

CAPTION: Docket No. 2008-0160-AIR-E. Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Exxon Mobil Corporation in Harris County; RN102579307; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (John Muennink, Bryan Sinclair)

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0160-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 35304

RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Refining and supply company</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are sixteen additional pending enforcement actions regarding this facility location, Docket Nos. 2008-0641-AIR-E, 2007-0932-AIR-E, 2007-1404-AIR-E, 2005-1824-AIR-E, 2007-1183-AIR-E, 2007-1221-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2007-0463-AIR-E, 2007-1134-AIR-E, 2007-0802-AIR-E, 2007-0872-AIR-E, 2007-0214-AIR-E, 2006-0875-AIR-E, 2007-1004-AIR-E, and 2008-0872-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 7, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. John Muenkink, 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 Mr. Gary W. Wilson, Baytown Refinery Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: December 12 and 17, 2007</p> <p>Date of NOV/NOE Relating to this Case: December 27, 2007; January 4 and 18, 2008 (NOE)</p> <p>Background Facts: These were record reviews.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 237 pounds ("lbs") of carbon monoxide, 199.31 lbs of volatile organic compounds, 40.88 lbs of hydrogen sulfide, 43.5 lbs of nitrogen oxide and 3,759.34 lbs of sulfur dioxide ("SO2") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 98207) that began October 2, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable, 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].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, the Respondent released 1,932.7 lbs of volatile organic compounds and 1,556 lbs of SO2 from the West Loop Flare System during an emissions event (Incident No. 96615) that began August 26, 2007 and lasted 41 hours and three minutes. Since this emissions event was avoidable, 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</p>	<p>Total Assessed: \$65,300</p> <p>Total Deferred: \$13,060 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$26,120</p> <p>Total Paid to General Revenue: \$26,120</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>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent:</p> <p>a. Installed covers around the actuator buttons for C-601 on December 12, 2007 to protect against inadvertent contact, to address the emissions event that began October 2, 2007;</p> <p>b. Implemented corrective measures as of November 16, 2007 that require the C-002 compressor discharge piping to be included in an inspection and testing program. The program also includes the scheduling of API 570 external inspections and routine thickness monitoring of the line, to address the emissions event that began August 26, 2007; and</p> <p>c. Monitored SO2 emissions from Furnace 1 (EPN No. LXU2B1) continuously, every hour, over a 24 hour period on October 13, 2007. The monitoring demonstrated that SO2 emissions from Furnace 1 were within the permitted limit of 20 ppm at 0% O2.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

<p>Condition No. 1].</p> <p>3) Failure to comply with a maximum allowable emission rate of 20 parts per million ("ppm") at 0% oxygen ("O2") for SO2. Specifically, during a reference method stack test conducted on March 27, 2007, it was determined that SO2 emissions from Furnace 1 (EPN No. LXU2B1) were 96.83 ppm at 0% O2 [40 CODE OF FEDERAL REGULATIONS § 60.105(a)(3)(ii), 30 TEX. ADMIN. CODE § 101.20(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): HG0232Q

Attachment A

Docket Number: 2008-0160-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation

Payable Penalty Amount: Fifty-Two Thousand Two Hundred Forty Dollars (\$52,240)

SEP Amount: Twenty-Six Thousand One Hundred Twenty Dollars (\$26,120)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Harris County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

TCEQ

DATES	Assigned	22-Jan-2008	Screening	28-Jan-2008	EPA Due	14-Oct-2008
	PCW	12-Feb-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.	35304	No. of Violations	3	
Docket No.	2008-0160-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	John Muenink	
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**

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 22 NOVs with same or similar violations, 12 NOVs with unrelated violations, including one self-reported monthly effluent violation, 13 Findings Orders, two 1660 Agreed Orders and one Court Order with a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes
 The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Reduction **Subtotal 5**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	(mark with x)	

Notes
 The Respondent completed corrective action on December 12, 2007.

