EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0641-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 35741

RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
X 1660 AGREED ORDER	__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, Baytown, Harris County

TYPE OF OPERATION: Refining and supply company

SMALL BUSINESS: ___ Yes __X__ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are sixteen additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0932-AIR-E, 2007-1404-AIR-E, 2007-0872-AIR-E, 2007-1183-AIR-E, 2007-1221-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2008-0872-AIR-E, 2007-0463-AIR-E, 2008-0160-AIR-E, 2008-1163-AIR-E, 2007-1134-AIR-E, 2007-0802-AIR-E, 2005-1824-AIR-E, 2007-0214-AIR-E, and 2006-0875-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 October 6, 2008. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768
TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171
Respondent: Mr. Jeff Kovacs, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522-4004
Mr. Jonathan Yarbrough for Mr. G. W. Wilson, Refinery Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522-4004
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 Investigation Relating to this Case:** February 27 and March 5, 2008 **Date of NOV/NOE Relating to this Case:** April 2 and 4, 2008 (NOE) **Background Facts:** This was a record review. **AIR** 1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of carbon monoxide ("CO"), 135 lbs of nitrogen oxide ("NOx"), and 8 lbs of hydrogen sulfide ("H2S") from the Catalytic Light Ends Unit 1 ("CLEU1") during an avoidable emissions event (Incident No. 100991) that began December 5, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, Special Condition No. 1]. 2) Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,736 lbs of VOCs, 2,363 lbs of SO2, 6,473 lbs of CO, 198 lbs of NOx, and 25 lbs of H2S from Fluid Catalytic Cracking Unit 2 during an avoidable emissions event (Incident No. 101490) that began December 17, 2007 and lasted eight hours and two minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not	**Total Assessed:** $20,695 **Total Deferred:** $4,139 _X_ Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $8,278 **Total Paid to General Revenue:** $8,278 **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	**Corrective Actions Taken:** The Executive Director recognizes that the Respondent: a. Submitted the final report for the December 17, 2007 emissions event (Incident No. 101490) and reviewed release reporting final report responsibilities with personnel on January 14, 2008; b. Reviewed the event and operating procedures with all CLEU1 personnel on January 21, 2008 (Incident No. 100991); c. Modified an existing alarm system on the CLEU1 to provide earlier indication of potential flaring sources on January 21, 2008 (Incident No. 100991); and d. Corrected the loose wiring on the J-4 bottoms pump and checked other wiring to ensure that it was secure prior to restart on December 17, 2007 (Incident No. 101490). **Ordering Provisions:** The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)

met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, Special Condition No. 1]. 3) Failure to submit the final report for the emissions event (Incident No. 101490) that occurred December 17, 2007 within 14 days after the end of the event [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].		

Additional ID No(s).: HG0232Q

Attachment A
Docket Number: 2008-0641-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**ExxonMobil Oil Corporation**
Payable Penalty Amount:	**Sixteen Thousand Five Hundred Fifty-Six Dollars ($16,556)**
SEP Amount:	**Eight Thousand Two Hundred Seventy-Eight Dollars ($8,278)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses**
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 shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO_x) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("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 matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

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:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision March 8, 2008*

TCEQ

DATES						
Assigned	7-Apr-2008					
PCW	23-Jun-2008	Screening	15-Apr-2008	EPA Due	28-Dec-2008	

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.	35741	No. of Violations	3
Docket No.	2008-0641-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$7,600**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — **620%** Enhancement — *Subtotals 2, 3, & 7* **$47,120**

Notes: Enhancement due to 28 NOVs with same or similar violations, five NOVs with unrelated violations (including one self-reported monthly effluent violation), 16 Findings Orders, two 1660 Agreed Orders and one Court Order with a denial of liability.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — **25%** Reduction — *Subtotal 5* **$1,900**

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

Notes: The Respondent completed corrective actions on January 21, 2008.

0% Enhancement* — *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$16
Approx. Cost of Compliance	$8,750

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$52,820**

OTHER FACTORS AS JUSTICE MAY REQUIRE — **0%** — *Adjustment* **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$52,820**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$20,695**

DEFERRAL — **20%** Reduction — *Adjustment* **-$4,139**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$16,556**

Screening Date 15-Apr-2008 **Docket No.** 2008-0641-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 35741 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

>> **Compliance History *Site* Enhancement (Subtotal 2)**

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	28	140%
	Other written NOVs	5	10%
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	16	400%
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*)	1	30%
	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) 620%

>> **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 28 NOVs with same or similar violations, five NOVs with unrelated violations (including one self-reported monthly effluent violation), 16 Findings Orders, two 1660 Agreed Orders and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 620%

