

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2008-1727-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 36759
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: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Refining and supply company</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are 14 additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0932-AIR-E, 2007-1404-AIR-E, 2007-0872-AIR-E, 2007-1183-AIR-E, 2009-0132-AIR-E, 2007-1221-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2008-1877-AIR-E, 2008-1163-AIR-E, 2007-1134-AIR-E, 2007-0802-AIR-E, 2009-0073-AIR-E, and 2005-1824-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 4, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Jeff Kovacs, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Mr. Gary W. Wilson, Baytown Refinery Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 21 through August 11, and August 12 through August 21, 2008</p> <p>Date of NOV/NOE Relating to this Case: October 30 and November 3, 2008 (NOE)</p> <p>Background Facts: These were record reviews.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 129,997 pounds ("lbs") of carbon monoxide ("CO"), 17,270 lbs of sulfur dioxide ("SO2"), 3,020 lbs of nitrogen oxide ("NOx"), 150 lbs of hydrogen cyanide, 381 lbs of ammonia and 803 lbs of particulate matter from Fluid Catalytic Cracking Unit 3 ("FCUU3") which resulted in 50% opacity during an avoidable emissions event (Incident No. 106703) that began April 22, 2008 and lasted 29 hours and 19 minutes. The unauthorized emissions were the result of an operator inadvertently closing the C-Boiler fuel gas valves on FCCU3, causing the boiler to trip. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, Special Condition No. 1].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, the Respondent released 28,105.8 lbs of volatile organic compounds ("VOC"), 6,824 lbs of SO2, 2,720 lbs of CO, 351.8 lbs of NOx, 75.9 lbs of hydrogen sulfide and 3,653 lbs of the highly reactive VOC ethylene during</p>	<p>Total Assessed: \$30,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$15,000</p> <p>Total Paid to General Revenue: \$15,000</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 Orders Justification: Human health has been exposed to pollutants which exceeded levels that are protective.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On August 11, 2008, the Respondent modified computer schematics for the three boilers to make it more apparent which of the boiler controls are being viewed and selected (Incident No. 106703); and</p> <p>b. On August 21, 2008, the Respondent modified Job Hazard Analysis procedures and implemented training on the recognition and communication of job hazards (Incident No. 107090).</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

<p>an avoidable emissions event (Incident No. 107090) that began April 29, 2008 and lasted four hours and four minutes. The unauthorized emissions were the result of a third party contractor inadvertently piercing a live underground power cable by driving a piece of steel rebar into the ground. This resulted in the failure of several power supplies in the Utilities Control Center. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, Special Condition No. 1].</p>		
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Additional ID No(s): HG0232Q

Attachment A
Docket Number: 2008-1727-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation
Payable Penalty Amount: Thirty Thousand Dollars (\$30,000)
SEP Amount: Fifteen Thousand Dollars (\$15,000)
Type of SEP: Pre-approved
Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP: Texas Air Quality Control Region 216 – Houston-Galveston

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. 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 of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

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

2. Performance Schedule

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

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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
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.



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision October 30, 2008

DATES	Assigned	3-Nov-2008	Screening	4-Nov-2008	EPA Due	27-Jul-2009
	PCW	4-Nov-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.	36759	No. of Violations	2
Docket No.	2008-1727-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Muennink
		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	\$30,000
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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	665.0% Enhancement	Subtotals 2, 3, & 7	\$199,500
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Notes: Enhancement due to 24 NOVs with same or similar violations, five NOVs with unrelated violations, 17 Findings Orders, four 1660 Agreed Orders and one Court Order with a denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$7,500
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$31
Approx. Cost of Compliance	\$2,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$222,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$222,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$30,000
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DEFERRAL	0.0%	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 is recommended for Findings Orders.

PAYABLE PENALTY	\$30,000
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Screening Date 4-Nov-2008

Docket No. 2008-1727-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 36759

PCW Revision October 30, 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 NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	24	120%
	Other written NOV's	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	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	17	425%
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%
<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) 665%

>> **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 24 NOV's with same or similar violations, five NOV's with unrelated violations, 17 Findings Orders, four 1660 Agreed Orders and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 665%

