

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0214-AIR-E TCEQ ID: RN102579307 CASE NO.: 32604
RESPONDENT NAME: EXXON MOBIL CORPORATION

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Oil refining and supply company</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are 12 pending enforcement actions regarding this facility: 2007-0932-AIR-E, 2007-1404-AIR-E, 2007-0872-AIR-E, 2007-1183-AIR-E, 2007-1221-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2007-0802-AIR-E, 2007-1824-AIR-E, (in SOAH); 2008-1727-AIR-E, 2007-1134-AIR-E, and 2008-1163-AIR-E.</p> <p>INTERESTED PARTIES: No complaints have been received. No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 3, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Mr. Alfred Oloko, Litigation Division, MC R-12, (713) 422-8918 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175, (512) 239-2223 TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938 TCEQ Regional Contact: Mr. Manuel Bautista, Houston Regional Office, MC R-12, (713) 767-3678 Respondent: Mr. Gary Wilson, Refinery Manager, Exxon Mobil, 800 Bell Street, Suite 1805F, Houston, Texas 77002 Respondent's Attorney: Mr. George J. Rizzo, Attorney, Exxon Mobil Corporation, 800 Bell Street, Suite 1805F, Houston, Texas 77002.</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: November 17 - 24, 2005; December 13 - 14, 2005; May 31 - June 3, 2006</p> <p>Date of NOE Relating to this Case: February 9, 2007</p> <p>Background Facts: The EDRP was filed on August 24, 2007. The Respondent filed an answer on September 4, 2007. The parties reached a settlement and the Respondent signed an Agreed Order in June 2008.</p> <p>Current Compliance Status: No outstanding Technical Requirements.</p> <p>AIR:</p> <p>1. Failed to prevent unauthorized emissions. Specifically, released 21,300 lbs of CO from the Fluid Catalytic Cracking Unit 2 during an emissions event that began on May 23, 2005 and lasted forty-seven hours and twenty-five minutes [30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a)].</p> <p>2. Failed to prevent unauthorized emissions. Specifically, released 44,967 lbs of CO, 1,961 lbs of SO₂, 203 lbs of ammonia, 171 lbs of particulate matter, 163 lbs of hydrogen cyanide, 57 lbs of NO_x and 7 lbs of NO₂ from the Fluid Catalytic Cracking Unit 3 during an emissions event that began on June 2, 2005 and lasted four hours and fifty minutes [30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a)].</p>	<p>Total Assessed: \$40,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input checked="" type="checkbox"/> SEP Conditional Offset : \$20,000</p> <p>Total Paid to General Revenue: \$20,000</p> <p>The Respondent has paid \$20,000 of the administrative penalty. The remaining administrative penalty of \$20,000 shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP).</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Criteria:</p> <p>Violation nos. 2 and 3 involve emissions of contaminants that exceed levels protective of human health or the environment.</p>	<p>Ordering Provisions:</p> <p>The Respondent shall implement and complete a Supplemental Environmental Project (SEP).</p> <p>Corrective Action Taken:</p> <p>The Executive Director recognizes that the Respondent implemented the following corrective measures to address the emissions events that occurred May 23, 2005, June 2, 2005 and April 4, 2006:</p> <ol style="list-style-type: none"> 1. Implemented a procedure which requires analyzers to be visually inspected regularly and the probes changed out monthly on July 28, 2005; 2. The target pH range was lowered to provide more "cushion" in avoiding salt formation should the analyzer become plugged in the future on July 28, 2007; 3. A high pH alarm was set to better warn of potential analyzer pluggage on July 28, 2005; 4. The routine excess oxygen target range was raised by October 2005. The increased excess oxygen target raises the wind box to fire box differential pressure to a sufficient level and stabilizes the flame patterns on the individual gas guns; and 5. The isolation valve that was upstream of the leaking valve was replaced in June 2006. If a packing leak should ever occur again, it can be isolated and repaired without a unit shutdown.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>3. Failed to prevent unauthorized emissions. Specifically, released 1,167 lbs of CO, 299 lbs of H₂S, 95 lbs of NO₂, 850 lbs of NO_x, 27,538 lbs of SO₂, 4,537 lbs of n-butane, 5,027 lbs of propane, 0.7 lbs of pentane and 905 lbs of VOCs from the Gofiner Unit during an emissions event that began on April 4, 2006 and lasted four hours and fifty-four minutes [30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a)].</p>		

Attachment A

Docket Number: 2007-0214-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Penalty Amount:	Forty thousand dollars (\$40,000)
SEP Amount:	Twenty thousand dollars (\$20,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") <i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	Harris County

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

1. **Project Description**

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between AERCO and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Harris County. SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap.

