

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2006-0498-AIR-E TCEQ ID: RN102579307 CASE NO.: 29287
RESPONDENT NAME: EXXONMOBIL OIL CORPORATION

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION

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

TYPE OF OPERATION: Oil refining company

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are 12 pending cases regarding 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 October 22, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Mr. Alfred Oloko, Litigation Division, MC R-12, (713) 422-8918
 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873
TCEQ Enforcement Coordinator: Mr. John Muennink, Corpus Christi Regional Office, MC R-4, (361) 825-3423
TCEQ Regional Contact: Mr. Joel Anderson, Houston Regional Office, MC R-12, (713) 767-3750
Respondent: Mr. Gary W. Wilson, Refinery Manager, ExxonMobil Oil Corporation Baytown Facility,
 P. O. Box 3950, Baytown, Texas 77522-3950
Respondent's Attorney: Mr. George J. Rizzo, Attorney, ExxonMobil Oil Corporation, 800 Bell Street, Suite 1805F,
 Houston, Texas 77002

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 21, 2004</p> <p>Date of NOE Relating to this Case: April 26, 2006</p> <p>Background Facts: The EDPRP in this case was filed on September 27, 2006. The Respondent filed an Answer to the EDPRP on November 3, 2006. A letter requesting that the matter be referred to SOAH was filed with the Chief Clerk on February 2, 2007. The SOAH preliminary hearing was convened on March 15, 2007. The parties held a settlement meeting on April 4, 2007. Terms of the settlement were agreed on April 6, 2007. The ED received a signed Agreed Order together with a check for the payment of the full penalty amount on August 10, 2007. The ED filed a Motion for Remand on October 15, 2007.</p> <p>AIR:</p> <p>1. Failed to prevent an avoidable emissions event in the Delayed Coker Unite (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 [30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2. Failed to submit the final notification for the August 29, 2003 emissions event in a timely manner [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$10,324</p> <p>Total Deferred: \$0</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$10,324</p> <p>The Respondent has paid the administrative penalty in full.</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>This is a Findings Order because the emissions events in this case were excessive.</p>	<p>Corrective Action(s) Taken</p> <p>The Respondent has taken the following correction actions:</p> <ol style="list-style-type: none"> Submitted a corrective action plan ("CAP") regarding the August 29, 2003 emissions event on June 29, 2006 and the CAP was approved by the TCEQ on August 18, 2006. Submitted the final notification for August 23, 2003 emissions event on September 17, 2003.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 25, 2006

DATES	Assigned	01-May-2006	Screening	04-May-2006	EPA Due	
	PCW	10-Apr-2007				

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

CASE INFORMATION			
Enf./Case ID No.	29287	No. of Violations	2
Docket No.	2006-0498-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement Subtotals 2, 3, & 7

Notes: Enhancement due to 16 NOVs with the same or similar violations, seven NOVs with unrelated violations, five self reported monthly effluent violations, four Findings Orders and one 1660 Agreed Order.

Culpability Enhancement Subtotal 4

Notes: The respondent does not meet culpability criteria.

Good Faith Effort to Comply Reduction Subtotal 5

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

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

Economic Benefit Enhancement* Subtotal 6

Total EB Amounts	\$138	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$600	

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

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

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL Reduction Adjustment

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

Notes: No deferral offered because this is a findings order.

PAYABLE PENALTY

Screening Date 04-May-2006 **Docket No.** 2006-0498-AIR-E **PCW**
Respondent ExxonMobil Oil Corporation *Policy Revision 2 (September 2002)*
Case ID No. 29287 *PCW Revision April 25, 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 (<i>number of NOVs meeting criteria</i>)	16	80%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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	4	100%
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 (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
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) 224%

>> **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 16 NOVs with the same or similar violations, seven NOVs with unrelated violations, five self reported monthly effluent violations, four Findings Orders and one 1660 Agreed Order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 224%