Screening Date 15-Apr-2008 **Docket No.** 2008-0641-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 35741 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of carbon monoxide ("CO"), 135 lbs of nitrogen oxide ("NOx"), and 8 lbs of hydrogen sulfide ("H2S") from Catalytic Light Ends Unit 1 ("CLEU") during an avoidable emissions event (Incident No. 100991) that began December 5, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

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 0%

Matrix Notes: Human health or the environment has been exposed to an insignificant amount of pollutants that did not exceed levels protective of human health or environmental receptors.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $13

Statutory Limit Test

Violation Final Penalty Total $17,375

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35741
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$2,000	5-Dec-2007	21-Jan-2008	0.1	$13	n/a	$13
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 expense to ensure the proper operation of knockout drum valve F-26. Date Required is the date of the emissions event. Final Date is the date that corrective actions were 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: $2,000

TOTAL: $13

Screening Date 15-Apr-2008 **Docket No.** 2008-0641-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 35741 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

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

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,736 lbs of VOCs, 2,363 lbs of SO2, 6,473 lbs of CO, 198 lbs of NOx, and 25 lbs of H2S from Fluid Catalytic Cracking Unit 2 during an avoidable emissions event (Incident No. 101490) that began December 17, 2007 and lasted eight hours and two minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to a significant amount of pollutants that did not exceed levels protective of human health or environmental receptors.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $34,750

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35741
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

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				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$5,000	17-Dec-2007	17-Dec-2007	0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to correct loose wiring on the J-4 bottoms pump. Date Required is the date of the emissions event. Final Date is the date that corrective actions were completed.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $5,000

TOTAL: $0

Screening Date 15-Apr-2008 **Docket No.** 2008-0641-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 35741 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 3

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

Violation Description Failed to submit the final report for the emissions event (Incident No. 101490) that occurred December 17, 2007 within 14 days after the end of the 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 has 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 $3

Statutory Limit Test

Violation Final Penalty Total $695

This violation Final Assessed Penalty (adjusted for limits) $695

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35741
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or $						
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,500	31-Dec-2007	14-Jan-2008	0.0	$3	n/a	$3
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$250	31-Dec-2007	14-Jan-2008	0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to submit a timely final report and to implement measures designed to ensure the timely submittal of final emissions event reports. Dates Required are 14 days after the end of the emissions event. Final Dates are the dates that the final report was submitted and when corrective actions were 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 $1,750

TOTAL $3

Compliance History

Customer/Respondent/Owner-Operator:	CN600123939	Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.72
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 3.59

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	17370
AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	PERMIT	18318
AIR NEW SOURCE PERMITS	PERMIT	19301
AIR NEW SOURCE PERMITS	PERMIT	21222
AIR NEW SOURCE PERMITS	PERMIT	22874
AIR NEW SOURCE PERMITS	PERMIT	24669
AIR NEW SOURCE PERMITS	PERMIT	26486
AIR NEW SOURCE PERMITS	PERMIT	26294
AIR NEW SOURCE PERMITS	PERMIT	27403
AIR NEW SOURCE PERMITS	PERMIT	26443
AIR NEW SOURCE PERMITS	PERMIT	30186
AIR NEW SOURCE PERMITS	PERMIT	31067
AIR NEW SOURCE PERMITS	PERMIT	31008
AIR NEW SOURCE PERMITS	PERMIT	31690
AIR NEW SOURCE PERMITS	PERMIT	31852
AIR NEW SOURCE PERMITS	PERMIT	31915
AIR NEW SOURCE PERMITS	PERMIT	34139
AIR NEW SOURCE PERMITS	PERMIT	34295
AIR NEW SOURCE PERMITS	PERMIT	33875
AIR NEW SOURCE PERMITS	PERMIT	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	PERMIT	38532
AIR NEW SOURCE PERMITS	PERMIT	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	PERMIT	40421
AIR NEW SOURCE PERMITS	PERMIT	38572
AIR NEW SOURCE PERMITS	PERMIT	42509
AIR NEW SOURCE PERMITS	PERMIT	43489
AIR NEW SOURCE PERMITS	PERMIT	43582
AIR NEW SOURCE PERMITS	PERMIT	44162
AIR NEW SOURCE PERMITS	PERMIT	47145
AIR NEW SOURCE PERMITS	PERMIT	47912
AIR NEW SOURCE PERMITS	PERMIT	49342
AIR NEW SOURCE PERMITS	PERMIT	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	PERMIT	11007
AIR NEW SOURCE PERMITS	PERMIT	1632
AIR NEW SOURCE PERMITS	PERMIT	2007
AIR NEW SOURCE PERMITS	PERMIT	2073
AIR NEW SOURCE PERMITS	PERMIT	2185
AIR NEW SOURCE PERMITS	PERMIT	2209
AIR NEW SOURCE PERMITS	PERMIT	2258
AIR NEW SOURCE PERMITS	PERMIT	2521
AIR NEW SOURCE PERMITS	PERMIT	2665
AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	PERMIT	2979
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	51246

AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
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	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309

	STORMWATER	PERMIT	TXR157592
	INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111

Location: 2800 DECKER DR, BAYTOWN, TX, 77520 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 09, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 09, 2003 to April 09, 2008

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: 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: 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: 08/07/2005 ADMINORDER 2003-1185-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 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: 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.