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

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing the ozone precursors nitrogen oxides ("NOx") and hydrocarbons ("HC"), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

C. Minimum Expenditure

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

2. Performance Schedule

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

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 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:

Litigation Division
Attention: SEP Coordinator, MC 175
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.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

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 a 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 December 8, 2006

DATES	Assigned	5-Feb-2007	Screening	8-Feb-2007	EPA Due	26-Oct-2007
	PCW	12-Mar-2008				

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

CASE INFORMATION			
Enf./Case ID No.	32604	No. of Violations	3
Docket No.	2007-0214-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$25,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	413% Enhancement	Subtotals 2, 3, & 7	\$103,250
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Notes: Enhancement due to 17 NOVs with same or similar violations, 19 NOVs with unrelated violations (including four self reported effluent violations), two 1660 Agreed Orders, nine Findings Orders and a Repeat Violator classification.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes: Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	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.

Total EB Amounts	\$1,019	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$10,000	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$128,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE		Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount	\$128,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$40,000
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DEFERRAL	0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral offered for a Findings Order.

PAYABLE PENALTY	\$40,000
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Screening Date 8-Feb-2007

Docket No. 2007-0214-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 32604

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	17	85%
	Other written NOVs	19	38%
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	9	225%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 388%

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to 17 NOVs with same or similar violations, 19 NOVs with unrelated violations (including four self reported effluent violations), two 1660 Agreed Orders, nine Findings Orders and a Repeat Violator classification.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 413%

Screening Date 8-Feb-2007

Docket No. 2007-0214-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 32604

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, 21,300 pounds ("lbs") of carbon monoxide ("CO") were released from the Fluid Catalytic Cracking Unit 2 during an emissions event that began on May 23, 2005 and lasted 47 hours and 25 minutes. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		x		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 2 Number of violation days

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount - \$1,019

Violation Final Penalty Total \$25,650

This violation Final Assessed Penalty (adjusted for limits) \$20,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 32604
Reg. Ent. Reference No. RN102579307
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$10,000	17-Jul-2005	31-Jul-2007	2.0	\$1,019	n/a	\$1,019

Notes for DELAYED costs

Estimated expense to implement measures designed to prevent the recurrence of emissions. Date required is the date of the emissions event. Final date is the date that corrective action is estimated to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,019

Screening Date 8-Feb-2007

Docket No. 2007-0214-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 32604

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 2

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

Violation Description

Failed to prevent unauthorized emissions. Specifically, 44,967 lbs of CO, 1,961 lbs of sulfur dioxide ("SO2"), 203 lbs of ammonia, 171 lbs of particulate matter, 163 lbs of hydrogen cyanide, 57 lbs of nitrogen oxide ("NOx") and 7 lbs of nitrogen dioxide ("NO2") were released from the Fluid Catalytic Cracking Unit 3 during an emissions event that began June 2, 2005 and lasted four hours and 50 minutes. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	x			100%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1 Number of violation days 1

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$51,300

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 32604
Reg. Ent. Reference No. RN102579307
Media Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

See violation no. 1

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 8-Feb-2007

Docket No. 2007-0214-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September, 2002)

Case ID No. 32604

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 3

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

Violation Description

Failed to prevent unauthorized emissions. Specifically, 1,167 lbs of CO, 299 lbs of hydrogen sulfide, 95 lbs of NO2, 850 lbs of NOx, 27,538 lbs of SO2, 4,537 lbs of n-butane, 5,027 lbs of propane, 0.7 lbs of pentane and 905 lbs of volatile organic compounds were released from the Gofiner Unit during an emissions event that began April 4, 2006 and lasted four hours and 54 minutes. Since these emissions were avoidable, Exxon failed to meet the demonstrations necessary to present an affirmative defense on 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

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

Violation Base Penalty \$10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$51,300

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 32604
Reg. Ent. Reference No. RN102579307
Media Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

See violation no. 1

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Compliance History

Customer/Respondent/Owner-Operator:

CN802700304 Exxon Mobil Corporation

Classification: AVERAGE

Rating: 1.95

Regulated Entity:

RN102579307 EXXON MOBIL BAYTOWN FACILITY

Classification: AVERAGE

Site Rating: 4.21

AIR NEW SOURCE PERMITS	PERMIT	11007
AIR NEW SOURCE PERMITS	PERMIT	1384
AIR NEW SOURCE PERMITS	PERMIT	1632
AIR NEW SOURCE PERMITS	PERMIT	2007
AIR NEW SOURCE PERMITS	PERMIT	2073
AIR NEW SOURCE PERMITS	PERMIT	2185
AIR NEW SOURCE PERMITS	PERMIT	2209
AIR NEW SOURCE PERMITS	PERMIT	2258
AIR NEW SOURCE PERMITS	PERMIT	2389
AIR NEW SOURCE PERMITS	PERMIT	2521
AIR NEW SOURCE PERMITS	PERMIT	2665
AIR NEW SOURCE PERMITS	PERMIT	2794
AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	PERMIT	2979
AIR NEW SOURCE PERMITS	PERMIT	4973
AIR NEW SOURCE PERMITS	PERMIT	9163
AIR NEW SOURCE PERMITS	PERMIT	9556
AIR NEW SOURCE PERMITS	PERMIT	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	PERMIT	11053
AIR NEW SOURCE PERMITS	PERMIT	11206
AIR NEW SOURCE PERMITS	PERMIT	11250
AIR NEW SOURCE PERMITS	PERMIT	11380
AIR NEW SOURCE PERMITS	PERMIT	11464
AIR NEW SOURCE PERMITS	PERMIT	11475
AIR NEW SOURCE PERMITS	PERMIT	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	PERMIT	11624
AIR NEW SOURCE PERMITS	PERMIT	11703
AIR NEW SOURCE PERMITS	PERMIT	11939
AIR NEW SOURCE PERMITS	PERMIT	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	PERMIT	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	PERMIT	12977
AIR NEW SOURCE PERMITS	PERMIT	12994
AIR NEW SOURCE PERMITS	PERMIT	17160
AIR NEW SOURCE PERMITS	PERMIT	17369
AIR NEW SOURCE PERMITS	PERMIT	17370
AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	PERMIT	18318
AIR NEW SOURCE PERMITS	PERMIT	18448
AIR NEW SOURCE PERMITS	PERMIT	19301
AIR NEW SOURCE PERMITS	PERMIT	21222
AIR NEW SOURCE PERMITS	PERMIT	22874
AIR NEW SOURCE PERMITS	PERMIT	24669
AIR NEW SOURCE PERMITS	PERMIT	26486
AIR NEW SOURCE PERMITS	PERMIT	26294
AIR NEW SOURCE PERMITS	PERMIT	27403
AIR NEW SOURCE PERMITS	PERMIT	28697
AIR NEW SOURCE PERMITS	PERMIT	26443
AIR NEW SOURCE PERMITS	PERMIT	30186
AIR NEW SOURCE PERMITS	PERMIT	31067
AIR NEW SOURCE PERMITS	PERMIT	31008
AIR NEW SOURCE PERMITS	PERMIT	31690
AIR NEW SOURCE PERMITS	PERMIT	31852
AIR NEW SOURCE PERMITS	PERMIT	31915
AIR NEW SOURCE PERMITS	PERMIT	34139
AIR NEW SOURCE PERMITS	PERMIT	34295
AIR NEW SOURCE PERMITS	PERMIT	33875
AIR NEW SOURCE PERMITS	PERMIT	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	PERMIT	38532
AIR NEW SOURCE PERMITS	PERMIT	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	PERMIT	40421
AIR NEW SOURCE PERMITS	PERMIT	38572
AIR NEW SOURCE PERMITS	PERMIT	42509
AIR NEW SOURCE PERMITS	PERMIT	43489
AIR NEW SOURCE PERMITS	PERMIT	43582
AIR NEW SOURCE PERMITS	PERMIT	44162
AIR NEW SOURCE PERMITS	PERMIT	47145
AIR NEW SOURCE PERMITS	PERMIT	47912
AIR NEW SOURCE PERMITS	PERMIT	49342
AIR NEW SOURCE PERMITS	PERMIT	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	PERMIT	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381

AIR NEW SOURCE PERMITS	AFS NUM	0027
AIR NEW SOURCE PERMITS	REGISTRATION	56702
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	75409
AIR NEW SOURCE PERMITS	REGISTRATION	75412
AIR NEW SOURCE PERMITS	REGISTRATION	75543
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	54582
AIR NEW SOURCE PERMITS	PERMIT	54497
AIR NEW SOURCE PERMITS	PERMIT	71394
AIR NEW SOURCE PERMITS	PERMIT	50582
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
AIR NEW SOURCE PERMITS	PERMIT	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74344
AIR NEW SOURCE PERMITS	REGISTRATION	74483
AIR NEW SOURCE PERMITS	REGISTRATION	74575
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	74885
AIR NEW SOURCE PERMITS	REGISTRATION	75075
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	REGISTRATION	80989
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
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

Rating Date: 9/1/2006 Repeat Violator: YES

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: February 08, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 08, 2002 to February 08, 2007

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

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

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A

4. If Yes, who was/were the prior owner(s)? N/A

5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

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

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

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

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

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

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfure dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

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

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

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

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Effective Date: 06/15/2006 ADMINORDER 2005-1792-AIR-E 5

Classification: Moderate

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

Rqmt Prov: 18287 Special Condition 1 PERMIT
Description: Failed to prevent an avoidable emissions event that lasted 2 hours and 16 minutes, releasing 15,261 pounds of carbon monoxide, 37 pounds of ammonia and 6 pounds of hydrogen cyanide.