Screening Date 04-May-2006

Docket No. 2006-0498-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 29287

PCW Revision April 25, 2006

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number

Primary Rule Cite(s) Flexible Air Permit No. 18287, Special Condition No. 1

Secondary Rule Cite(s) 30 Tex Admin. Code § 116.715(a) and Tex. Health and Safety Code § 382.085(b)

Violation 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. Since these emissions were avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="100%"/>
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Matrix Notes
 Human health or the environment in the Houston ozone nonattainment area has been exposed to a significant amount of pollutants that exceed levels that are protective human health or the environment. Exxon is located in close proximity to sensitive receptors.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events Number of violation days

<i>mark only one use a small x</i>	daily	<input checked="" type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
 Case ID No. 29287
 Reg. Ent. Reference No. RN102579307
 Media [Statute] Air Quality
 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
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$500	29-Aug-2003	31-Dec-2006	3.3	\$6	\$111	\$117
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost of implementing actions required in the corrective action plan. Date required is the date of the emissions event. Final date is the date corrective actions are estimated to be completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance \$500 TOTAL \$117

Screening Date 04-May-2006	Docket No. 2006-0498-AIR-E	PCW
Respondent ExxonMobil Oil Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 29287		<i>PCW Revision April 25, 2006</i>
Reg. Ent. Reference No. RN102579307		
Media [Statute] Air Quality		
Enf. Coordinator John Muennink		
Violation Number <input type="text" value="2"/>		
Primary Rule Cite(s)	30 Tex. Admin. Code § 101.201(c)	
Secondary Rule Cite(s)	Tex. Health and Safety Code § 382.085(b)	
Violation Description	Failed to submit the final notification for the August 29, 2003 emissions event in a timely manner.	
	Base Penalty	<input type="text" value="\$10,000"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="1%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events Number of violation days

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>	

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
 Case ID No. 29287
 Reg. Ent. Reference No. RN102579307
 Media [Statute] Air Quality
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$100	06-Sep-2003	30-Sep-2006	3.1	\$1	\$20	\$21
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Cost to submit final notification in a timely manner. Date required is the date the final notification was due. Final date is the date is the estimated date that the 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 \$21

Compliance History

Customer/Respondent/Owner-Operator:	CN600920748	ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 2.09
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 2.17
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		2978
	AIR NEW SOURCE PERMITS	PERMIT		2979
	AIR NEW SOURCE PERMITS	PERMIT		4973
	AIR NEW SOURCE PERMITS	PERMIT		6001
	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		44533

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	75782
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	PERMIT	74406
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
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
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
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50111

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 01, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: May 01, 2001 to May 01, 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: 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: 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: Major

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: 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: Major

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	10/19/2001	(158979)
2	08/13/2002	(7822)
3	07/21/2003	(145449)
4	09/25/2002	(11688)
5	10/14/2002	(158980)
6	09/25/2002	(11704)
7	11/25/2002	(16480)
8	08/31/2002	(4925)
9	05/14/2003	(21719)
10	08/26/2002	(8617)
11	11/16/2001	(158983)
12	02/18/2004	(295740)
13	02/15/2005	(381907)
14	07/08/2004	(332775)
15	01/07/2005	(341981)
16	03/15/2005	(381908)
17	11/15/2002	(158984)
18	03/10/2004	(260889)
19	11/23/2004	(340185)
20	11/22/2004	(337719)
21	12/20/2004	(381909)
22	08/27/2002	(9555)
23	03/15/2004	(295742)
24	01/31/2005	(347261)
25	05/26/2005	(333676)
26	08/02/2005	(402576)
27	09/01/2004	(292073)
28	01/25/2005	(381910)
29	04/19/2004	(295743)
30	12/28/2004	(268993)
31	08/28/2002	(10138)
32	11/08/2004	(335879)