Effective Date: 04/29/2006 ADMINORDER 2005-0993-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 06/15/2006 ADMINORDER 2005-1792-AIR-E

Classification: Moderate

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

Effective Date: 08/28/2006 ADMINORDER 2005-0289-AIR-E

Classification: Moderate

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

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

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

Effective Date: 09/21/2006 ADMINORDER 2006-0233-AIR-E

Classification: Moderate

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of 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: 10/02/2006 ADMINORDER 2006-0365-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT
Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of amonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfid

Effective Date: 01/26/2007 ADMINORDER 2006-0737-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT
Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on Septemeber 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT
Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

Effective Date: 03/01/2007 COURTORDER
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715
Rqmt Prov: General Condition 15 PERMIT
Special Condition 1 PERMIT

Description: Exxon Mobil violated 30 TAC § 116.715 which requires the holders of flexible permits to comply with all general and special conditions contain in the permit. Exxon Mobil could have avoided the process gas oil release by good design, operation and maintenance practices.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
Description: On January 22, 2006, process gas oil from a tank at the refinery spilled onto the ground. An oily mist from the material engulfed the nearby Archia Courts public housing neighborhood, adhearing to cars and homes. This created nuisance conditions for the neighborhood and violated 30 TAC § 101.4 because the oil was emitted into the atomosphere in such concentration and of such duration as to interfere with the normal use and enjoyment of property and to adversely affect human health.

Classification: Moderate
Citation: 30 TAC Chapter 327 327.3(e)
Description: Failed to notify the TCEQ as soon as possible after discovering that process gas oil had gone off-site and affected the nearby neighborhood.

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Exxon Mobil violated Tex Health and Safety Code § 382.085(a) and (b) which prohibits any person from emitting air contaminants or performing activities that cause or contribute to air pollution, except as authorized by a rule or order of the TCEQ.

Effective Date: 05/25/2007 ADMINORDER 2006-1398-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC#1 PERMIT

Description: Failed to prevent the unauthorized release of 49,720 lbs of sulfur dioxide, 960 lbs of hydrogen sulfide, 30 lbs of nitrogen oxides, 599 lbs of total sulfur and 124 lbs of hydrogen disulfide during an emissions event that began on Nov. 23, 2004 and lasted three hours and 12 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent the unauthorized release of 510 lbs of carbon monoxide, 182 lbs of hydrogen sulfide, 16,743 lbs of sulfur dioxide, 42.9 lbs of ethylene, 128.6 lbs of butane, 285.8 lbs if VOC, 335.8 lbs of propane and 100 lbs of nitrogen oxides during an emissions event that started on May 16, 2006 and lasted 43 mi

Effective Date: 06/29/2007 ADMINORDER 2006-1196-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: Special Condition Nos. 1 and 36A PERMIT

Description: Failed to keep hydrogen sulfide blend gas concentrations 3-hour average below 160 parts per million ("ppm") resulting in the unauthorized emissions of 12,051 pounds ("lbs") of sulfur dioxide, 1,080.6 lbs of nitrogen oxides and 512.5 lbs of carbon monoxide.

Effective Date: 08/23/2007 ADMINORDER 2006-2043-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 unauthorized emissions. Sepcifically, 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.

Classification: Minor

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

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

Effective Date: 09/21/2007 ADMINORDER 2007-0077-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

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

Description: Exxon Mobil failed to prevent the unauthorized release of air contaminants into the atmosphere

Effective Date: 01/12/2008 ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

Rqmt Prov: 18287/PSD-TX-703 SC 1 PA

Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 1,059 pounds ("lbs") of volatile organic compounds, 6,430 lbs of carbon monoxide ("CO"), 680 lbs of nitrogen oxide (NOx"), 169 lbs of hydrogen sulfide and 15,552 lbs of sulfur dioxide ("SO2") during an avoidable emissions event that began

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

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

Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 19,972 lbs of SO2 from the Fuels North Unit during an avoidalbe emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity for the duration of the event.

Effective Date: 02/25/2008 ADMINORDER 2006-0498-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, SC #1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Delayed Coker Unit ("DCU") on August 29, 2003 that lasted four hours and five minutes, releasing 40,798 pounds ("lbs") of sulfur dioxide, 2,097 lbs of volatile organic compounds ("VOCs"), 1,408 lbs of carbon monoxide, 233 lbs of nitric oxide and 438 lbs of hydrogen sulfide.

