EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0872-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 35954

RESPONDENT NAME: Exxon Mobil Corporation

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

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

TYPE OF OPERATION: Refining and supply company

SMALL BUSINESS: ___ Yes __X__ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are 13 additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0932-AIR-E, 2007-1404-AIR-E, 2007-1183-AIR-E, 2007-1221-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2007-0463-AIR-E, 2008-1163-AIR-E, 2008-0641-AIR-E, 2007-1134-AIR-E, 2007-0802-AIR-E, 2005-1824-AIR-E, and 2007-0214-AIR-E.

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on November 17, 2008. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768
TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171
Respondent: Mr. Jeff Kovacs, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522
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

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: ___ Complaint ___ Routine ___ Enforcement Follow-up _X_ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** March 26 through April 10, 2008 and January 3 through 15, 2008 **Date of NOV/NOE Relating to this Case:** May 7 and 9, 2008 (NOE) **Background Facts:** These were record reviews. **AIR** 1) Failure to prevent unauthorized emissions. 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 Air Permit No. 18287, Special Condition No. 1]. 2) Failure to prevent unauthorized emissions. Since this emissions event was avoidable and determined to be excessive, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present as affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(a) and (b), and Air Permit No. 18287, Special Condition No. 1].	**Total Assessed:** $47,600 **Total Deferred:** $0 __Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $23,800 **Total Paid to General Revenue:** $23,800 **Site Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Person Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002 **Findings Orders Justification:** This case involves unauthorized emissions which were deemed excessive. The Respondent was responsible for the release of 99,924 pounds of unauthorized emissions during the 65 hour and 41 minute event.	**Corrective Actions Taken:** The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant in order to prevent the reoccurrence of emissions due to the same causes as that of the June 23, 2007 emissions event (Incident No. 93064) and the December 14, 2007 emissions event (Incident No. 101349): a. E-705 tube bundles were inspected for wall thickness loss and plugs were installed on any thin or leaking tubes by December 20, 2007 (Incident No. 93064); b. E-705 tube bundles were pulled, inspected and repaired with improved vibration prevention hardware by December 20, 2007 (Incident No. 93064); c. Valves to control cooling water supply to all E-705 tube bundles were installed to allow manipulation of the cooling water rate to E-705 tube bundles if needed to help control vibration in these exchangers by December 20, 2007 (Incident No. 93064); d. Submitted a Corrective Action Plan ("CAP") to address the excessive emissions event that occurred June 23, 2007 (Incident No. 93064); and e. Relocated C-601 shutdown controls and wiring to an isolated location consistent with shutdown controls and wiring found in other compressor systems by March 31, 2008 (Incident No. 101349). **Ordering Provisions:** 1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A) 2) The Order will also require the Respondent to: a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information

		concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing; b. Upon Commission approval, implement the CAP in accordance with the approved schedule; and c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions 2.a. and 2.b.

Additional ID No(s).: HG0232Q

Attachment A
Docket Number: 2008-0872-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Payable Penalty Amount:	**Forty-Seven Thousand Six Hundred Dollars ($47,600)**
SEP Amount:	**Twenty-Three Thousand Eight Hundred Dollars ($23,800)**
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 April 29, 2008*

TCEQ

DATES					
Assigned	13-May-2008				
PCW	28-Jul-2008	Screening	27-May-2008	EPA Due	3-Feb-2009

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.	35954	No. of Violations	2
Docket No.	2008-0872-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* — $32,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 604.0% Enhancement — *Subtotals 2, 3, & 7* — $196,300

Notes: Enhancement due to 22 NOVs with same or similar violations, 12 NOVs with unrelated violations (including one self-reported monthly effluent violation), 16 Findings Orders, two 1660 Agreed Orders and one Court Order.

Culpability — No — 0.0% Enhancement — *Subtotal 4* — $0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 0.0% Reduction — *Subtotal 5* — $0

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

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

0.0% Enhancement* — *Subtotal 6* — $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$443
Approx. Cost of Compliance	$12,000

SUM OF SUBTOTALS 1-7 — *Final Subtotal* — $228,800

OTHER FACTORS AS JUSTICE MAY REQUIRE — 0.0% — *Adjustment* — $0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount — $228,800

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* — $47,600

DEFERRAL — 0.0% Reduction — *Adjustment* — $0

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY — $47,600

Screening Date 27-May-2008 **Docket No.** 2008-0872-AIR-E **PCW**

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

Case ID No. 35954 *PCW Revision April 29, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	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	16	400%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 604%

>> 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), 16 Findings Orders, two 1660 Agreed Orders and one Court Order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 604%

Screening Date 27-May-2008 **Docket No.** 2008-0872-AIR-E **PCW**

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

Case ID No. 35954 *PCW Revision April 29, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,032 pounds ("lbs") of sulfur dioxide ("SO2"), 383 lbs of carbon monoxide ("CO"), 307 lbs of volatile organic compounds ("VOC"), 71 lbs of nitrogen oxide ("NOx") and 55 lbs of hydrogen sulfide ("H2S") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 101349) that began December 14, 2007 and lasted 33 hours and 52 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 $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 1 — 2 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $104

Statutory Limit Test

Violation Final Penalty Total $17,600

This violation Final Assessed Penalty (adjusted for limits) $17,600

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35954
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$7,000	14-Dec-2007	31-Mar-2008	0.30	$104	n/a	$104

Notes for DELAYED costs Estimated expense to isolate shutdown controls and wiring for the C-601 Wet Gas Compressor. Date Required is the date of the emissions event (Incident No. 101349). Final Date is the date that corrective actions were completed.