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

94	03/18/2003	(28114)
95	11/12/2004	(340365)
96	06/30/2005	(396806)
97	01/25/2005	(341747)
98	12/28/2004	(268990)
99	08/31/2004	(268738)
100	11/08/2004	(340028)
101	01/25/2005	(348070)
102	08/05/2004	(285905)
103	08/06/2003	(148752)
104	12/20/2004	(338518)
105	12/28/2004	(343607)
106	06/16/2004	(267859)
107	12/13/2004	(342452)
108	01/06/2005	(344763)
109	04/22/2005	(349214)
110	05/01/2003	(34037)
111	05/19/2003	(28334)
112	04/03/2003	(26192)
113	11/03/2005	(418987)
114	01/10/2005	(341982)
115	08/12/2004	(287978)
116	12/13/2004	(267765)
117	08/31/2002	(4790)
118	01/23/2005	(334796)
119	12/28/2004	(334936)
120	04/26/2006	(338552)
121	04/12/2005	(375744)
122	06/28/2004	(268917)
123	08/09/2005	(403721)
124	01/13/2005	(346338)
125	07/05/2004	(268960)
126	08/08/2005	(402336)
127	06/30/2004	(272731)
128	01/06/2005	(267642)
129	04/03/2003	(24466)
130	11/05/2004	(334294)
131	01/07/2005	(343633)
132	07/12/2005	(349438)
133	04/07/2005	(344010)
134	04/04/2006	(461224)
135	07/13/2005	(348979)
136	12/28/2004	(269717)
137	10/07/2002	(10732)
138	11/08/2004	(340024)
139	12/22/2004	(278243)
140	03/28/2003	(27429)
141	06/30/2004	(268942)
142	02/21/2005	(351015)
143	08/31/2002	(10215)
144	12/22/2004	(268731)
145	01/12/2005	(267368)
146	11/09/2004	(339020)
147	04/20/2006	(457398)
148	08/31/2005	(418871)
149	11/04/2005	(436195)
150	03/28/2003	(26898)
151	04/22/2005	(349058)
152	08/09/2005	(403230)
153	08/31/2002	(9535)
154	11/12/2004	(340615)

155	08/31/2002	(9989)
156	12/31/2004	(267843)
157	01/04/2005	(341983)
158	12/21/2005	(435335)
159	04/18/2005	(419750)
160	01/10/2003	(19176)
161	04/13/2006	(431716)
162	05/17/2005	(419751)
163	08/31/2002	(9518)
164	10/12/2005	(342414)
165	12/28/2004	(272677)
166	08/09/2005	(403380)
167	06/20/2005	(419752)
168	12/02/2002	(16777)
169	02/20/2004	(262675)
170	07/18/2005	(440885)
171	11/09/2005	(431596)
172	01/17/2006	(273538)
173	07/31/2003	(143468)
174	11/09/2005	(431541)
175	08/18/2005	(440886)
176	11/07/2005	(431566)
177	06/27/2003	(23997)
178	09/23/2005	(440887)
179	11/11/2004	(340145)
180	12/28/2004	(341014)
181	10/21/2005	(440888)
182	08/02/2005	(402737)
183	10/17/2005	(434480)
184	02/06/2006	(450733)
185	08/09/2005	(404259)
186	12/22/2004	(339607)
187	11/15/2005	(431597)
188	04/07/2005	(337403)
189	05/30/2002	(1344)
190	07/13/2005	(349569)
191	11/09/2004	(339949)
192	08/31/2002	(9514)
193	02/19/2002	(158950)
194	01/10/2005	(339231)
195	10/04/2002	(11966)
196	11/17/2004	(340565)
197	02/08/2003	(158951)
198	03/23/2006	(343625)
199	03/15/2004	(263857)
200	09/01/2004	(291353)
201	08/31/2004	(268748)
202	02/16/2006	(337610)
203	11/22/2004	(340689)
204	12/21/2004	(341978)
205	12/30/2005	(435909)
206	07/28/2004	(273430)
207	08/31/2002	(9505)
208	01/17/2003	(21370)
209	03/15/2002	(158953)
210	08/31/2002	(4782)
211	09/25/2002	(10278)
212	12/28/2004	(267530)
213	03/21/2003	(158954)
214	02/28/2006	(456441)
215	08/31/2002	(10002)