Classification: Minor

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

Description: Failed to submit the final notification for the August 29, 2003 emissions event in a timely manner.

Effective Date: 02/25/2008 ADMINORDER 2007-1403-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA
Description: Failed to prevent the unauthorized release of 11,294 lbs of SO2, 1.5 lbs of H2S and .81 lbs of sulfur from the Low BTU Gas Fired Sources during an avoidable emissions event that began March 2, 2007 and alsted 16 hours and 27 minutes.

Effective Date: 03/08/2008 ADMINORDER 2007-1004-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA
Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 6.83 lbs of H2S, 37.45 lbs CO, 6.88 lbs of NOx, 7.58 lbs of propylene, 4.94 lbs of volatile organic compounds and 1,494.97 lbs of SO2 from the Delayed Coker Unit during an avoidable emissions event that began January 31, 2007 and lasted 15 minutes.

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	04/15/2003	(158959)
2	05/01/2003	(34037)
3	05/08/2003	(24899)
4	05/14/2003	(21719)
5	05/19/2003	(28334)
6	05/20/2003	(158963)
7	06/03/2003	(31487)
8	06/18/2003	(158967)
9	06/27/2003	(23997)
10	07/11/2003	(38025)
11	07/15/2003	(158971)
12	07/21/2003	(145449)
13	07/28/2003	(143775)
14	07/31/2003	(143468)
15	08/04/2003	(27210)
16	08/05/2003	(12119)
17	08/06/2003	(148752)
18	08/18/2003	(295750)
19	08/27/2003	(113043)
20	08/27/2003	(152197)
21	08/29/2003	(150365)
22	08/29/2003	(150864)
23	09/16/2003	(295752)
24	10/20/2003	(295754)
25	11/18/2003	(295756)
26	12/17/2003	(295757)
27	01/23/2004	(295758)
28	01/30/2004	(258928)
29	01/30/2004	(258921)
30	02/18/2004	(295740)
31	02/20/2004	(262675)
32	02/26/2004	(263843)
33	03/10/2004	(260889)
34	03/10/2004	(260872)
35	03/15/2004	(295742)
36	03/15/2004	(263857)
37	03/17/2004	(263880)
38	04/07/2004	(263885)
39	04/19/2004	(295743)
40	04/30/2004	(266933)
41	05/10/2004	(151755)
42	05/17/2004	(295745)
43	05/17/2004	(267458)
44	06/03/2004	(269088)
45	06/14/2004	(295747)
46	06/16/2004	(267859)
47	06/22/2004	(267197)
48	06/25/2004	(267327)
49	06/28/2004	(268917)
50	06/28/2004	(267243)
51	06/30/2004	(273343)
52	06/30/2004	(272731)
53	06/30/2004	(268942)
54	06/30/2004	(268976)

55	07/02/2004	(268937)
56	07/05/2004	(268960)
57	07/08/2004	(332775)
58	07/23/2004	(267916)
59	07/28/2004	(352252)
60	07/28/2004	(273430)
61	07/30/2004	(281613)
62	08/03/2004	(278115)
63	08/05/2004	(284996)
64	08/05/2004	(285905)
65	08/06/2004	(283891)
66	08/12/2004	(287978)
67	08/16/2004	(352253)
68	08/28/2004	(268055)
69	08/28/2004	(268992)
70	08/30/2004	(268034)
71	08/31/2004	(268738)
72	08/31/2004	(268748)
73	08/31/2004	(268764)
74	09/01/2004	(292073)
75	09/01/2004	(290594)
76	09/01/2004	(283208)
77	09/01/2004	(291353)
78	09/01/2004	(290226)
79	09/01/2004	(292083)
80	09/20/2004	(352254)
81	09/24/2004	(270454)
82	10/11/2004	(335357)
83	10/18/2004	(352255)
84	10/26/2004	(292710)
85	10/27/2004	(333600)
86	11/03/2004	(338702)
87	11/05/2004	(334294)
88	11/08/2004	(335879)
89	11/08/2004	(340028)
90	11/08/2004	(340024)
91	11/08/2004	(337651)
92	11/09/2004	(339020)
93	11/09/2004	(339949)
94	11/09/2004	(340023)
95	11/11/2004	(340075)
96	11/11/2004	(340145)
97	11/12/2004	(340365)
98	11/12/2004	(340615)
99	11/12/2004	(335883)
100	11/15/2004	(352256)
101	11/17/2004	(340163)
102	11/17/2004	(340565)
103	11/22/2004	(337719)
104	11/22/2004	(340689)
105	11/22/2004	(340575)
106	11/22/2004	(339656)
107	11/22/2004	(267703)
108	11/23/2004	(340185)
109	11/29/2004	(340829)
110	12/05/2004	(269620)
111	12/09/2004	(341224)
112	12/13/2004	(268246)
113	12/13/2004	(267690)
114	12/13/2004	(342452)
115	12/13/2004	(267765)
116	12/13/2004	(342441)
117	12/14/2004	(342432)
118	12/14/2004	(342708)
119	12/14/2004	(342152)
120	12/16/2004	(342682)
121	12/20/2004	(381909)
122	12/20/2004	(338518)
123	12/21/2004	(341978)
124	12/22/2004	(278243)
125	12/22/2004	(268731)
126	12/22/2004	(339607)
127	12/22/2004	(340759)
128	12/22/2004	(342051)
129	12/27/2004	(341022)
130	12/28/2004	(268993)
131	12/28/2004	(337673)
132	12/28/2004	(334795)