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

Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $7,000

TOTAL $104

Screening Date 27-May-2008 **Docket No.** 2008-0872-AIR-E **PCW**

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

Case ID No. 35954 *PCW Revision April 29, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

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

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 88,422 lbs of VOCs, 7,319 lbs of CO, 1,705 lbs of H2S, 300 lbs of NOx and 2,178 lbs of SO2 from Hydrocracking Unit 1 during an avoidable emissions event (Incident No. 93064) that began June 23, 2007 and lasted 65 hours and 41 minutes. Since this emissions event was avoidable and determined to be excessive, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	-		

Percent 0%

Matrix Notes: Human health or the environment has been exposed to a significant amount of pollutants that exceed levels protective of human health or environmental receptors.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 3 — 3 Number of violation days

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $30,000

Three daily events are recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $340

Statutory Limit Test

Violation Final Penalty Total $211,200

This violation Final Assessed Penalty (adjusted for limits) $30,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 35954
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$5,000	23-Jun-2007	31-Oct-2008	1.36	$340	n/a	$340

Notes for DELAYED costs: Estimated expense to ensure the proper operation of exchanger flow rates for exchangers E-705A, B, C and D. Date Required is the date of the emissions event. Final Date is the estimated date that corrective action will be completed.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $5,000

TOTAL $340

Compliance History

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.72

Regulated Entity: RN102579307 EXXON MOBIL BAYTOWN FACILITY Classification: AVERAGE Site Rating: 3.59

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	17370
AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	PERMIT	18318
AIR NEW SOURCE PERMITS	PERMIT	19301
AIR NEW SOURCE PERMITS	PERMIT	21222
AIR NEW SOURCE PERMITS	PERMIT	22874
AIR NEW SOURCE PERMITS	PERMIT	24669
AIR NEW SOURCE PERMITS	PERMIT	26486
AIR NEW SOURCE PERMITS	PERMIT	26294
AIR NEW SOURCE PERMITS	PERMIT	27403
AIR NEW SOURCE PERMITS	PERMIT	26443
AIR NEW SOURCE PERMITS	PERMIT	30186
AIR NEW SOURCE PERMITS	PERMIT	31067
AIR NEW SOURCE PERMITS	PERMIT	31008
AIR NEW SOURCE PERMITS	PERMIT	31690
AIR NEW SOURCE PERMITS	PERMIT	31852
AIR NEW SOURCE PERMITS	PERMIT	31915
AIR NEW SOURCE PERMITS	PERMIT	34139
AIR NEW SOURCE PERMITS	PERMIT	34295
AIR NEW SOURCE PERMITS	PERMIT	33875
AIR NEW SOURCE PERMITS	PERMIT	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	PERMIT	38532
AIR NEW SOURCE PERMITS	PERMIT	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	PERMIT	40421
AIR NEW SOURCE PERMITS	PERMIT	38572
AIR NEW SOURCE PERMITS	PERMIT	42509
AIR NEW SOURCE PERMITS	PERMIT	43489
AIR NEW SOURCE PERMITS	PERMIT	43582
AIR NEW SOURCE PERMITS	PERMIT	44162
AIR NEW SOURCE PERMITS	PERMIT	47145
AIR NEW SOURCE PERMITS	PERMIT	47912
AIR NEW SOURCE PERMITS	PERMIT	49342
AIR NEW SOURCE PERMITS	PERMIT	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	PERMIT	11007
AIR NEW SOURCE PERMITS	PERMIT	1632
AIR NEW SOURCE PERMITS	PERMIT	2007
AIR NEW SOURCE PERMITS	PERMIT	2073
AIR NEW SOURCE PERMITS	PERMIT	2185
AIR NEW SOURCE PERMITS	PERMIT	2209
AIR NEW SOURCE PERMITS	PERMIT	2258
AIR NEW SOURCE PERMITS	PERMIT	2521
AIR NEW SOURCE PERMITS	PERMIT	2665
AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	PERMIT	2979
AIR NEW SOURCE PERMITS	PERMIT	9556
AIR NEW SOURCE PERMITS	PERMIT	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	PERMIT	11053
AIR NEW SOURCE PERMITS	PERMIT	11206
AIR NEW SOURCE PERMITS	PERMIT	11250
AIR NEW SOURCE PERMITS	PERMIT	11380
AIR NEW SOURCE PERMITS	PERMIT	11464
AIR NEW SOURCE PERMITS	PERMIT	11475
AIR NEW SOURCE PERMITS	PERMIT	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	PERMIT	11624
AIR NEW SOURCE PERMITS	PERMIT	11703
AIR NEW SOURCE PERMITS	PERMIT	11939
AIR NEW SOURCE PERMITS	PERMIT	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	PERMIT	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	PERMIT	12977
AIR NEW SOURCE PERMITS	PERMIT	12994
AIR NEW SOURCE PERMITS	PERMIT	17160
AIR NEW SOURCE PERMITS	PERMIT	17369
AIR NEW SOURCE PERMITS	PERMIT	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	REGISTRATION	76269

AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
AIR NEW SOURCE PERMITS	PERMIT	54582
AIR NEW SOURCE PERMITS	PERMIT	54497
AIR NEW SOURCE PERMITS	PERMIT	71394
AIR NEW SOURCE PERMITS	PERMIT	50582
AIR NEW SOURCE PERMITS	PERMIT	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
STORMWATER	PERMIT	TXR157592
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111

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

Location: 2800 DECKER DR, BAYTOWN, TX, 77520 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 27, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 27, 2003 to May 27, 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 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT
Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 18287 Special Condition 1 PERMIT
Special Condition 1 PERMIT
Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to include authorization number for HCU1 on the final report for the December 17, 2004 emissions event.