Effective Date: 09/23/2002 ADMINORDER 2001-1269-AIR-E 4

Classification: Moderate

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

Rqmt Prov: Spec Cond 1 PERMIT

Description: Failure to demonstrate that the upset that occurred from February 23, 2001 to March 5, 2001 could not have been prevented.

Effective Date: 08/07/2005 ADMINORDER 2003-1185-AIR-E 7

Classification: Major

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

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

Classification: Moderate

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(a)

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

Effective Date: 01/26/2007 ADMINORDER 2006-0737-AIR-E 8

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 Air Permit No. 18287, SC#1 PERMIT
Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on September 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT
Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

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

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

Effective Date: 04/29/2006 ADMINORDER 2005-0993-AIR-E 9

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

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

contaminants.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

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

Description: Operated FINs LS243RP1, LS243RP2 & LS243RP3 during the 2002 without first obtaining allowances for the emissions

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Major

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

Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT

Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/13/2002	(7822)
2	07/21/2003	(145449)
3	09/25/2002	(11688)
4	10/14/2002	(158980)
5	09/25/2002	(11704)
6	11/25/2002	(16480)
7	08/31/2002	(4925)
8	10/26/2006	(517328)
9	05/14/2003	(21719)
10	05/16/2006	(462451)
11	08/26/2002	(8617)
12	02/18/2004	(295740)
13	02/15/2005	(381907)
14	07/08/2004	(332775)
15	01/07/2005	(341981)
16	06/02/2006	(464665)
17	08/18/2006	(347307)
18	03/15/2005	(381908)
19	11/15/2002	(158984)
20	11/30/2006	(457899)
21	03/10/2004	(260889)
22	11/23/2004	(340185)
23	11/22/2004	(337719)
24	12/20/2004	(381909)
25	01/31/2007	(517160)
26	08/27/2002	(9555)
27	03/15/2004	(295742)
28	01/31/2005	(347261)
29	05/26/2005	(333676)
30	08/02/2005	(402576)
31	09/01/2004	(292073)
32	06/02/2006	(454646)
33	01/25/2005	(381910)
34	04/19/2004	(295743)
35	12/28/2004	(268993)

36	08/28/2002	(10138)
37	07/20/2006	(484814)
38	05/17/2006	(457374)
39	05/22/2006	(466175)
40	11/08/2004	(335879)
41	05/17/2004	(295745)
42	02/21/2006	(452651)
43	01/09/2007	(535937)
44	04/27/2006	(461574)
45	08/18/2006	(487811)
46	09/28/2005	(432076)
47	08/09/2005	(403164)
48	12/13/2004	(268246)
49	11/15/2006	(514799)
50	08/05/2004	(284996)
51	05/31/2006	(465081)
52	06/14/2004	(295747)
53	11/11/2004	(340075)
54	12/08/2006	(532394)
55	01/21/2005	(342494)
56	12/30/2004	(268760)
57	07/13/2005	(399494)
58	12/19/2002	(158988)
59	09/01/2004	(290594)
60	08/31/2002	(10348)
61	08/18/2003	(295750)
62	10/27/2004	(333600)
63	09/01/2004	(283208)
64	10/07/2002	(9492)
65	07/31/2006	(489107)
66	09/01/2006	(509264)
67	11/17/2004	(340163)
68	08/28/2002	(10060)
69	09/16/2003	(295752)
70	07/02/2004	(268937)
71	12/28/2004	(337673)
72	12/13/2006	(519183)
73	08/27/2003	(113043)
74	09/25/2006	(497145)
75	05/10/2005	(380346)
76	01/04/2005	(267623)
77	09/05/2006	(489701)
78	09/01/2005	(399476)
79	11/22/2005	(435072)
80	01/21/2003	(158992)
81	10/20/2003	(295754)
82	07/28/2004	(352252)
83	08/16/2005	(404547)
84	02/28/2005	(267818)
85	12/13/2004	(267690)
86	08/16/2004	(352253)
87	05/12/2005	(374170)
88	12/27/2004	(341022)
89	06/30/2004	(273343)
90	12/28/2004	(334795)
91	08/28/2004	(268055)
92	11/18/2003	(295756)
93	09/20/2004	(352254)
94	08/31/2002	(10406)
95	08/04/2003	(27210)
96	04/28/2006	(463895)
97	12/29/2004	(278295)
98	08/02/2005	(402917)
99	10/07/2005	(347309)
100	11/07/2005	(431591)
101	12/17/2003	(295757)
102	10/18/2004	(352255)
103	02/26/2004	(263843)
104	01/29/2007	(532949)
105	05/30/2006	(479780)
106	03/17/2004	(263880)
107	02/17/2006	(468531)
108	08/31/2002	(9353)
109	01/23/2004	(295758)
110	11/15/2004	(352256)
111	10/11/2004	(335357)
112	10/25/2002	(12472)
113	03/18/2003	(28114)
114	01/29/2007	(449587)
115	11/12/2004	(340365)