133	12/28/2004	(268990)
134	12/28/2004	(343607)
135	12/28/2004	(334936)
136	12/28/2004	(269717)
137	12/28/2004	(272677)
138	12/28/2004	(341014)
139	12/28/2004	(267530)
140	12/28/2004	(341980)
141	12/28/2004	(268918)
142	12/28/2004	(338557)
143	12/29/2004	(278295)
144	12/29/2004	(341979)
145	12/30/2004	(268760)
146	12/31/2004	(267843)
147	12/31/2004	(272589)
148	01/04/2005	(267623)
149	01/04/2005	(341983)
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151	01/06/2005	(344763)
152	01/06/2005	(267642)
153	01/07/2005	(341981)
154	01/07/2005	(343633)
155	01/10/2005	(341982)
156	01/10/2005	(339231)
157	01/12/2005	(267368)
158	01/12/2005	(344761)
159	01/13/2005	(346338)
160	01/21/2005	(342494)
161	01/23/2005	(334796)
162	01/25/2005	(381910)
163	01/25/2005	(341747)
164	01/25/2005	(348070)
165	01/27/2005	(342684)
166	01/31/2005	(347261)
167	02/15/2005	(381907)
168	02/21/2005	(351015)
169	02/21/2005	(337401)
170	02/28/2005	(267818)
171	03/15/2005	(381908)
172	03/29/2005	(375295)
173	04/07/2005	(344010)
174	04/07/2005	(337403)
175	04/12/2005	(375744)
176	04/18/2005	(419750)
177	04/22/2005	(349214)
178	04/22/2005	(349058)
179	04/22/2005	(347659)
180	04/28/2005	(348685)
181	05/10/2005	(380346)
182	05/12/2005	(374170)
183	05/13/2005	(379379)
184	05/17/2005	(419751)
185	05/26/2005	(333676)
186	06/09/2005	(394572)
187	06/13/2005	(395496)
188	06/20/2005	(419752)
189	06/20/2005	(343630)
190	06/23/2005	(395306)
191	06/30/2005	(396806)
192	06/30/2005	(396852)
193	07/12/2005	(349438)
194	07/12/2005	(399391)
195	07/13/2005	(399494)
196	07/13/2005	(348979)
197	07/13/2005	(349569)
198	07/18/2005	(440885)
199	07/22/2005	(349408)
200	07/29/2005	(349505)
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202	08/02/2005	(402917)
203	08/02/2005	(402737)
204	08/02/2005	(402844)
205	08/03/2005	(401816)
206	08/08/2005	(402336)
207	08/08/2005	(399628)
208	08/09/2005	(403164)
209	08/09/2005	(403721)
210	08/09/2005	(403230)