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

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 28-Jan-2008

Docket No. 2008-0160-AIR-E

PCW

Respondent: Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35304

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	22	110%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	13	325%
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) 529%

>> 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 22 NOVs with same or similar violations, 12 NOVs with unrelated violations, including one self-reported monthly effluent violation, 13 Findings Orders, two 1660 Agreed Orders and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 529%

Screening Date 28-Jan-2008

Docket No. 2008-0160-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35304

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number

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 237 pounds ("lbs") of carbon monoxide, 199.31 lbs of volatile organic compounds, 40.88 lbs of hydrogen sulfide, 43.5 lbs of nitrogen oxide and 3,759.34 lbs of sulfur dioxide ("SO2") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 98207) that began October 2, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text" value="50%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input checked="" type="checkbox"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One monthly 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 Exxon Mobil Corporation
Case ID No. 35304
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
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	2-Oct-2007	12-Dec-2007	0.2	\$10	n/a	\$10

Notes for DELAYED costs

Estimated expense to ensure the proper operation of the actuator controls for C-601. Date Required is the date of the emissions event. Final Date is the date that corrective action was 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

\$1,000

TOTAL

\$10

Screening Date 28-Jan-2008

Docket No. 2008-0160-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35304

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number

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 1,932.7 pounds ("lbs") of volatile organic compounds and 1,556 lbs of SO₂ from the West Loop Flare System during an avoidable emissions event (Incident No. 96615) that began August 26, 2007 and lasted 41 hours and three minutes. Since this emissions event was avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text" value="25%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Matrix Notes

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One quarterly 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 Exxon Mobil Corporation
Case ID No. 35304
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$2,000	26-Aug-2007	16-Nov-2007	0.2	\$22	n/a	\$22

Notes for DELAYED costs
 Estimated expense to ensure the proper maintenance, inspection, and testing of the C-002 downstream piping. Date Required is the date of the emissions event. Final Date is the date that corrective action was completed.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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** \$22

Screening Date 28-Jan-2008

Docket No. 2008-0160-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35304

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 3

Rule Cite(s) 40 Code of Federal Regulations § 60.105(a)(3)(ii), 30 Tex. Admin. Code § 101.20(1) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with a maximum allowable emission rate of 20 parts per million ("ppm") at 0% oxygen ("O2") for SO2. Specifically, during a reference method stack test conducted on March 27, 2007, it was determined that SO2 emissions from Furnace 1 (EPN No. LXU2B1) were 96.83 ppm at 0% O2.

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 do not exceed levels protective of human health or environmental receptors.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 3

200 Number of violation days

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

Violation Base Penalty \$7,500

Three quarterly events are recommended based on the date of the non-compliant stack test to the October 13, 2007 compliance date.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$82

Violation Final Penalty Total \$45,300

This violation Final Assessed Penalty (adjusted for limits) \$45,300

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35304
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$3,000	27-Mar-2007	13-Oct-2007	0.5	\$82	n/a	\$82

Notes for DELAYED costs

Estimated expense to demonstrate compliance with SO2 emission limits for Furnace 1. Date Required is the date of the non-compliant stack test. Final Date is the date that corrective action was 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

\$3,000

TOTAL

\$82

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		4973
	AIR NEW SOURCE PERMITS	PERMIT		9556
	AIR NEW SOURCE PERMITS	PERMIT		10461
	AIR NEW SOURCE PERMITS	PERMIT		10550
	AIR NEW SOURCE PERMITS	PERMIT		11053
	AIR NEW SOURCE PERMITS	PERMIT		11206
	AIR NEW SOURCE PERMITS	PERMIT		11250
	AIR NEW SOURCE PERMITS	PERMIT		11380
	AIR NEW SOURCE PERMITS	PERMIT		11464
	AIR NEW SOURCE PERMITS	PERMIT		11475
	AIR NEW SOURCE PERMITS	PERMIT		11483
	AIR NEW SOURCE PERMITS	PERMIT		11555
	AIR NEW SOURCE PERMITS	PERMIT		11624
	AIR NEW SOURCE PERMITS	PERMIT		11703
	AIR NEW SOURCE PERMITS	PERMIT		11939
	AIR NEW SOURCE PERMITS	PERMIT		12226
	AIR NEW SOURCE PERMITS	PERMIT		12380
	AIR NEW SOURCE PERMITS	PERMIT		12628
	AIR NEW SOURCE PERMITS	PERMIT		12968
	AIR NEW SOURCE PERMITS	PERMIT		12977
	AIR NEW SOURCE PERMITS	PERMIT		12994
	AIR NEW SOURCE PERMITS	PERMIT		17160
	AIR NEW SOURCE PERMITS	PERMIT		17369
	AIR NEW SOURCE PERMITS	PERMIT		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: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 15, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 15, 2003 to January 15, 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 sulfur dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of ammonia, 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 September 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 atmosphere 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 of 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 avoidable emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity for the duration of the event.