Screening Date 4-Nov-2008	Docket No. 2008-1727-AIR-E	PCW
Respondent Exxon Mobil Corporation		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 36759		<small>PCW Revision October 30, 2008</small>
Reg. Ent. Reference No. RN102579307		
Media [Statute] Air		
Enf. Coordinator John Muennink		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1	
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 129,997 pounds ("lbs") of carbon monoxide ("CO"), 17,270 lbs of sulfur dioxide ("SO2"), 3,020 lbs of nitrogen oxide ("NOx"), 150 lbs of hydrogen cyanide, 381 lbs of ammonia and 803 lbs of particulate matter from Fluid Catalytic Cracking Unit 3 ("FCUU3") which resulted in 50% opacity during an avoidable emissions event (Incident No. 106703) that began April 22, 2008 and lasted 29 hours and 19 minutes. The unauthorized emissions were the result of an operator inadvertently closing the C-Boiler fuel gas valves on FCCU3, causing the boiler to trip. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.	
	Base Penalty	<input type="text" value="\$10,000"/>
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release Major Moderate Minor	
Actual	<input checked="" type="checkbox"/>	
Potential	<input type="checkbox"/>	<input type="checkbox"/>
	Percent	<input type="text" value="100%"/>
>> Programmatic Matrix		
	Falsification Major Moderate Minor	
	<input type="checkbox"/>	<input type="checkbox"/>
	Percent	<input type="text" value="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. The emissions event resulted in the release of approximately 75.5 tons of criteria air pollutants to the Houston-Galveston-Brazoria Non-Attainment Area.	
	Adjustment	<input type="text" value="\$0"/>
		<input type="text" value="\$10,000"/>
Violation Events		
	Number of Violation Events <input type="text" value="2"/>	Number of violation days <input type="text" value="2"/>
<small>mark only one with an x</small>	daily	<input checked="" type="checkbox"/>
	weekly	<input type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>
	Violation Base Penalty	<input type="text" value="\$20,000"/>
Two daily events are recommended.		
Good Faith Efforts to Comply		
	<input type="text" value="25.0%"/> Reduction	<input type="text" value="\$5,000"/>
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>	
Extraordinary	<input type="checkbox"/>	
Ordinary	<input checked="" type="checkbox"/>	
N/A	<input type="checkbox"/>	<small>(mark with x)</small>
Notes	The Respondent completed corrective measures by August 11, 2008.	
	Violation Subtotal	<input type="text" value="\$15,000"/>
Economic Benefit (EB) for this violation		
Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$8"/>	Violation Final Penalty Total <input type="text" value="\$148,000"/>
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$20,000"/>

Economic Benefit Worksheet

Respondent: Exxon Mobil Corporation
Case ID No.: 36759
Reg. Ent. Reference No.: RN102579307
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$500	22-Apr-2008	11-Aug-2008	0.30	\$8	n/a	\$8

Notes for DELAYED costs

Estimated expense to modify computer schematics for the three boilers to make it more apparent which of the boiler controls are being viewed and selected. Date Required is the date of the emissions event. Final Date is the date that corrective measures 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

\$500

TOTAL

\$8

Screening Date 4-Nov-2008	Docket No. 2008-1727-AIR-E	PCW	
Respondent Exxon Mobil Corporation		<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 36759		<small>PCW Revision October 30, 2008</small>	
Reg. Ent. Reference No. RN102579307			
Media [Statute] Air			
Enf. Coordinator John Muennink			
Violation Number <input type="text" value="2"/>			
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1		
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 28,105.8 lbs of volatile organic compounds ("VOC"), 6,824 lbs of SO ₂ , 2,720 lbs of CO, 351.8 lbs of NO _x , 75.9 lbs of hydrogen sulfide and 3,653 lbs of the highly reactive VOC ("HRVOC") ethylene during an avoidable emissions event (Incident No. 107090) that began April 29, 2008 and lasted four hours and four minutes. The unauthorized emissions were the result of a third party contractor inadvertently piercing a live underground power cable by driving a piece of steel rebar into the ground. This resulted in the failure of several power supplies in the Utilities Control Center. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.		
	Base Penalty	<input type="text" value="\$10,000"/>	
>> Environmental, Property and Human Health Matrix			
OR	Release	Harm	
		Major Moderate Minor	
	Actual	<input type="text" value="x"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="100%"/>
>> Programmatic Matrix			
	Falsification	Major	Moderate Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="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. The emissions event resulted in the release of approximately 20.8 tons of pollutants, that included 1.8 tons of HRVOCs, to the Houston-Galveston-Brazoria Non-Attainment Area.		
	Adjustment	<input type="text" value="\$0"/>	
		Base Penalty	<input type="text" value="\$10,000"/>
Violation Events			
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days
		<input type="text" value="1"/>	
<small>mark only one with an x</small>	daily	<input type="text" value="x"/>	
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	
		Violation Base Penalty	<input type="text" value="\$10,000"/>
One daily event is recommended.			
Good Faith Efforts to Comply			<input type="text" value="25.0%"/>
		Reduction	<input type="text" value="\$2,500"/>
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text" value="x"/>	<input type="text"/>	
N/A	<input type="text"/>	(mark with x)	
Notes	The Respondent completed corrective measures by August 21, 2008.		
	Violation Subtotal	<input type="text" value="\$7,500"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	<input type="text" value="\$23"/>	Violation Final Penalty Total	<input type="text" value="\$74,000"/>
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>