211	08/09/2005	(403380)
212	08/09/2005	(404259)
213	08/09/2005	(404230)
214	08/09/2005	(404296)
215	08/09/2005	(403017)
216	08/15/2005	(405021)
217	08/16/2005	(404547)
218	08/16/2005	(404301)
219	08/18/2005	(440886)
220	08/19/2005	(404792)
221	08/23/2005	(405305)
222	08/24/2005	(399636)
223	08/24/2005	(399637)
224	08/29/2005	(405928)
225	08/29/2005	(405272)
226	08/31/2005	(418871)
227	09/01/2005	(399476)
228	09/23/2005	(440887)
229	09/28/2005	(432076)
230	09/28/2005	(431581)
231	10/07/2005	(347309)
232	10/12/2005	(342414)
233	10/17/2005	(434480)
234	10/21/2005	(440888)
235	11/03/2005	(418987)
236	11/03/2005	(431598)
237	11/04/2005	(436195)
238	11/07/2005	(431591)
239	11/07/2005	(431566)
240	11/09/2005	(431596)
241	11/09/2005	(431541)
242	11/15/2005	(431597)
243	11/21/2005	(468533)
244	11/22/2005	(435072)
245	11/22/2005	(438130)
246	11/22/2005	(433933)
247	12/19/2005	(468534)
248	12/20/2005	(267563)
249	12/21/2005	(435335)
250	12/21/2005	(434204)
251	12/30/2005	(435909)
252	12/30/2005	(435916)
253	01/17/2006	(468535)
254	01/17/2006	(273538)
255	01/17/2006	(450474)
256	02/06/2006	(450733)
257	02/16/2006	(337610)
258	02/17/2006	(468531)
259	02/21/2006	(452651)
260	02/28/2006	(456441)
261	02/28/2006	(457051)
262	03/20/2006	(498267)
263	03/23/2006	(343625)
264	03/24/2006	(459648)
265	04/04/2006	(461224)
266	04/13/2006	(431716)
267	04/17/2006	(468532)
268	04/20/2006	(457398)
269	04/20/2006	(457390)
270	04/20/2006	(461537)
271	04/26/2006	(338552)
272	04/27/2006	(461574)
273	04/28/2006	(463895)
274	05/02/2006	(460481)
275	05/03/2006	(463377)
276	05/04/2006	(462741)
277	05/08/2006	(457378)
278	05/16/2006	(462451)
279	05/16/2006	(465569)
280	05/17/2006	(457374)
281	05/17/2006	(498268)
282	05/22/2006	(466175)
283	05/25/2006	(431599)
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288	05/30/2006	(479710)

289	05/30/2006	(479817)
290	05/31/2006	(465081)
291	05/31/2006	(462401)
292	05/31/2006	(344766)
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294	06/02/2006	(464665)
295	06/02/2006	(454646)
296	06/02/2006	(460480)
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298	06/14/2006	(466357)
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305	07/07/2006	(483683)
306	07/07/2006	(484811)
307	07/17/2006	(498270)
308	07/20/2006	(484814)
309	07/31/2006	(489107)
310	07/31/2006	(484463)
311	08/03/2006	(489455)
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323	09/05/2006	(489770)
324	09/11/2006	(520283)
325	09/25/2006	(497145)
326	09/29/2006	(489710)
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328	10/18/2006	(513741)
329	10/18/2006	(512809)
330	10/26/2006	(517328)
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338	12/07/2006	(544606)
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340	12/13/2006	(519183)
341	12/21/2006	(393692)
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354	02/06/2007	(539165)
355	02/07/2007	(544604)
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357	02/09/2007	(484815)
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361	02/15/2007	(457902)
362	02/27/2007	(515654)
363	02/28/2007	(481875)
364	03/08/2007	(449583)
365	03/14/2007	(575447)
366	03/23/2007	(489664)

367	03/23/2007	(490037)
368	03/26/2007	(541019)
369	03/26/2007	(541089)
370	03/26/2007	(541133)
371	03/27/2007	(534342)
372	03/28/2007	(555118)
373	03/30/2007	(541407)
374	03/30/2007	(535817)
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376	04/05/2007	(536574)
377	04/05/2007	(575448)
378	04/05/2007	(543125)
379	04/12/2007	(535873)
380	04/19/2007	(538065)
381	04/19/2007	(537203)
382	04/20/2007	(556917)
383	04/20/2007	(536593)
384	04/20/2007	(539663)
385	04/24/2007	(536941)
386	04/24/2007	(537438)
387	04/27/2007	(556005)
388	04/30/2007	(542577)
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390	05/03/2007	(554208)
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392	05/08/2007	(558748)
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397	05/09/2007	(535078)
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400	05/11/2007	(536591)
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403	05/16/2007	(539675)
404	05/17/2007	(490200)
405	05/30/2007	(560387)
406	05/31/2007	(561882)
407	05/31/2007	(540430)
408	05/31/2007	(538802)
409	06/05/2007	(562903)
410	06/08/2007	(554582)
411	06/11/2007	(575450)
412	06/15/2007	(560235)
413	06/15/2007	(561789)
414	06/27/2007	(563272)
415	06/27/2007	(559573)
416	06/27/2007	(559574)
417	06/27/2007	(559236)
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419	07/05/2007	(564964)
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421	07/10/2007	(567169)
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425	07/20/2007	(575451)
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441	09/07/2007	(607565)
442	09/19/2007	(572771)
443	09/19/2007	(570275)
444	09/19/2007	(570278)