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	01/17/2003	(21370)
2	01/21/2003	(158992)
3	02/08/2003	(158951)
4	03/18/2003	(28114)
5	03/21/2003	(158954)
6	03/21/2003	(22728)
7	03/28/2003	(27429)
8	03/28/2003	(26898)
9	04/03/2003	(26192)
10	04/03/2003	(24466)
11	04/15/2003	(158959)
12	05/01/2003	(34037)
13	05/08/2003	(24899)
14	05/14/2003	(21719)
15	05/19/2003	(28334)
16	05/20/2003	(158963)
17	06/03/2003	(31487)
18	06/18/2003	(158967)
19	06/27/2003	(23997)
20	07/11/2003	(38025)
21	07/15/2003	(158971)
22	07/21/2003	(145449)
23	07/28/2003	(143775)
24	07/31/2003	(143468)
25	08/04/2003	(27210)
26	08/05/2003	(12119)
27	08/06/2003	(148752)
28	08/18/2003	(295750)
29	08/27/2003	(113043)
30	08/27/2003	(152197)
31	08/29/2003	(150365)
32	08/29/2003	(150864)
33	09/16/2003	(295752)
34	10/20/2003	(295754)
35	11/18/2003	(295756)
36	12/17/2003	(295757)
37	01/23/2004	(295758)
38	01/30/2004	(258928)
39	01/30/2004	(258921)
40	02/18/2004	(295740)
41	02/20/2004	(262675)
42	02/26/2004	(263843)
43	03/10/2004	(260889)
44	03/10/2004	(260872)
45	03/15/2004	(295742)
46	03/15/2004	(263857)
47	03/17/2004	(263880)
48	04/07/2004	(263885)
49	04/19/2004	(295743)
50	04/30/2004	(266933)
51	05/10/2004	(151755)
52	05/17/2004	(295745)
53	05/17/2004	(267458)
54	06/03/2004	(269088)
55	06/14/2004	(295747)
56	06/16/2004	(267859)
57	06/22/2004	(267197)
58	06/25/2004	(267327)
59	06/28/2004	(268917)
60	06/28/2004	(267243)
61	06/30/2004	(273343)
62	06/30/2004	(272731)
63	06/30/2004	(268942)
64	06/30/2004	(268976)
65	07/02/2004	(268937)
66	07/05/2004	(268960)