116	02/06/2007	(539165)
117	04/17/2006	(468532)
118	06/30/2005	(396806)
119	11/21/2005	(468533)
120	01/25/2005	(341747)
121	12/28/2004	(268990)
122	08/31/2004	(268738)
123	11/08/2004	(340028)
124	01/25/2005	(348070)
125	12/19/2005	(468534)
126	08/05/2004	(285905)
127	08/08/2003	(148752)
128	12/20/2004	(338518)
129	12/28/2004	(343607)
130	01/17/2006	(468535)
131	06/16/2004	(267859)
132	12/13/2004	(342452)
133	01/06/2005	(344763)
134	04/22/2005	(349214)
135	05/01/2003	(34037)
136	05/19/2003	(28334)
137	05/31/2006	(462401)
138	04/03/2003	(26192)
139	11/03/2005	(418987)
140	01/10/2005	(341982)
141	08/12/2004	(287978)
142	12/13/2004	(267765)
143	08/31/2002	(4790)
144	01/23/2005	(334796)
145	12/28/2004	(334936)
146	04/26/2006	(338552)
147	04/12/2005	(375744)
148	06/28/2004	(268917)
149	08/09/2005	(403721)
150	01/13/2005	(346338)
151	02/02/2007	(462413)
152	07/05/2004	(268960)
153	08/08/2005	(402336)
154	06/30/2004	(272731)
155	06/19/2006	(481233)
156	01/06/2005	(267642)
157	04/03/2003	(24466)
158	11/05/2004	(334294)
159	06/30/2006	(481533)
160	01/07/2005	(343633)
161	07/12/2005	(349438)
162	04/07/2005	(344010)
163	04/04/2006	(461224)
164	07/13/2005	(348979)
165	12/28/2004	(269717)
166	10/07/2002	(10732)
167	11/08/2004	(340024)
168	05/16/2006	(465569)
169	08/08/2006	(520282)
170	12/22/2004	(278243)
171	03/28/2003	(27429)
172	06/14/2006	(466357)
173	01/12/2007	(481287)
174	09/11/2006	(520283)
175	06/30/2004	(268942)
176	02/21/2005	(351015)
177	08/31/2002	(10215)
178	10/06/2006	(520284)
179	12/22/2004	(268731)
180	01/12/2005	(267368)
181	02/08/2007	(539319)
182	09/01/2006	(510727)
183	11/09/2004	(339020)
184	04/20/2006	(457398)
185	08/31/2005	(418871)
186	08/31/2006	(489776)
187	11/04/2005	(436195)
188	03/28/2003	(26898)
189	04/22/2005	(349058)
190	11/15/2006	(347306)
191	08/09/2005	(403230)
192	08/31/2002	(9535)
193	11/12/2004	(340615)
194	08/31/2002	(9989)
195	05/31/2006	(344766)

196	06/29/2006	(480981)
197	12/31/2004	(267843)
198	01/04/2005	(341983)
199	05/30/2006	(479785)
200	12/21/2005	(435335)
201	04/18/2005	(419750)
202	01/31/2007	(538653)
203	01/10/2003	(19176)
204	04/13/2006	(431716)
205	07/07/2006	(483457)
206	05/17/2005	(419751)
207	07/07/2006	(483683)
208	08/31/2002	(9518)
209	10/12/2005	(342414)
210	12/28/2004	(272677)
211	08/09/2005	(403380)
212	06/20/2005	(419752)
213	12/02/2002	(16777)
214	02/20/2004	(262675)
215	07/18/2005	(440885)
216	11/09/2005	(431596)
217	01/17/2006	(273538)
218	07/31/2003	(143468)
219	11/09/2005	(431541)
220	08/18/2005	(440886)
221	11/07/2005	(431566)
222	06/27/2003	(23997)
223	09/23/2005	(440887)
224	11/11/2004	(340145)
225	12/28/2004	(341014)
226	10/21/2005	(440888)
227	08/02/2005	(402737)
228	10/17/2005	(434480)
229	02/06/2006	(450733)
230	08/09/2005	(404259)
231	12/22/2004	(339607)
232	12/21/2006	(393692)
233	01/11/2007	(534949)
234	11/15/2005	(431597)
235	04/07/2005	(337403)
236	05/30/2002	(1344)
237	07/13/2005	(349569)
238	11/09/2004	(339949)
239	08/31/2002	(9514)
240	02/19/2002	(158950)
241	01/08/2007	(533556)
242	01/10/2005	(339231)
243	10/04/2002	(11966)
244	11/17/2004	(340565)
245	02/08/2003	(158951)
246	03/23/2006	(343625)
247	03/15/2004	(263857)
248	09/01/2004	(291353)
249	08/31/2004	(268748)
250	02/16/2006	(337610)
251	11/22/2004	(340689)
252	12/21/2004	(341978)
253	01/23/2007	(536577)
254	12/30/2005	(435909)
255	07/28/2004	(273430)
256	08/03/2006	(489455)
257	08/31/2002	(9505)
258	01/17/2003	(21370)
259	03/15/2002	(158953)
260	08/31/2002	(4782)
261	09/25/2002	(10278)
262	12/28/2004	(267530)
263	03/21/2003	(158954)
264	06/02/2006	(460480)
265	05/30/2006	(479729)
266	02/28/2006	(456441)
267	08/31/2002	(10002)
268	08/28/2002	(9533)
269	06/30/2005	(396852)
270	08/03/2004	(278115)
271	12/30/2005	(435916)
272	08/30/2004	(268034)
273	08/29/2003	(150365)
274	06/13/2005	(395496)
275	05/02/2006	(460481)