Effective Date: 06/15/2006 ADMINORDER 2005-1792-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 18287 Special Condition 1 PERMIT
Description: Failed to prevent an avoidable emissions event that lasted 2 hours and 16 minutes, releasing 15,261 pounds of carbon monoxide, 37 pounds of ammonia and 6 pounds of hydrogen cyanide.

Effective Date: 08/28/2006 ADMINORDER 2005-0289-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT
Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 09/21/2006 ADMINORDER 2006-0233-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SPECIAL CONDITION 1 PERMIT
Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfure dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT
Description: Failed to prevent an avoidable emissions event on August 9, 2005 that lasted for one hour and 43 minutes, releasing 3,887 lbs of sulfur dioxide, 1,080 lbs of nitrogen monoxide, 120 lbs of nitrogen dioxide and 569 lbs of carbon monoxide.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA

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

Effective Date: 10/02/2006 ADMINORDER 2006-0365-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of amonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfid

Effective Date: 01/26/2007 ADMINORDER 2006-0737-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on Septemeber 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate

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

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

Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

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

Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

Effective Date: 03/01/2007 COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Rqmt Prov: General Condition 15 PERMIT
Special Condition 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Classification: Moderate

Citation: 30 TAC Chapter 327 327.3(e)

Description: Failed to notify the TCEQ as soon as possible after discovering that process gas oil had gone off-site and affected the nearby neighborhood.

Classification: Moderate

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

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

Effective Date: 05/25/2007 ADMINORDER 2006-1398-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: Special Condition Nos. 1 and 36A PERMIT
Description: Failed to keep hydrogen sulfide blend gas concentrations 3-hour average below 160 parts per million ("ppm") resulting in the unauthorized emissions of 12,051 pounds ("lbs") of sulfur dioxide, 1,080.6 lbs of nitrogen oxides and 512.5 lbs of carbon monoxide.

Effective Date: 08/23/2007 ADMINORDER 2006-2043-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT
Description: Failed to prevent unauthorized emissions. Sepcifically, 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to identify the permit number on the final report for the November 16, 2004 emissions event.

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PA
Description: Exxon Mobil failed to prevent the unauthorized release of air contaminants into the atmosphere

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 18287/PSD-TX-703 SC 1 PA
Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 1,059 pounds ("lbs") of volatile organic compounds, 6,430 lbs of carbon monoxide ("CO"), 680 lbs of nitrogen oxide (NOx"), 169 lbs of hydrogen sulfide and 15,552 lbs of sulfur dioxide ("SO2") during an avoidable emissions event that began

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Flexible Permit #18287, SC#1 PA
Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 19,972 lbs of SO2 from the Fuels North Unit during an avoidalbe emissions event that began October 20, 2006 and lasted 201 hours. The event also resulted in 100% opacity for the duration of the event.

Effective Date: 02/25/2008 ADMINORDER 2006-0498-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT
Description: Failed to prevent an avoidable emissions event in the Delayed Coker Unit ("DCU") on August 29, 2003 that lasted four hours and five minutes, releasing 40,798 pounds ("lbs") of sulfur dioxide, 2,097 lbs of volatile organic compounds ("VOCs"), 1,408 lbs of carbon monoxide, 233 lbs of nitric oxide and 438 lbs of hydrogen sulfide.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to submit the final notification for the August 29, 2003 emissions event in a timely manner.

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA
Description: Failed to prevent the unauthorized release of 11,294 lbs of SO2, 1.5 lbs of H2S and .81 lbs of sulfur from the Low BTU Gas Fired Sources during an avoidable emissions event that began March 2, 2007 and alsted 16 hours and 27 minutes.