67	07/08/2004	(332775)
68	07/23/2004	(267916)
69	07/28/2004	(352252)
70	07/28/2004	(273430)
71	07/30/2004	(281613)
72	08/03/2004	(278115)
73	08/05/2004	(284996)
74	08/05/2004	(285905)
75	08/06/2004	(283891)
76	08/12/2004	(287978)
77	08/16/2004	(352253)
78	08/28/2004	(268055)
79	08/28/2004	(268992)
80	08/30/2004	(268034)
81	08/31/2004	(268738)
82	08/31/2004	(268748)
83	08/31/2004	(268764)
84	09/01/2004	(292073)
85	09/01/2004	(290594)
86	09/01/2004	(283208)
87	09/01/2004	(291353)
88	09/01/2004	(290226)
89	09/01/2004	(292083)
90	09/20/2004	(352254)
91	09/24/2004	(270454)
92	10/11/2004	(335357)
93	10/18/2004	(352255)
94	10/26/2004	(292710)
95	10/27/2004	(333600)
96	11/03/2004	(338702)
97	11/05/2004	(334294)
98	11/08/2004	(335879)
99	11/08/2004	(340028)
100	11/08/2004	(340024)
101	11/08/2004	(337651)
102	11/09/2004	(339020)
103	11/09/2004	(339949)
104	11/09/2004	(340023)
105	11/11/2004	(340075)
106	11/11/2004	(340145)
107	11/12/2004	(340365)
108	11/12/2004	(340615)
109	11/12/2004	(335883)
110	11/15/2004	(352256)
111	11/17/2004	(340163)
112	11/17/2004	(340565)
113	11/22/2004	(337719)
114	11/22/2004	(340689)
115	11/22/2004	(340575)
116	11/22/2004	(339656)
117	11/22/2004	(267703)
118	11/23/2004	(340185)
119	11/29/2004	(340829)
120	12/05/2004	(269620)
121	12/09/2004	(341224)
122	12/13/2004	(268246)
123	12/13/2004	(267690)
124	12/13/2004	(342452)
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126	12/13/2004	(342441)
127	12/14/2004	(342432)
128	12/14/2004	(342708)
129	12/14/2004	(342152)
130	12/16/2004	(342682)
131	12/20/2004	(381909)
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133	12/21/2004	(341978)
134	12/22/2004	(278243)
135	12/22/2004	(268731)
136	12/22/2004	(339607)
137	12/22/2004	(340759)
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139	12/27/2004	(341022)
140	12/28/2004	(268993)
141	12/28/2004	(337673)
142	12/28/2004	(334795)
143	12/28/2004	(268990)
144	12/28/2004	(343607)
145	12/28/2004	(334936)
146	12/28/2004	(269717)
147	12/28/2004	(272677)
148	12/28/2004	(341014)
149	12/28/2004	(267530)

150	12/28/2004	(341980)
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152	12/28/2004	(338557)
153	12/29/2004	(278295)
154	12/29/2004	(341979)
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161	01/06/2005	(344763)
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163	01/07/2005	(341981)
164	01/07/2005	(343633)
165	01/10/2005	(341982)
166	01/10/2005	(339231)
167	01/12/2005	(267368)
168	01/12/2005	(344761)
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170	01/21/2005	(342494)
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173	01/25/2005	(341747)
174	01/25/2005	(348070)
175	01/27/2005	(342684)
176	01/31/2005	(347261)
177	02/15/2005	(381907)
178	02/21/2005	(351015)
179	02/21/2005	(337401)
180	02/28/2005	(267818)
181	03/15/2005	(381908)
182	03/29/2005	(375295)
183	04/07/2005	(344010)
184	04/07/2005	(337403)
185	04/12/2005	(375744)
186	04/18/2005	(419750)
187	04/22/2005	(349214)
188	04/22/2005	(349058)
189	04/22/2005	(347659)
190	04/28/2005	(348685)
191	05/10/2005	(380346)
192	05/12/2005	(374170)
193	05/13/2005	(379379)
194	05/17/2005	(419751)
195	05/26/2005	(333676)
196	06/09/2005	(394572)
197	06/13/2005	(395496)
198	06/20/2005	(419752)
199	06/20/2005	(343630)
200	06/23/2005	(395306)
201	06/30/2005	(396806)
202	06/30/2005	(396852)
203	07/12/2005	(349438)
204	07/12/2005	(399391)
205	07/13/2005	(399494)
206	07/13/2005	(348979)
207	07/13/2005	(349569)
208	07/18/2005	(440885)
209	07/22/2005	(349408)
210	07/29/2005	(349505)
211	08/02/2005	(402576)
212	08/02/2005	(402917)
213	08/02/2005	(402737)
214	08/02/2005	(402844)
215	08/03/2005	(401816)
216	08/08/2005	(402336)
217	08/08/2005	(399628)
218	08/09/2005	(403164)
219	08/09/2005	(403721)
220	08/09/2005	(403230)
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222	08/09/2005	(404259)
223	08/09/2005	(404230)
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225	08/09/2005	(403017)
226	08/15/2005	(405021)
227	08/16/2005	(404547)
228	08/16/2005	(404301)
229	08/18/2005	(440886)
230	08/19/2005	(404792)
231	08/23/2005	(405305)
232	08/24/2005	(399636)