216	08/28/2002	(9533)
217	06/30/2005	(396852)
218	08/03/2004	(278115)
219	12/30/2005	(435916)
220	08/30/2004	(268034)
221	08/29/2003	(150365)
222	06/13/2005	(395496)
223	08/09/2005	(404230)
224	09/24/2004	(270454)
225	04/28/2005	(348685)
226	09/25/2002	(11714)
227	04/22/2005	(347659)
228	08/23/2005	(405305)
229	03/29/2005	(375295)
230	04/18/2002	(158958)
231	12/14/2004	(342432)
232	12/29/2004	(341979)
233	04/15/2003	(158959)
234	11/22/2005	(438130)
235	11/03/2005	(431598)
236	04/30/2004	(266933)
237	07/19/2002	(1862)
238	08/09/2005	(404296)
239	08/28/2004	(268992)
240	10/21/2002	(11574)
241	05/22/2001	(158961)
242	08/05/2003	(12119)
243	09/28/2005	(431581)
244	11/22/2004	(340575)
245	05/13/2005	(379379)
246	08/02/2005	(402844)
247	05/20/2002	(158962)
248	06/09/2005	(394572)
249	03/24/2006	(459648)
250	05/20/2003	(158963)
251	08/19/2005	(404792)
252	01/04/2005	(267736)
253	08/29/2005	(405928)
254	07/28/2003	(143775)
255	12/28/2004	(341980)
256	12/31/2004	(272589)
257	12/16/2004	(342682)
258	06/28/2004	(267243)
259	12/20/2005	(267563)
260	12/14/2004	(342708)
261	08/29/2003	(150864)
262	07/29/2005	(349505)
263	06/27/2002	(246552)
264	01/30/2004	(258928)
265	09/12/2002	(6717)
266	06/18/2001	(158965)
267	08/29/2005	(405272)
268	06/14/2002	(158966)
269	01/12/2005	(344761)
270	01/17/2006	(450474)
271	12/28/2004	(268918)
272	07/26/2002	(1750)
273	06/30/2004	(268976)
274	06/18/2003	(158967)
275	11/19/2002	(14312)
276	12/14/2004	(342152)

277 05/14/2002 (24651)
278 08/06/2004 (283891)
279 02/28/2006 (457051)
280 04/20/2006 (457390)
281 08/31/2002 (9984)
282 11/03/2004 (338702)
283 07/12/2005 (399391)
284 05/08/2003 (24899)
285 06/22/2004 (267197)
286 07/22/2005 (349408)
287 05/10/2004 (151755)
288 07/10/2001 (158969)
289 08/27/2003 (152197)
290 06/20/2005 (343630)
291 04/20/2006 (461537)
292 07/12/2002 (158970)
293 04/07/2004 (263885)
294 07/15/2003 (158971)
295 09/01/2004 (290226)
296 01/08/2003 (16789)
297 06/23/2005 (395306)
298 08/31/2004 (268764)
299 12/22/2004 (340759)
300 08/09/2005 (403017)
301 11/22/2004 (339656)
302 08/16/2005 (404301)
303 08/17/2001 (158973)
304 08/24/2005 (399636)
305 11/08/2004 (337651)
306 06/25/2004 (267327)
307 03/10/2004 (260872)
308 03/21/2003 (22728)
309 08/24/2005 (399637)
310 12/28/2004 (338557)
311 08/21/2002 (158974)
312 07/30/2004 (281613)
313 12/09/2004 (341224)
314 07/11/2003 (38025)
315 10/26/2004 (292710)
316 11/09/2004 (340023)
317 08/03/2005 (401816)
318 11/12/2004 (335883)
319 06/03/2003 (31487)
320 08/31/2002 (10376)
321 01/30/2004 (258921)
322 08/08/2005 (399628)
323 09/01/2004 (292083)
324 01/27/2005 (342684)
325 10/09/2002 (12765)
326 05/17/2004 (267458)
327 08/31/2002 (9873)
328 07/23/2004 (267916)
329 09/11/2001 (158976)
330 08/31/2002 (9839)
331 02/21/2005 (337401)
332 12/22/2004 (342051)
333 06/03/2004 (269088)
334 11/29/2004 (340829)
335 11/22/2005 (433933)
336 08/31/2002 (10301)
337 11/22/2004 (267703)