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA
Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 6.83 lbs of H2S, 37.45 lbs CO, 6.88 lbs of NOx, 7.58 lbs of propylene, 4.94 lbs of volatile organic compounds and 1,494.97 lbs of SO2 from the Delayed Coker Unit during an avoidable emissions event that began January 31, 2007 and lasted 15 minutes.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	06/03/2003	(31487)
2	06/18/2003	(158967)
3	06/27/2003	(23997)
4	07/11/2003	(38025)
5	07/15/2003	(158971)
6	07/21/2003	(145449)
7	07/28/2003	(143775)
8	07/31/2003	(143468)
9	08/04/2003	(27210)
10	08/05/2003	(12119)
11	08/06/2003	(148752)
12	08/18/2003	(295750)
13	08/27/2003	(113043)
14	08/27/2003	(152197)
15	08/29/2003	(150365)
16	08/29/2003	(150864)
17	09/16/2003	(295752)
18	10/20/2003	(295754)
19	11/18/2003	(295756)
20	12/17/2003	(295757)
21	01/23/2004	(295758)
22	01/30/2004	(258928)
23	01/30/2004	(258921)
24	02/18/2004	(295740)
25	02/20/2004	(262675)
26	02/26/2004	(263843)
27	03/10/2004	(260889)
28	03/10/2004	(260872)
29	03/15/2004	(295742)
30	03/15/2004	(263857)
31	03/17/2004	(263880)
32	04/07/2004	(263885)
33	04/19/2004	(295743)
34	04/30/2004	(266933)
35	05/10/2004	(151755)
36	05/17/2004	(295745)
37	05/17/2004	(267458)
38	06/03/2004	(269088)
39	06/14/2004	(295747)
40	06/16/2004	(267859)
41	06/22/2004	(267197)
42	06/25/2004	(267327)
43	06/28/2004	(268917)
44	06/28/2004	(267243)
45	06/30/2004	(273343)
46	06/30/2004	(272731)
47	06/30/2004	(268942)
48	06/30/2004	(268976)
49	07/02/2004	(268937)
50	07/05/2004	(268960)
51	07/08/2004	(332775)
52	07/23/2004	(267916)
53	07/28/2004	(352252)
54	07/28/2004	(273430)
55	07/30/2004	(281613)
56	08/03/2004	(278115)
57	08/05/2004	(284996)
58	08/05/2004	(285905)
59	08/06/2004	(283891)
60	08/12/2004	(287978)
61	08/16/2004	(352253)
62	08/28/2004	(268055)
63	08/28/2004	(268992)
64	08/30/2004	(268034)
65	08/31/2004	(268738)
66	08/31/2004	(268748)
67	08/31/2004	(268764)
68	09/01/2004	(292073)
69	09/01/2004	(290594)
70	09/01/2004	(283208)
71	09/01/2004	(291353)
72	09/01/2004	(290226)
73	09/01/2004	(292083)
74	09/20/2004	(352254)
75	09/24/2004	(270454)
76	10/11/2004	(335357)

77	10/18/2004	(352255)
78	10/26/2004	(292710)
79	10/27/2004	(333600)
80	11/03/2004	(338702)
81	11/05/2004	(334294)
82	11/08/2004	(335879)
83	11/08/2004	(340028)
84	11/08/2004	(340024)
85	11/08/2004	(337651)
86	11/09/2004	(339020)
87	11/09/2004	(339949)
88	11/09/2004	(340023)
89	11/11/2004	(340075)
90	11/11/2004	(340145)
91	11/12/2004	(340365)
92	11/12/2004	(340615)
93	11/12/2004	(335883)
94	11/15/2004	(352256)
95	11/17/2004	(340163)
96	11/17/2004	(340565)
97	11/22/2004	(337719)
98	11/22/2004	(340689)
99	11/22/2004	(340575)
100	11/22/2004	(339656)
101	11/22/2004	(267703)
102	11/23/2004	(340185)
103	11/29/2004	(340829)
104	12/05/2004	(269620)
105	12/09/2004	(341224)
106	12/13/2004	(268246)
107	12/13/2004	(267690)
108	12/13/2004	(342452)
109	12/13/2004	(267765)
110	12/13/2004	(342441)
111	12/14/2004	(342432)
112	12/14/2004	(342708)
113	12/14/2004	(342152)
114	12/16/2004	(342682)
115	12/20/2004	(381909)
116	12/20/2004	(338518)
117	12/21/2004	(341978)
118	12/22/2004	(278243)
119	12/22/2004	(268731)
120	12/22/2004	(339607)
121	12/22/2004	(340759)
122	12/22/2004	(342051)
123	12/27/2004	(341022)
124	12/28/2004	(268993)
125	12/28/2004	(337673)
126	12/28/2004	(334795)
127	12/28/2004	(268990)
128	12/28/2004	(343607)
129	12/28/2004	(334936)
130	12/28/2004	(269717)
131	12/28/2004	(272677)
132	12/28/2004	(341014)
133	12/28/2004	(267530)
134	12/28/2004	(341980)
135	12/28/2004	(268918)
136	12/28/2004	(338557)
137	12/29/2004	(278295)
138	12/29/2004	(341979)
139	12/30/2004	(268760)
140	12/31/2004	(267843)
141	12/31/2004	(272589)
142	01/04/2005	(267623)
143	01/04/2005	(341983)
144	01/04/2005	(267736)
145	01/06/2005	(344763)
146	01/06/2005	(267642)
147	01/07/2005	(341981)
148	01/07/2005	(343633)
149	01/10/2005	(341982)
150	01/10/2005	(339231)
151	01/12/2005	(267368)
152	01/12/2005	(344761)
153	01/13/2005	(346338)
154	01/21/2005	(342494)
155	01/23/2005	(334796)
156	01/25/2005	(381910)