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235	08/29/2005	(405272)
236	08/31/2005	(418871)
237	09/01/2005	(399476)
238	09/23/2005	(440887)
239	09/28/2005	(432076)
240	09/28/2005	(431581)
241	10/07/2005	(347309)
242	10/12/2005	(342414)
243	10/17/2005	(434480)
244	10/21/2005	(440888)
245	11/03/2005	(418987)
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247	11/04/2005	(436195)
248	11/07/2005	(431591)
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250	11/09/2005	(431596)
251	11/09/2005	(431541)
252	11/15/2005	(431597)
253	11/21/2005	(468533)
254	11/22/2005	(435072)
255	11/22/2005	(438130)
256	11/22/2005	(433933)
257	12/19/2005	(468534)
258	12/20/2005	(267563)
259	12/21/2005	(435335)
260	12/21/2005	(434204)
261	12/30/2005	(435909)
262	12/30/2005	(435916)
263	01/17/2006	(468535)
264	01/17/2006	(273538)
265	01/17/2006	(450474)
266	02/06/2006	(450733)
267	02/16/2006	(337610)
268	02/17/2006	(468531)
269	02/21/2006	(452651)
270	02/28/2006	(456441)
271	02/28/2006	(457051)
272	03/20/2006	(498267)
273	03/23/2006	(343625)
274	03/24/2006	(459648)
275	04/04/2006	(461224)
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288	05/16/2006	(462451)
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296	05/30/2006	(479729)
297	05/30/2006	(479791)
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299	05/30/2006	(479817)
300	05/31/2006	(465081)
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312	06/29/2006	(480981)
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315	07/07/2006	(483683)

316	07/07/2006	(484811)
317	07/17/2006	(498270)
318	07/20/2006	(484814)
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320	07/31/2006	(484463)
321	08/03/2006	(489455)
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323	08/08/2006	(520282)
324	08/09/2006	(484809)
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333	09/05/2006	(489770)
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341	10/30/2006	(516968)
342	11/06/2006	(544605)
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346	11/30/2006	(457899)
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352	01/08/2007	(533556)
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378	03/26/2007	(541019)
379	03/26/2007	(541089)
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381	03/27/2007	(534342)
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383	03/30/2007	(541407)
384	03/30/2007	(535817)
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389	04/12/2007	(535873)
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394	04/20/2007	(539663)
395	04/24/2007	(536941)
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419	06/05/2007	(562903)
420	06/08/2007	(554582)
421	06/11/2007	(575450)
422	06/15/2007	(560235)
423	06/15/2007	(561789)
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 506 01/08/2008 (600360)
 507 01/08/2008 (600322)
 508 01/08/2008 (600399)
 509 01/10/2008 (600962)

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

Date: 03/25/2003 (22728)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to prevent unauthorized emissions that resulted from a maintenance event.
 Date: 05/08/2003 (24899)
 Self Report? NO Classification: Moderate
 Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
 Description: Failed to control ethylene emissions during process operations.
 Date: 07/31/2003 (143468)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to draw representative samples from cooling towers CT 16/24 and CT 58
 Date: 08/29/2003 (150864)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Exxon failed to report an emissions event that occurred during a scheduled maintenance activity.
 Date: 07/08/2004 (332775)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 08/06/2004 (283891)
 Self Report? NO Classification: Minor
 Citation: TWC Chapter 26 26.121(a)(1)
 Description: Failure to prevent the unauthorized discharge of firewater.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT No. 00592-000 Page 2 No. 1
 Description: Failure to maintain compliance with permitted Total Suspended Solids (TSS) effluent limit at outfall 001. The grab sample collected during the inspection was noncompliant for TSS.
 Date: 08/28/2004 (268055)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287
 Description: Exceeded VOC permit limit.
 Date: 08/28/2004 (268992)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287
 Description: Failed to prevent unauthorized emissions during an emissions event.
 Date: 11/10/2004 (339949)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Flex Permit 18287, SC 1
 Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.
 Date: 11/30/2004 (340185)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Flex Permit 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 687 lbs SO2.
 Date: 12/21/2004 (334796)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Special Condition 1
 Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.
 Date: 12/22/2004 (339607)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Special Condition 1
 Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.
 Date: 12/28/2004 (338518)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.
 Date: 12/28/2004 (341978)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.
 Date: 12/29/2004 (341979)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Flexible Permit 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.
 Date: 12/30/2004 (268990)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.
 Date: 12/31/2004 (267843)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Special Condition 1
 Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.
 Date: 12/31/2004 (341980)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT Permit 18287, SC 1
 Description: Failure to prevent emissions of 4035 lbs of SO2.
 Date: 01/24/2005 (342494)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, 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 unauthorized discharge of domestic sewage.
 Date: 02/13/2007 (539319) Classification: Moderate