445	09/20/2007	(570276)
446	09/26/2007	(593611)
447	09/28/2007	(565214)
448	09/28/2007	(564900)
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450	10/01/2007	(595471)
451	10/02/2007	(564825)
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454	10/02/2007	(566406)
455	10/02/2007	(564053)
456	10/03/2007	(574482)
457	10/04/2007	(565775)
458	10/10/2007	(567038)
459	10/10/2007	(566719)
460	10/11/2007	(566557)
461	10/12/2007	(607566)
462	10/12/2007	(572311)
463	10/16/2007	(597893)
464	10/19/2007	(596209)
465	10/25/2007	(573665)
466	10/25/2007	(571458)
467	10/25/2007	(572951)
468	11/02/2007	(598325)
469	11/02/2007	(598327)
470	11/02/2007	(573789)
471	11/08/2007	(597351)
472	11/09/2007	(619552)
473	11/19/2007	(593935)
474	11/19/2007	(569267)
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476	11/27/2007	(568601)
477	12/04/2007	(599936)
478	12/07/2007	(593717)
479	12/07/2007	(594582)
480	12/12/2007	(593931)
481	12/17/2007	(611653)
482	12/18/2007	(619553)
483	12/20/2007	(599344)
484	12/20/2007	(599754)
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486	12/20/2007	(599324)
487	12/21/2007	(599624)
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489	12/27/2007	(612579)
490	01/02/2008	(599796)
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492	01/02/2008	(600208)
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497	01/07/2008	(600287)
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503	01/18/2008	(612843)
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505	01/18/2008	(609246)
506	01/28/2008	(616174)
507	01/30/2008	(616222)
508	02/04/2008	(554662)
509	02/07/2008	(614032)
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511	02/13/2008	(613846)
512	02/15/2008	(612403)
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514	02/27/2008	(617012)
515	02/28/2008	(617220)
516	03/05/2008	(611632)
517	03/07/2008	(616312)
518	03/09/2008	(609542)
519	03/14/2008	(639154)
520	03/21/2008	(639445)
521	03/24/2008	(639458)
522	04/02/2008	(637836)

523 04/04/2008 (638369)
524 04/04/2008 (613406)

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

Date: 05/08/2003 (24899)
Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failed to control ethylene emissions during process operations.

Date: 07/31/2003 (143468)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to draw representative samples from cooling towers CT 16/24 and CT 58

Date: 08/29/2003 (150864)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Exxon failed to report an emissions event that occurred during a scheduled maintenance activity.

Date: 07/08/2004 (332775)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 08/06/2004 (283891)
Self Report? NO Classification: Minor
Citation: TWC Chapter 26 26.121(a)(1)
Description: Failure to prevent the unauthorized discharge of firewater.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT No. 00592-000 Page 2 No. 1
Description: Failure to maintain compliance with permitted Total Suspended Solids (TSS) effluent limit at outfall 001. The grab sample collected during the inspection was noncompliant for TSS.

Date: 08/28/2004 (268055)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 18287
Description: Exceeded VOC permit limit.

Date: 08/28/2004 (268992)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 18287
Description: Failed to prevent unauthorized emissions during an emissions event.

Date: 11/10/2004 (339949)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Flex Permit 18287, SC 1
Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.

Date: 11/30/2004 (340185)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Flex Permit 18287, SC 1
Description: Failure to prevent unauthorized emissions of 687 lbs SO2.

Date: 12/21/2004 (334796)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.

Date: 12/22/2004 (339607)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.

Date: 12/28/2004 (338518)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.

Date: 12/28/2004 (341978)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 18287, SC 1
Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.

Date: 12/29/2004 (341979)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Flexible Permit 18287, SC 1
Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.

Date: 12/30/2004 (268990)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explaned how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

Date: 12/31/2004 (267843)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.

Date: 12/31/2004 (341980)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Permit 18287, SC 1
Description: Failure to prevent emissions of 4035 lbs of SO2.

Date: 01/24/2005 (342494)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PA Permit 18287 Special Condition 54E
Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, 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: 08/19/2005 (404792)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: failed to identify self heating waste material which caused a fire in a roll off bin.

Date: 09/30/2005 (440888)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 04/26/2006 (461574)
Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT TCEQ Permit #18287, SC #1
Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.
Date: 05/15/2006 (462451)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Permit No. 44533, GC #8
Description: Exxon failed to submit a completed final report.
Date: 05/31/2006 (463588)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(I)
Description: Failed to report the permit authorization for the facility involved in the maintenance activity.