276	08/09/2005	(404230)
277	09/24/2004	(270454)
278	04/28/2005	(348685)
279	09/25/2002	(11714)
280	04/22/2005	(347659)
281	08/23/2005	(405305)
282	03/29/2005	(375295)
283	04/18/2002	(158958)
284	05/30/2006	(479791)
285	12/14/2004	(342432)
286	12/29/2004	(341979)
287	04/15/2003	(158959)
288	11/22/2005	(438130)
289	11/03/2005	(431598)
290	04/30/2004	(266933)
291	07/19/2002	(1862)
292	08/09/2005	(404296)
293	08/28/2004	(268992)
294	10/21/2002	(11574)
295	05/03/2006	(463377)
296	08/05/2003	(12119)
297	09/28/2005	(431581)
298	08/03/2006	(454867)
299	11/22/2004	(340575)
300	05/13/2005	(379379)
301	08/02/2005	(402844)
302	09/05/2006	(489770)
303	05/20/2002	(158962)
304	02/05/2007	(457903)
305	06/09/2005	(394572)
306	05/30/2006	(479710)
307	03/24/2006	(459648)
308	05/20/2003	(158963)
309	08/19/2005	(404792)
310	01/04/2005	(267736)
311	08/29/2005	(405928)
312	07/28/2003	(143775)
313	12/28/2004	(341980)
314	05/04/2006	(462741)
315	10/18/2006	(513741)
316	06/26/2006	(481569)
317	12/31/2004	(272589)
318	12/16/2004	(342682)
319	06/28/2004	(267243)
320	11/15/2006	(518447)
321	12/20/2005	(267563)
322	12/14/2004	(342708)
323	08/29/2003	(150864)
324	07/29/2005	(349505)
325	05/31/2006	(463588)
326	06/27/2002	(246552)
327	01/30/2004	(258928)
328	09/12/2002	(6717)
329	05/30/2006	(479817)
330	08/29/2005	(405272)
331	06/14/2002	(158966)
332	01/12/2005	(344761)
333	01/17/2006	(450474)
334	08/09/2006	(484809)
335	12/28/2004	(268918)
336	07/26/2002	(1750)
337	06/30/2004	(268976)
338	06/18/2003	(158967)
339	11/19/2002	(14312)
340	05/25/2006	(431599)
341	12/14/2004	(342152)
342	05/14/2002	(246551)
343	08/06/2004	(283891)
344	02/28/2006	(457051)
345	04/20/2006	(457390)
346	08/31/2002	(9984)
347	11/03/2004	(338702)
348	07/12/2005	(399391)
349	05/08/2003	(24899)
350	06/22/2004	(267197)
351	09/29/2006	(489710)
352	07/22/2005	(349408)
353	05/10/2004	(151755)
354	08/27/2003	(152197)
355	10/30/2006	(516968)