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) Classification: Minor

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) Classification: Moderate
 Self Report? NO
 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
ENFORCEMENT ACTION
CONCERNING
EXXON MOBIL CORPORATION
RN102579307

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-0160-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 January 1, 9 and 23, 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 Sixty-Five Thousand Three Hundred Dollars (\$65,300) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Twenty-Six Thousand One Hundred Twenty Dollars (\$26,120) of the administrative penalty. Twenty-Six Thousand One Hundred Twenty Dollars

(\$26,120) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP") and Thirteen Thousand Sixty Dollars (\$13,060) 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.

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:
 - i. Installed covers around the actuator buttons for C-601 on December 12, 2007 to protect against inadvertent contact, to address the emissions event that began October 2, 2007;
 - ii. Implemented corrective measures as of November 16, 2007 that require the C-002 compressor discharge piping to be included in an inspection and testing program. The program also includes the scheduling of API 570 external inspections and routine thickness monitoring of the line, to address the emissions event that began August 26, 2007; and
 - iii. Monitored sulfur dioxide ("SO₂") emissions from Furnace 1 (EPN No. LXU2B1) continuously, every hour, over a 24 hour period on October 13, 2007. The monitoring demonstrated that SO₂ emissions from Furnace 1 were within the permitted limit of 20 parts per million ("ppm") at 0% oxygen ("O₂").
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 December 12, 2007. Specifically, the Respondent released 237 pounds ("lbs") of carbon monoxide, 199.31 lbs of volatile organic compounds, 40.88 lbs of hydrogen sulfide, 43.5 lbs of nitrogen oxide and 3,759.34 lbs of SO₂ from the Delayed Coker Unit during an avoidable emissions event (Incident No. 98207) that began October 2, 2007 and lasted one hour and 22 minutes. Since this emissions event was avoidable, 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 December 17, 2007. Specifically, the Respondent released 1,932.7 pounds ("lbs") of volatile organic compounds and 1,556 lbs of SO₂ from the West Loop Flare System during an emissions event (Incident No. 96615) that began August 26, 2007 and lasted 41 hours and three minutes. Since this emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
3. Failed to comply with a maximum allowable emission rate of 20 parts per million ("ppm") at 0% oxygen ("O₂") for SO₂, in violation of 40 CODE OF FEDERAL REGULATIONS ("CFR") § 60.105(a)(3)(ii), 30 TEX. ADMIN. CODE § 101.20(1) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 17, 2007. Specifically, during a reference method stack test conducted on March 27, 2007, it was determined that SO₂ emissions from Furnace 1 (EPN No. LXU2B1) were 96.83 ppm at 0% O₂.

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. 2008-0160-AIR-E" to:

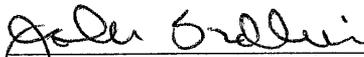
Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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, Twenty-Six Thousand One Hundred Twenty Dollars (\$26,120) 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



For the Executive Director

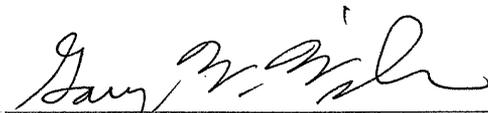
8/4/2008
Date

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.



Signature

4/4/08
Date

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

BAYTOWN
REGIMENT MANAGER
Title

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

Attachment A
Docket Number: 2008-0160-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Fifty-Two Thousand Two Hundred Forty Dollars (\$52,240)
SEP Amount:	Twenty-Six Thousand One Hundred Twenty Dollars (\$26,120)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Harris County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