157	01/25/2005	(341747)
158	01/25/2005	(348070)
159	01/27/2005	(342684)
160	01/31/2005	(347261)
161	02/15/2005	(381907)
162	02/21/2005	(351015)
163	02/21/2005	(337401)
164	02/28/2005	(267818)
165	03/15/2005	(381908)
166	03/29/2005	(375295)
167	04/07/2005	(344010)
168	04/07/2005	(337403)
169	04/12/2005	(375744)
170	04/18/2005	(419750)
171	04/22/2005	(349214)
172	04/22/2005	(349058)
173	04/22/2005	(347659)
174	04/28/2005	(348685)
175	05/10/2005	(380346)
176	05/12/2005	(374170)
177	05/13/2005	(379379)
178	05/17/2005	(419751)
179	05/26/2005	(333676)
180	06/09/2005	(394572)
181	06/13/2005	(395496)
182	06/20/2005	(419752)
183	06/20/2005	(343630)
184	06/23/2005	(395306)
185	06/30/2005	(396806)
186	06/30/2005	(396852)
187	07/12/2005	(349438)
188	07/12/2005	(399391)
189	07/13/2005	(399494)
190	07/13/2005	(348979)
191	07/13/2005	(349569)
192	07/18/2005	(440885)
193	07/22/2005	(349408)
194	07/29/2005	(349505)
195	08/02/2005	(402576)
196	08/02/2005	(402917)
197	08/02/2005	(402737)
198	08/02/2005	(402844)
199	08/03/2005	(401816)
200	08/08/2005	(402336)
201	08/08/2005	(399628)
202	08/09/2005	(403164)
203	08/09/2005	(403721)
204	08/09/2005	(403230)
205	08/09/2005	(403380)
206	08/09/2005	(404259)
207	08/09/2005	(404230)
208	08/09/2005	(404296)
209	08/09/2005	(403017)
210	08/15/2005	(405021)
211	08/16/2005	(404547)
212	08/16/2005	(404301)
213	08/18/2005	(440886)
214	08/19/2005	(404792)
215	08/23/2005	(405305)
216	08/24/2005	(399636)
217	08/24/2005	(399637)
218	08/29/2005	(405928)
219	08/29/2005	(405272)
220	08/31/2005	(418871)
221	09/01/2005	(399476)
222	09/23/2005	(440887)
223	09/28/2005	(432076)
224	09/28/2005	(431581)
225	10/07/2005	(347309)
226	10/12/2005	(342414)
227	10/17/2005	(434480)
228	10/21/2005	(440888)
229	11/03/2005	(418987)
230	11/03/2005	(431598)
231	11/04/2005	(436195)
232	11/07/2005	(431591)
233	11/07/2005	(431566)
234	11/09/2005	(431596)
235	11/09/2005	(431541)
236	11/15/2005	(431597)

237	11/21/2005	(468533)
238	11/22/2005	(435072)
239	11/22/2005	(438130)
240	11/22/2005	(433933)
241	12/19/2005	(468534)
242	12/20/2005	(267563)
243	12/21/2005	(435335)
244	12/21/2005	(434204)
245	12/30/2005	(435909)
246	12/30/2005	(435916)
247	01/17/2006	(468535)
248	01/17/2006	(273538)
249	01/17/2006	(450474)
250	02/06/2006	(450733)
251	02/16/2006	(337610)
252	02/17/2006	(468531)
253	02/21/2006	(452651)
254	02/28/2006	(456441)
255	02/28/2006	(457051)
256	03/20/2006	(498267)
257	03/23/2006	(343625)
258	03/24/2006	(459648)
259	04/04/2006	(461224)
260	04/13/2006	(431716)
261	04/17/2006	(468532)
262	04/20/2006	(457398)
263	04/20/2006	(457390)
264	04/20/2006	(461537)
265	04/26/2006	(338552)
266	04/27/2006	(461574)
267	04/28/2006	(463895)
268	05/02/2006	(460481)
269	05/03/2006	(463377)
270	05/04/2006	(462741)
271	05/08/2006	(457378)
272	05/16/2006	(462451)
273	05/16/2006	(465569)
274	05/17/2006	(457374)
275	05/17/2006	(498268)
276	05/22/2006	(466175)
277	05/25/2006	(431599)
278	05/30/2006	(479780)
279	05/30/2006	(479785)
280	05/30/2006	(479729)
281	05/30/2006	(479791)
282	05/30/2006	(479710)
283	05/30/2006	(479817)
284	05/31/2006	(465081)
285	05/31/2006	(462401)
286	05/31/2006	(344766)
287	05/31/2006	(463588)
288	06/02/2006	(464665)
289	06/02/2006	(454646)
290	06/02/2006	(460480)
291	06/13/2006	(498269)
292	06/14/2006	(466357)
293	06/19/2006	(481233)
294	06/19/2006	(481262)
295	06/26/2006	(481569)
296	06/29/2006	(480981)
297	06/30/2006	(481533)
298	07/07/2006	(483457)
299	07/07/2006	(483683)
300	07/07/2006	(484811)
301	07/17/2006	(498270)
302	07/20/2006	(484814)
303	07/31/2006	(489107)
304	07/31/2006	(484463)
305	08/03/2006	(489455)
306	08/03/2006	(454867)
307	08/08/2006	(520282)
308	08/09/2006	(484809)
309	08/18/2006	(347307)
310	08/18/2006	(487811)
311	08/31/2006	(489776)
312	08/31/2006	(465761)
313	09/01/2006	(509264)
314	09/01/2006	(510727)
315	09/01/2006	(510733)
316	09/05/2006	(489701)