356 06/20/2005 (343630)
 357 04/20/2006 (461537)
 358 07/12/2002 (158970)
 359 04/07/2004 (263885)
 360 07/31/2006 (484463)
 361 07/15/2003 (158971)
 362 09/01/2004 (290226)
 363 01/08/2003 (16789)
 364 06/23/2005 (395306)
 365 08/31/2004 (268764)
 366 12/22/2004 (340759)
 367 06/19/2006 (481262)
 368 08/09/2005 (403017)
 369 11/22/2004 (339656)
 370 08/16/2005 (404301)
 371 03/20/2006 (498267)
 372 08/24/2005 (399636)
 373 11/08/2004 (337651)
 374 06/25/2004 (267327)
 375 03/10/2004 (260872)
 376 03/21/2003 (22728)
 377 05/17/2006 (498268)
 378 08/24/2005 (399637)
 379 12/28/2004 (338557)
 380 08/21/2002 (158974)
 381 07/30/2004 (281613)
 382 12/09/2004 (341224)
 383 05/08/2006 (457378)
 384 07/11/2003 (38025)
 385 06/13/2006 (498269)
 386 09/01/2006 (510733)
 387 10/26/2004 (292710)
 388 11/09/2004 (340023)
 389 08/03/2005 (401816)
 390 07/17/2006 (498270)
 391 11/12/2004 (335883)
 392 06/03/2003 (31487)
 393 08/31/2002 (10376)
 394 01/30/2004 (258921)
 395 08/08/2005 (399628)
 396 09/01/2004 (292083)
 397 10/18/2006 (512809)
 398 01/27/2005 (342684)
 399 10/09/2002 (12765)
 400 05/17/2004 (267458)
 401 08/31/2002 (9873)
 402 07/23/2004 (267916)
 403 08/31/2002 (9839)
 404 02/21/2005 (337401)
 405 12/22/2004 (342051)
 406 06/03/2004 (269088)
 407 11/29/2004 (340829)
 408 11/22/2005 (433933)
 409 08/31/2002 (10301)
 410 11/22/2004 (267703)
 411 08/15/2005 (405021)
 412 08/31/2002 (10337)
 413 12/21/2005 (434204)
 414 12/13/2004 (342441)
 415 07/07/2006 (484811)
 416 09/16/2002 (158977)
 417 08/31/2006 (465761)
 418 12/05/2004 (269620)
 419 08/31/2002 (9529)
 420 11/30/2006 (531626)

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

- 1 Date: 08/31/2002 (158977)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
- 2 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
- 3 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.

4 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

5 Date: 10/31/2002 (158984)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

6 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)[G]
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)(1)
TWC Chapter 26 26.121(a)(2)
TWC Chapter 26 26.121(a)(3)
TWC Chapter 26 26.121(a)[G]
TWC Chapter 26 26.121(b)
TWC Chapter 26 26.121(c)
TWC Chapter 26 26.121(d)
TWC Chapter 26 26.121(e)
TWC Chapter 26 26.121[G]
Rqmt Prov: PERMIT 00592-000
Description: Failure to prevent the unauthorized discharge of domestic sewage.

7 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.

8 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.

9 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.

- 10 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.
- 11 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.
- 12 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.
- 13 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.
- 14 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.
- 15 Date: 09/30/2005 (440888)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
- 16 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.
- 17 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.
- 18 Date: 05/08/2003 (24899)
Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failed to control ethylene emissions during process operations.
- 19 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.
- 20 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.
- 21 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).

22 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.

23 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.

24 Date: 03/25/2003 (22728)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to prevent unauthorized emissions that resulted from a maintenance event.

25 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.

26 Date: 06/27/2002 (246552)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

27 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.

28 Date: 05/14/2002 (246551)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

29 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.

30 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.

31 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.

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

12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

33 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.

34 Date: 07/31/2002 (158974)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

35 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.

36 Date: 08/18/2006 (487811)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
Description: Failed submit a CAP in a timely manner.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXON MOBIL CORPORATION,
RN102579307

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO.2007-0214-AIR-E

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

Exxon Mobil understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Exxon Mobil agrees to waive all notice and procedural rights.

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

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

FINDINGS OF FACT

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

3. During a records review conducted on December 13, through 14, 2005, a TCEQ Regional Office investigator documented that Exxon Mobil failed to prevent unauthorized emissions. Specifically, ExxonMobil released 21,300 lbs of CO from the Fluid Catalytic Cracking Unit 2 during an emissions event that began on May 23, 2005 and lasted forty-seven hours and twenty-five minutes.
4. During a records review conducted on November 17, through 24, 2005, a TCEQ Regional Office investigator documented that Exxon Mobil violated 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a) by failing to prevent unauthorized emissions. Specifically, ExxonMobil released 44,967 lbs of CO, 1,961 lbs of SO₂, 203 lbs of ammonia, 171 lbs of particulate matter, 163 lbs of hydrogen cyanide, 57 lbs of NO_x and 7 lbs of NO₂ from the Fluid Catalytic Cracking Unit 3 during an emissions event that began on June 2, 2005 and lasted four hours and fifty minutes.
5. During a records review conducted on May 31, through June 3, 2006, a TCEQ Regional Office investigator documented that Exxon Mobil violated 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a) by failing to prevent unauthorized emissions. Specifically, ExxonMobil released 1,167 lbs of CO, 299 lbs of H₂S, 95 lbs of NO₂, 850 lbs of NO_x, 27,538 lbs of SO₂, 4,537 lbs of n-butane, 5,027 lbs of propane, 0.7 lbs of pentane and 905 lbs of VOCs from the Gofiner Unit during an emissions event that began on April 4, 2006 and lasted four hours and fifty-four minutes.
6. Exxon Mobil received notice of the violations on or about February 14, 2007.
7. The Executive Director recognizes that Exxon Mobil implemented the following corrective measures to address the emissions events that occurred May 23, 2005, June 2, 2005 and April 4, 2006:
 - a. Implemented a procedure which requires analyzers to be visually inspected regularly and the probes changed out monthly on July 28, 2005;
 - b. The target pH range was lowered to provide more "cushion" in avoiding salt formation should the analyzer become plugged in the future on July 28, 2005;
 - c. A high pH alarm was set to better warn of potential analyzer pluggage on July 28, 2005;
 - d. The routine excess oxygen target range was raised by October 2005. The increased excess oxygen target raises the wind box to fire box differential

