely and adequately, as determined by the executive director, to all written requests for information concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing;

   e. Upon Commission approval, implement the CAP in accordance with the approved schedule; and

   f. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions 3.c. through 3.e. as described below:

      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:

Air Quality 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 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

6/18/07
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.

for Carl Erickson
Signature

2/7/07
Date

Jonathan Yarbrough
Name (Printed or typed)
Authorized Representative of
Exxon Mobil Corporation

Site Mechanical 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: 2006-2043-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Payable Penalty Amount:	**Ten Thousand Four Hundred Sixty-Nine Dollars ($10,469)**
SEP Amount:	**Five Thousand Two Hundred Thirty-Four Dollars ($5,234)**
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.