317	09/05/2006	(489770)
318	09/11/2006	(520283)
319	09/25/2006	(497145)
320	09/29/2006	(489710)
321	10/06/2006	(520284)
322	10/18/2006	(513741)
323	10/18/2006	(512809)
324	10/26/2006	(517328)
325	10/30/2006	(516968)
326	11/06/2006	(544605)
327	11/15/2006	(514799)
328	11/15/2006	(347306)
329	11/15/2006	(518447)
330	11/30/2006	(457899)
331	11/30/2006	(531626)
332	12/07/2006	(544606)
333	12/08/2006	(532394)
334	12/13/2006	(519183)
335	12/21/2006	(393692)
336	01/08/2007	(533556)
337	01/09/2007	(535937)
338	01/11/2007	(544607)
339	01/11/2007	(534949)
340	01/12/2007	(481287)
341	01/23/2007	(536577)
342	01/29/2007	(532949)
343	01/29/2007	(449587)
344	01/31/2007	(517160)
345	01/31/2007	(538653)
346	02/02/2007	(462413)
347	02/05/2007	(457903)
348	02/06/2007	(539165)
349	02/07/2007	(544604)
350	02/08/2007	(539319)
351	02/09/2007	(484815)
352	02/09/2007	(440421)
353	02/09/2007	(449579)
354	02/15/2007	(535801)
355	02/15/2007	(457902)
356	02/27/2007	(515654)
357	02/28/2007	(481875)
358	03/08/2007	(449583)
359	03/14/2007	(575447)
360	03/23/2007	(489664)
361	03/23/2007	(490037)
362	03/26/2007	(541019)
363	03/26/2007	(541089)
364	03/26/2007	(541133)
365	03/27/2007	(534342)
366	03/28/2007	(555118)
367	03/30/2007	(541407)
368	03/30/2007	(535817)
369	04/04/2007	(511045)
370	04/05/2007	(536574)
371	04/05/2007	(575448)
372	04/05/2007	(543125)
373	04/12/2007	(535873)
374	04/19/2007	(538065)
375	04/19/2007	(537203)
376	04/20/2007	(556917)
377	04/20/2007	(536593)
378	04/20/2007	(539663)
379	04/24/2007	(536941)
380	04/24/2007	(537438)
381	04/27/2007	(556005)
382	04/30/2007	(542577)
383	05/01/2007	(539681)
384	05/03/2007	(554208)
385	05/04/2007	(535563)
386	05/08/2007	(558748)
387	05/08/2007	(535299)
388	05/08/2007	(489678)
389	05/08/2007	(541040)
390	05/08/2007	(535352)
391	05/09/2007	(535078)
392	05/09/2007	(457383)
393	05/09/2007	(535565)
394	05/11/2007	(536591)
395	05/16/2007	(558902)
396	05/16/2007	(575449)

397	05/16/2007	(539675)
398	05/17/2007	(490200)
399	05/30/2007	(560387)
400	05/31/2007	(561882)
401	05/31/2007	(540430)
402	05/31/2007	(538802)
403	06/05/2007	(562903)
404	06/08/2007	(554582)
405	06/11/2007	(575450)
406	06/15/2007	(560235)
407	06/15/2007	(561789)
408	06/27/2007	(563272)
409	06/27/2007	(559573)
410	06/27/2007	(559574)
411	06/27/2007	(559236)
412	07/03/2007	(555858)
413	07/05/2007	(564964)
414	07/06/2007	(562588)
415	07/10/2007	(567169)
416	07/11/2007	(543749)
417	07/11/2007	(541738)
418	07/16/2007	(561456)
419	07/20/2007	(575451)
420	07/23/2007	(568005)
421	07/30/2007	(563075)
422	08/03/2007	(564720)
423	08/06/2007	(570695)
424	08/09/2007	(554535)
425	08/09/2007	(571423)
426	08/10/2007	(560522)
427	08/10/2007	(563117)
428	08/13/2007	(563757)
429	08/14/2007	(607564)
430	08/22/2007	(568350)
431	08/24/2007	(570712)
432	08/29/2007	(543365)
433	08/29/2007	(572924)
434	09/07/2007	(593545)
435	09/07/2007	(607565)
436	09/19/2007	(572771)
437	09/19/2007	(570275)
438	09/19/2007	(570278)
439	09/20/2007	(570276)
440	09/26/2007	(593611)
441	09/28/2007	(565214)
442	09/28/2007	(564900)
443	09/28/2007	(565019)
444	10/01/2007	(595471)
445	10/02/2007	(564825)
446	10/02/2007	(564057)
447	10/02/2007	(563996)
448	10/02/2007	(566406)
449	10/02/2007	(564053)
450	10/03/2007	(574482)
451	10/04/2007	(565775)
452	10/10/2007	(567038)
453	10/10/2007	(566719)
454	10/11/2007	(566557)
455	10/12/2007	(607566)
456	10/12/2007	(572311)
457	10/16/2007	(597893)
458	10/19/2007	(596209)
459	10/25/2007	(573665)
460	10/25/2007	(571458)
461	10/25/2007	(572951)
462	11/02/2007	(598325)
463	11/02/2007	(598327)
464	11/02/2007	(573789)
465	11/08/2007	(597351)
466	11/09/2007	(619552)
467	11/19/2007	(593935)
468	11/19/2007	(569267)
469	11/20/2007	(608861)
470	11/27/2007	(568601)
471	12/04/2007	(599936)
472	12/07/2007	(593717)
473	12/07/2007	(594582)
474	12/12/2007	(593931)
475	12/17/2007	(611653)
476	12/18/2007	(619553)