Economic Benefit Worksheet

Respondent: Exxon Mobil Corporation
Case ID No.: 36759
Reg. Ent. Reference No.: RN102579307
Media: Air
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
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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	\$1,000	29-Apr-2008	21-Aug-2008	0.31	\$16	n/a	\$16
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	29-Apr-2008	21-Aug-2008	0.31	\$8	n/a	\$8

Notes for DELAYED costs

Estimated expense to modify Job Hazard Analysis procedures and to implement training on the recognition and communication of jobs hazards. Date Required is the date of the emissions event. Final Date is the date that corrective measures 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

\$1,500

TOTAL

\$23

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600123939	Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.63
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 5.05
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		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	85745
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
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111

TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: November 03, 2008
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: November 03, 2003 to November 03, 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 & LS243RP3 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 PERMIT
Description: Failure to limit emissions during an emissions event that occurred July 23 to 24, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.

Effective Date: 08/07/2005 ADMINORDER 2003-1185-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 18287 and PSD-TX-730, SC No. 20.D PA
Description: Failure to conduct grab samples which is representative of the vent gas to flares 14, 15, 17, 19, 20, 22, 25, 26 and 27.

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Moderate

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

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

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

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)

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

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

Classification: Moderate

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

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

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

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

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

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

Classification: Moderate

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

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA
Description: Failed to prevent the unauthorized emissions of 11,582 lbs of sulfur dioxide, 1,591 lbs of nitrogen monoxide, 839 lbs of carbon monoxide and 180 lbs of nitrogen dioxide during an emissions event on September 12, 2005, which lasted for one hour.

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

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT
Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of ammonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs of nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfide

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Minor

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

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

Effective Date: 03/01/2007 COURTOORDER

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, adhering to cars and homes. This created nuisance conditions for the neighborhood and violated 30 TAC § 101.4 because the oil was emitted into the atmosphere in such concentration and of such duration as to interfere with the normal use and enjoyment of property and to adversely affect human health.

Classification: Moderate

Citation: 30 TAC Chapter 327 327.3(e)

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

Classification: Moderate

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

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

Effective Date: 05/25/2007

ADMINORDER 2006-1398-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Effective Date: 06/29/2007

ADMINORDER 2006-1196-AIR-E

Classification: Moderate

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

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

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

Effective Date: 08/23/2007

ADMINORDER 2006-2043-AIR-E

Classification: Moderate

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

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

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

Description: Failed to prevent unauthorized emissions. Specifically, 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

5C THC Chapter 382, SubChapter D 382.085(b)

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

Effective Date: 09/21/2007

ADMINORDER 2007-0077-AIR-E

Classification: Moderate

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

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

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

Effective Date: 01/12/2008

ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

5C THC Chapter 382, SubChapter D 382.085(b)

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

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter D 382.085(b)

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

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

Effective Date: 02/25/2008

ADMINORDER 2006-0496-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 lasted 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 NO_x, 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.

Effective Date: 06/05/2008

ADMINORDER 2007-1637-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, the Respondent released 3,160 pounds ("lbs") of volatile organic compounds, 182 lbs of hydrogen sulfide, 21 lbs of the Hazardous Air Pollutant ("HAP") benzene, 124 lbs of the HAP toluene, 54 lbs of the HAP xylene and 224 lbs of the HAP ethylbenzene from Tank 998 in Oil Movements Area 1 during an avoidable emissions event that began May 17, 2007 and lasted 126 hours.

Effective Date: 09/22/2008

ADMINORDER 2006-0875-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 Permit No. 18287 PERMIT

Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on February 19, 2006 that lasted 5 minutes and released 9,090 lbs of ethylene.