Date: 07/07/2006 (483457)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Exxon failed to submit a CAP in a timely manner.
Date: 08/18/2006 (487811)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
Description: Failed submit a CAP in a timely manner.
Date: 08/31/2006 (489776)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 18287
Description: EM failed to prevent this emissions event.
Date: 10/18/2006 (513741)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: Exxon Mobil failed to prevent a break on the instrument air line.
Date: 12/13/2006 (519183)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Exxon failed to submit a CAP in a timely manner.
Date: 01/08/2007 (533556)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

Date: 01/29/2007 (532949)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00592-000
Description: Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT 00592-000
Description: Failure to properly operate and maintain the tricking filter.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Rqmt Prov: PERMIT 00592-000
Description: Failure to document the time of pH analyses for Outfalls 102 and 002, therefore, the pH holding time could not be determined.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00592-000
Description: Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
Rqmt Prov: PERMIT 00592-000
Description: Failure to properly record the time of sample collection, as required.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
Description: Failure to properly complete the 10/06 discharge monitoring report (DMR).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)

30 TAC Chapter 319, SubChapter A 319.11(b)

Description: Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)
TWC Chapter 26 26.121(a)(1)
TWC Chapter 26 26.121(a)(2)
TWC Chapter 26 26.121(a)(3)
TWC Chapter 26 26.121(b)
TWC Chapter 26 26.121(c)
TWC Chapter 26 26.121(d)
TWC Chapter 26 26.121(e)

Rqmt Prov: PERMIT 00592-000

Description: Failure to prevent the uanuthorized discharge of domestic sewage.

Date: 02/13/2007 (539319)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA TCEQ AIR FLEXIBLE PERMIT #18287, SC#1

Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.

Date: 04/04/2007 (511045)

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT No. 18287/Special Condition No. 45E.

Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.

Date: 05/01/2007 (539681)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA No.18287/PSD-TX-703 SC 1
PA No.18287/PSD-TX-703 SC14B

Description: Failed to maintain the pilot flame on all flares.

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. 2008-0641-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 Exxon Mobil Corporation ("the Respondent") 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 the Respondent appear before the Commission and together stipulate that:

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

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

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

4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 7 and 9, 2008.

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

6. An administrative penalty in the amount of Twenty Thousand Six Hundred Ninety-Five Dollars ($20,695) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Two Hundred Seventy-Eight Dollars ($8,278) of the administrative penalty and Four Thousand One Hundred Thirty-Nine Dollars

($4,139) is deferred contingent upon the Respondent'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 the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Eight Thousand Two Hundred Seventy-Eight Dollars ($8,278) shall be conditionally offset by the Respondent'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 the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. The Executive Director recognizes that the Respondent:

   a. Submitted the final report for the December 17, 2007 emissions event (Incident No. 101490) and reviewed release reporting final report responsibilities with personnel on January 14, 2008;

   b. Reviewed the event and operating procedures with all Catalytic Light Ends Unit 1 ("CLEU1") personnel on January 21, 2008 (Incident No. 100991);

   c. Modified an existing alarm system on the CLEU1 to provide earlier indication of potential flaring sources on January 21, 2008 (Incident No. 100991); and

   d. Corrected the loose wiring on the J-4 bottoms pump and checked other wiring to ensure that it was secure prior to restart on December 17, 2007 (Incident No. 101490).

10. 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 the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. 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.

12. 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, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1, as documented during a record review conducted on February 27, 2008. Specifically, the

Respondent released 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of carbon monoxide ("CO"), 135 lbs of nitrogen oxide ("NOx"), and 8 lbs of hydrogen sulfide ("H2S") from the CLEU1 during an avoidable emissions event (Incident No. 100991) that began December 5, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1, as documented during a record review conducted on March 5, 2008. Specifically, the Respondent released 2,736 lbs of VOCs, 2,363 lbs of SO2, 6,473 lbs of CO, 198 lbs of NOx, and 25 lbs of H2S from Fluid Catalytic Cracking Unit 2 during an avoidable emissions event (Incident No. 101490) that began December 17, 2007 and lasted eight hours and two minutes. Since this emissions event was avoidable and improperly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

3. Failed to submit the final report for the emissions event (Incident No. 101490) that occurred December 17, 2007 within 14 days after the end of the event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on March 5, 2008.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent'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: Exxon Mobil Corporation, Docket No. 2008-0641-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. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Eight Thousand Two Hundred Seventy-Eight Dollars ($8,278) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent'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. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent 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.

4. If the Respondent 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, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent 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.

7. 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.

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, 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

_____ 9/27/2008
For the Executive Director 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 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

for G.W. Wilson 7/8/08
Signature Date

Jonathan Yarbrough for G.W. Wilson Refinery Manager
Name (Printed or typed) Title
Authorized Representative of
Exxon Mobil Corporation

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: 2008-0641-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**ExxonMobil Oil Corporation**
Payable Penalty Amount:	**Sixteen Thousand Five Hundred Fifty-Six Dollars ($16,556)**
SEP Amount:	**Eight Thousand Two Hundred Seventy-Eight Dollars ($8,278)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses**
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 shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO_x) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("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 matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

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:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

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.