477	12/20/2007	(599344)
478	12/20/2007	(599754)
479	12/20/2007	(599350)
480	12/20/2007	(599324)
481	12/21/2007	(599624)
482	12/21/2007	(599347)
483	12/27/2007	(612579)
484	01/02/2008	(599796)
485	01/02/2008	(598999)
486	01/02/2008	(600208)
487	01/04/2008	(610570)
488	01/07/2008	(613467)
489	01/07/2008	(600335)
490	01/07/2008	(600300)
491	01/07/2008	(600287)
492	01/08/2008	(600360)
493	01/08/2008	(600322)
494	01/08/2008	(600399)
495	01/10/2008	(600962)
496	01/11/2008	(619554)
497	01/18/2008	(612843)
498	01/18/2008	(614380)
499	01/18/2008	(609246)
500	01/28/2008	(616174)
501	01/30/2008	(616222)
502	02/04/2008	(554662)
503	02/07/2008	(614032)
504	02/08/2008	(611547)
505	02/08/2008	(672076)
506	02/13/2008	(613846)
507	02/15/2008	(612403)
508	02/15/2008	(612684)
509	02/27/2008	(617012)
510	02/28/2008	(617220)
511	03/05/2008	(611632)
512	03/07/2008	(616312)
513	03/09/2008	(609542)
514	03/10/2008	(672077)
515	03/14/2008	(639154)
516	03/21/2008	(639445)
517	03/24/2008	(639458)
518	04/02/2008	(637836)
519	04/04/2008	(638369)
520	04/04/2008	(613406)
521	04/09/2008	(672078)
522	04/17/2008	(646246)
523	04/24/2008	(653934)
524	04/25/2008	(613756)
525	04/30/2008	(654258)
526	04/30/2008	(654677)
527	05/01/2008	(595539)
528	05/07/2008	(646555)
529	05/08/2008	(613978)
530	05/09/2008	(598614)
531	05/13/2008	(439155)
532	05/19/2008	(670962)
533	05/22/2008	(670825)

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

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

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

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

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

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

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

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

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

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

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

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

Date: 12/28/2004 (338518)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.

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

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

Date: 12/30/2004 (268990)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Special Condition 1
Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open,

then swung shut. Exxon has not explaned how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

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

Date: 12/31/2004 (341980)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Permit 18287, SC 1
Description: Failure to prevent emissions of 4035 lbs of SO2.
Date: 01/24/2005 (342494)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PA Permit 18287 Special Condition 54E
Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).

Date: 08/19/2005 (404792)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: failed to identify self heating waste material which caused a fire in a roll off bin.
Date: 09/30/2005 (440888)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
Date: 04/26/2006 (461574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Permit #18287, SC #1
Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.
Date: 05/15/2006 (462451)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Permit No. 44533, GC #8
Description: Exxon failed to submit a completed final report.
Date: 05/31/2006 (463588)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(I)
Description: Failed to report the permit authorization for the facility involved in the maintenance activity.

Date: 07/07/2006 (483457)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Exxon failed to submit a CAP in a timely manner.
Date: 08/18/2006 (487811)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
Description: Failed submit a CAP in a timely manner.
Date: 08/31/2006 (489776)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 18287
Description: EM failed to prevent this emissions event.
Date: 10/18/2006 (513741)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: Exxon Mobil failed to prevent a break on the instrument air line.

Date: 12/13/2006 (519183)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Exxon failed to submit a CAP in a timely manner.

Date: 01/08/2007 (533556)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)
TWC Chapter 26 26.121(a)(1)
TWC Chapter 26 26.121(a)(2)
TWC Chapter 26 26.121(a)(3)
TWC Chapter 26 26.121(b)
TWC Chapter 26 26.121(c)
TWC Chapter 26 26.121(d)
TWC Chapter 26 26.121(e)
Rqmt Prov: PERMIT 00592-000
Description: Failure to prevent the uanuthorized discharge of domestic sewage.

Date: 02/13/2007 (539319)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ AIR FLEXIBLE PERMIT #18287, SC#1
Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.

Date: 04/04/2007 (511045)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT No. 18287/Special Condition No. 45E.
Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.

Date: 05/01/2007 (539681)

Self Report? NO Classification: Moderate

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

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

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

Date: 05/01/2008 (595539)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 14
OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 36A

Description: Failure to comply with the 160 ppm H2S in fuel gas limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 1A
PERMIT Permit 18287, Special Condition 24

Description: Failure to comply with 20 PPM SO2 limit on the SCU F-529 furnace.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 34E

Description: Failure to cap or plug 148 open-ended valves/lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 34F

Description: Failure to include 47 valves in the LDAR Program.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(3)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 1A

Description: Submittal of an incomplete Semi-Annual Equipment Leaks Report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 11C

Description: Operating a Safety Valve without a Rupture Disc.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 11A

Description: Failure to prevent VOC emissions from Safety Valves.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 1F

Description: Failure to comply with the 500 PPM CO limit of 40 CFR 60, Subpart UUU.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 11A