pressure to a sufficient level and stabilizes the flame patterns on the individual gas guns; and

- e. The isolation valve that was upstream of the leaking valve was replaced in June 2006. If a packing leak should ever occur again, it can be isolated and repaired without a unit shutdown.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Exxon Mobil is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Exxon Mobil has failed to prevent unauthorized emissions. Specifically, ExxonMobil released 21,300 lbs of CO from the Fluid Catalytic Cracking Unit 2 during an emissions event that began on May 23, 2005 and lasted forty-seven hours and twenty-five minutes in violation of 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a). Since these emissions were avoidable, Exxon Mobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Finding of Fact No. 4, Exxon Mobil has failed to prevent unauthorized emissions. Specifically, ExxonMobil released 44,967 lbs of CO, 1,961 lbs of SO₂, 203 lbs of ammonia, 171 lbs of particulate matter, 163 lbs of hydrogen cyanide, 57 lbs of NO_x and 7 lbs of NO₂ from the Fluid Catalytic Cracking Unit 3 during an emissions event that began on June 2, 2005 and lasted four hours and fifty minutes in violation of 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a). Since these emissions were avoidable, Exxon Mobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Finding of Fact No. 5, Exxon Mobil has failed to prevent unauthorized emissions. Specifically, ExxonMobil released 1,167 lbs of CO, 299 lbs of H₂S, 95 lbs of NO₂, 850 lbs of NO_x, 27,538 lbs of SO₂, 4,537 lbs of n-butane, 5,027 lbs of propane, 0.7 lbs of pentane and 905 lbs of VOCs from the Gofiner Unit during an emissions event that began on April 4, 2006 and lasted four hours and fifty-four minutes in violation of 30 TEX. ADMIN. CODE § 116.715(a), Flexible Permit No. 18287, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(a). Since these emissions were avoidable, Exxon Mobil failed to

meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Exxon Mobil 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.
6. An administrative penalty in the amount of forty thousand dollars (\$40,000.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Exxon Mobil has paid twenty thousand dollars (\$20,000.00) of the administrative penalty. Exxon Mobil shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. Twenty thousand dollars (\$20,000.00) of the assessed administrative penalty shall be offset with the condition that Exxon Mobil implement the SEP defined in Attachment A, incorporated herein by reference. Exxon Mobil'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.

ORDERING PROVISIONS

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

1. Exxon Mobil is assessed an administrative penalty in the amount of forty thousand dollars (\$40,000.00) as set forth in Conclusion of Law No. 6 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Exxon Mobil's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Exxon Mobil Corporation; Docket No. 2007-0214-AIR-E; Enforcement ID No. 32604" to:

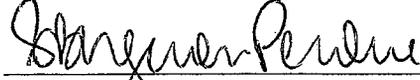
Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon Exxon Mobil. Exxon Mobil is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Site operations referenced in this Agreed Order.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Exxon Mobil if the Executive Director determines that Exxon Mobil has not complied with one or more of the terms or conditions in this Agreed Order.
4. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
5. This Agreed Order, issued by the Commission, shall not be admissible against Exxon Mobil in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to Exxon Mobil, or three days after the date on which the Commission mails notice of the Order to Exxon Mobil, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

10/16/08

Date

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

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

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

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

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



Signature

GARY W. WILSON

Name (printed or typed)

Authorized Representative

Exxon Mobil Corporation

6/25/08

Date

BAYTOWN

REFINERY MANAGER

Title

Attachment A
Docket Number: 2007-0214-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Penalty Amount:	Forty thousand dollars (\$40,000)
SEP Amount:	Twenty thousand dollars (\$20,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") <i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	Harris County

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

1. **Project Description**

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between **AERCO** and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Harris County. SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap.

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

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing the ozone precursors nitrogen oxides ("NOx") and hydrocarbons ("HC"), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

C. Minimum Expenditure

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

2. Performance Schedule

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

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 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:

Litigation Division
Attention: SEP Coordinator, MC 175
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.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

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 a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.