338 08/15/2005 (405021)
 339 08/31/2002 (10337)
 340 12/21/2005 (434204)
 341 12/13/2004 (342441)
 342 09/16/2002 (158977)
 343 12/05/2004 (269620)
 344 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: 09/30/2001 (158979)
 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: 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: 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: 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: 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: 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: 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 explained 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: 08/31/2001 (158976)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL
CORPORATION,
RN 102579307

§
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§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-0498-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("ExxonMobil") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and ExxonMobil represented by George Rizzo, ExxonMobil Corporation, presented this agreement to the Commission.

ExxonMobil 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, ExxonMobil agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement 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 ExxonMobil.

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

FINDINGS OF FACT

1. ExxonMobil owns and operates an oil refining company located at 2800 Decker Drive, Baytown, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During an inspection on October 21, 2004, Houston Regional Office investigator documented that ExxonMobil:
 - a. 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.
 - b. Failed to submit the final notification for the August 29, 2003 emissions event in a timely manner.
4. ExxonMobil received notice of the violations on or about May 2, 2006.
5. The Executive Director recognizes that ExxonMobil has implemented the following corrective measures at the Plant in response to this enforcement action:
 - a. Submitted a corrective action plan ("CAP") regarding the August 29, 2003 emissions event on June 29, 2006 and the CAP was approved by the TCEQ on August 18, 2006.
 - b. Submitted the final notification for the August 23, 2003 emissions event on September 17, 2003.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, ExxonMobil is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3.a. ExxonMobil 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, in violation of 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable and found to be excessive, Exxon failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

3. As evidenced by Finding of Fact No. 3.b. ExxonMobil failed to submit the final notification for the August 29, 2003 emissions event in a timely manner, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against ExxonMobil 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 three hundred twenty-four dollars (\$10,324.00) 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. ExxonMobil has paid ten thousand three hundred twenty-four dollars (\$10,324.00) of the administrative penalty.

ORDERING PROVISIONS

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

1. ExxonMobil is assessed an administrative penalty in the amount of ten thousand three hundred twenty-four dollars (\$10,324.00) as set forth in Conclusion of Law No. 5 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and ExxonMobil'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 "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: ExxonMobil Oil Corporation; Docket No. 2006-0498-AIR-E; Enforcement ID No. 29287" 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

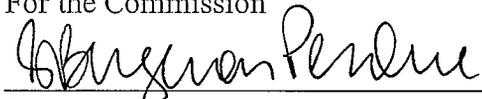
2. The provisions of this Agreed Order shall apply to and be binding upon ExxonMobil. ExxonMobil is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

3. 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 ExxonMobil if the Executive Director determines that ExxonMobil has not complied with one or more of the terms or conditions in this Agreed Order.
4. 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.
5. This Agreed Order, issued by the Commission, shall not be admissible against ExxonMobil in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. 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.
7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to ExxonMobil, or three days after the date on which the Commission mails notice of the Order to ExxonMobil, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

10/9/07

Date

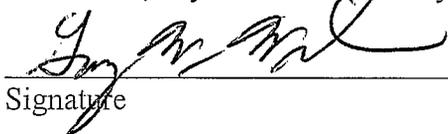
I, the undersigned, have read and understand the attached Agreed Order in the matter of ExxonMobil Oil Corporation. I represent that I am authorized to agree to the attached Agreed Order on behalf of ExxonMobil Oil Corporation, and do agree to the specified terms and conditions. I further acknowledge 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, ExxonMobil Oil Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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



Signature

GARY W, WILSON

Name (printed or typed)

Authorized Representative

ExxonMobil Oil Corporation

9/5/07

Date

BRYAN PERDUE

PERMITS MANAGER

Title