OP FOP O-01229, ST&C 1A
Description: Failure to comply with the 400 PPM CO limit of 30 TAC 117.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 3
Description: Failure to comply with Nox limits.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
Description: Failure to include NOX Sources in the NOX-MECT program.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 30
Description: Failure to register trace H2S emissions.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
Description: Failure to submit a stack test notification 15 days prior to testing.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit a Contruction Progress Report and Start-Up Notification Report within the required timeframes.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.4(a)
40 CFR Part 60, Subpart QQQ 60.698(b)(1)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 16
OP FOP O-01229, ST&C 1A
Description: Failure to submit a copy of the NSPS QQQ Semi-Annual Report to EPA Region 6.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 18D
Description: Failure to submit the Tank 0347 Seal Inspection Report within the required timeframe.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(C)(1)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
Description: Failure to include all SSM events in the Periodic Report dated February 28, 2006.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)
30 TAC Chapter 122, SubChapter B 122.132(e)(3)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.340(a)
5C THSC Chapter 382 382.085(b)
Description: Failure to assign Title V & 40 CFR 61, Subpart FF applicability to equipment in wastewater service.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 11A
Description: Failure to operate flares with a net heating value of 300Btu/scf.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 30
Description: Failure to submit two PI-7 forms.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 11B
Description: Failure to operate flares with a lit pilot light.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)
30 TAC Chapter 115, SubChapter H 115.764(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 10A
OP FOP O-01229, ST&C 1A
Description: Failure to perform annual HRVOC Flow Meter Calibrations.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 10A
OP FOP O-01229, ST&C 1A
Description: Failure to perform HRVOC Manual Sampling.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 30
PERMIT Permit 18287, Special Condition 51A
Description: Failure to perform daily Ammonium Polysulfide visual inspections.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(viii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229, ST&C 1A
OP FOP O-01229, ST&C 21C
Description: Failure to update the Refinery SSMP within 45 days of the date an unforeseen SSM event occurs.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01229 General Terms & Conditions
Description: Failure to submit the deviation report, dated June 21, 2007, within 30 days of the end of the reporting period.

Date: 05/22/2008 (670825)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PA TCEQ Flexible Air Permit #18287, SC#1
Description: failed to prevent a Waste Heat Boiler (E-701) feed water leak due to previous startups and shutdowns resulting in the shutdown of two Tail Gas Clean Up Units (TGCU-A & TGCU-C).

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED ORDER
DOCKET NO. 2008-0872-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("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 presented this agreement to the Commission.

The Respondent 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, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

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. During record reviews on March 26 through April 10, 2008 and January 3 through 15, 2008, TCEQ staff documented that:

   a. The Respondent released 5,032 pounds ("lbs") of sulfur dioxide ("SO2"), 383 lbs of carbon monoxide ("CO"), 307 lbs of volatile organic compounds ("VOC"), 71 lbs of nitrogen oxide ("NOx") and 55 lbs of hydrogen sulfide ("H2S") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 101349) that began December 14, 2007 and lasted 33 hours and 52 minutes;

   b. The Respondent released 88,422 lbs of VOCs, 7,319 lbs of CO, 1,705 lbs of H2S, 300 lbs of NOx and 2,178 lbs of SO2 from Hydrocracking Unit 1 during an avoidable emissions event (Incident No. 93064) that began June 23, 2007 and lasted 65 hours and 41 minutes.

4. The Respondent received notice of the violations on May 12 and 14, 2008.

5. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant, in order to prevent the reoccurrence of emissions due to the same causes as that of the June 23, 2007 emissions event (Incident No. 93064) and the December 14, 2007 emissions event (Incident No. 101349):

   a. E-705 tube bundles were inspected for wall thickness loss and plugs were installed on any thin or leaking tubes by December 20, 2007 (Incident No. 93064);

   b. E-705 tube bundles were pulled, inspected and repaired with improved vibration prevention hardware by December 20, 2007 (Incident No. 93064);

   c. Valves to control cooling water supply to all E-705 tube bundles were installed to allow manipulation of the cooling water rate to E-705 tube bundles if needed to help control vibration in these exchangers by December 20, 2007 (Incident No. 93064);

   d. Submitted a Corrective Action Plan ("CAP") to address the excessive emissions event that occurred June 23, 2007 (Incident No. 93064); and

   e. Relocated C-601 shutdown controls and wiring to an isolated location consistent with shutdown controls and wiring found in other compressor systems by March 31, 2008 (Incident No. 101349).

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.

2. As evidenced by Findings of Fact No. 3.a., the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 18287, Special Condition No. 1. 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. As evidenced by Findings of Fact No. 3.b., the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(a) and (b) and Air Permit No. 18287, Special Condition No. 1. Since this emissions event was avoidable and determined to be excessive, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent 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 Forty-Seven Thousand Six Hundred Dollars ($47,600) 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. The Respondent has paid Twenty-Three Thousand Eight Hundred Dollars ($23,800) of the administrative penalty. Twenty-Three Thousand Eight Hundred Dollars ($23,800) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Forty-Seven Thousand Six Hundred Dollars ($47,600) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2008-0872-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 II, Paragraph 5 above, Twenty-Three Thousand Eight Hundred Dollars ($23,800) 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 Respondent shall undertake the following technical requirements:

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

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

   c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions 3.a. and 3.b. as described below.

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

   "I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

   The certification shall be submitted to:

   Order Compliance Team
   Enforcement Division, MC 149A
   Texas Commission on Environmental Quality
   P.O. Box 13087
   Austin, Texas 78711-3087

   with a copy to:

   Air Section, Manager
   Houston Regional Office
   Texas Commission on Environmental Quality
   5425 Polk Avenue, Suite H
   Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon 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.

5. 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.

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by 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.

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

8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

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

10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____
For the Commission

_____ 11/14/2008
For the Executive Director Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Exxon Mobil Corporation. I am authorized to agree to the attached Agreed Order on behalf of Exxon Mobil Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Exxon Mobil Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that 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.

_____ 8/15/08
Signature Date

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

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

Attachment A
Docket Number: 2008-0872-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Payable Penalty Amount:	**Forty-Seven Thousand Six Hundred Dollars ($47,600)**
SEP Amount:	**Twenty-Three Thousand Eight Hundred Dollars ($23,800)**
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.