Effective Date: 10/06/2008

ADMINORDER 2008-0160-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,932.7 pounds ("lbs") of volatile organic compounds and 1,556 lbs of sulfur dioxide from the West Loop Flare System during an emissions event that began August 26, 2007 and lasted 41 hours and three minutes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)(ii)
5C THSC Chapter 382 382.085(b)

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

Classification: Moderate

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

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

Description: failed to prevent unauthorized emissions. Specifically, the Respondent released 237 pounds ("lbs") of carbon monoxide, 199.31 lbs of volatile organic compounds, 40.88 lbs of hydrogen sulfide, 43.5 lbs of nitrogen oxide and 3,759.34 lbs of sulfur dioxide from the Delayed Coker Unit during an avoidable emissions event (Incident No. 98207) that began October 2, 2007 and lasted one hour and 22 minutes.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	01/30/2004	(258921)
2	01/30/2004	(258928)
3	02/20/2004	(262675)
4	02/26/2004	(263843)
5	03/10/2004	(260872)
6	03/10/2004	(260889)
7	03/15/2004	(263857)
8	03/17/2004	(263880)
9	04/07/2004	(263885)
10	05/10/2004	(151755)
11	05/17/2004	(267458)
12	06/03/2004	(269088)
13	06/16/2004	(267859)
14	06/22/2004	(267197)
15	06/25/2004	(267327)
16	06/28/2004	(267243)
17	06/28/2004	(268917)
18	06/30/2004	(268942)
19	06/30/2004	(268976)
20	06/30/2004	(272731)
21	06/30/2004	(273343)
22	07/02/2004	(268937)
23	07/05/2004	(268960)
24	07/23/2004	(267916)
25	07/28/2004	(273430)
26	07/30/2004	(281613)
27	08/03/2004	(278115)
28	08/05/2004	(284996)
29	08/05/2004	(285905)
30	08/12/2004	(287978)
31	08/28/2004	(268055)
32	08/28/2004	(268992)
33	08/30/2004	(268034)
34	08/31/2004	(268738)
35	08/31/2004	(268748)
36	08/31/2004	(268764)
37	09/01/2004	(283208)
38	09/01/2004	(290226)
39	09/01/2004	(290594)
40	09/01/2004	(291353)
41	09/01/2004	(292073)
42	09/01/2004	(292083)
43	09/24/2004	(270454)
44	10/11/2004	(335357)
45	10/26/2004	(292710)
46	10/27/2004	(333600)
47	11/03/2004	(338702)
48	11/05/2004	(334294)
49	11/08/2004	(335879)
50	11/08/2004	(337651)
51	11/08/2004	(340024)
52	11/08/2004	(340028)
53	11/09/2004	(339020)
54	11/09/2004	(339949)
55	11/09/2004	(340023)
56	11/11/2004	(340075)
57	11/11/2004	(340145)
58	11/12/2004	(335883)
59	11/12/2004	(340365)
60	11/12/2004	(340615)
61	11/17/2004	(340163)
62	11/17/2004	(340565)
63	11/22/2004	(267703)
64	11/22/2004	(337719)
65	11/22/2004	(339656)
66	11/22/2004	(340575)

67	11/22/2004	(340689)
68	11/23/2004	(340185)
69	11/29/2004	(340829)
70	12/05/2004	(269620)
71	12/09/2004	(341224)
72	12/13/2004	(267690)
73	12/13/2004	(267765)
74	12/13/2004	(268246)
75	12/13/2004	(342441)
76	12/13/2004	(342452)
77	12/14/2004	(342152)
78	12/14/2004	(342432)
79	12/14/2004	(342708)
80	12/16/2004	(342682)
81	12/20/2004	(338518)
82	12/21/2004	(341978)
83	12/22/2004	(268731)
84	12/22/2004	(278243)
85	12/22/2004	(339607)
86	12/22/2004	(340759)
87	12/22/2004	(342051)
88	12/27/2004	(341022)
89	12/28/2004	(267530)
90	12/28/2004	(268918)
91	12/28/2004	(268990)
92	12/28/2004	(268993)
93	12/28/2004	(269717)
94	12/28/2004	(272677)
95	12/28/2004	(334795)
96	12/28/2004	(334936)
97	12/28/2004	(337673)
98	12/28/2004	(338557)
99	12/28/2004	(341014)
100	12/28/2004	(341980)
101	12/28/2004	(343607)
102	12/29/2004	(278295)
103	12/29/2004	(341979)
104	12/30/2004	(268760)
105	12/31/2004	(267843)
106	12/31/2004	(272589)
107	01/04/2005	(267623)
108	01/04/2005	(267736)
109	01/04/2005	(341983)
110	01/06/2005	(267642)
111	01/06/2005	(344763)
112	01/07/2005	(341981)
113	01/07/2005	(343633)
114	01/10/2005	(339231)
115	01/10/2005	(341982)
116	01/12/2005	(267368)
117	01/12/2005	(344761)
118	01/13/2005	(346338)
119	01/21/2005	(342494)
120	01/23/2005	(334796)
121	01/25/2005	(341747)
122	01/25/2005	(348070)
123	01/27/2005	(342684)
124	01/31/2005	(347261)
125	02/21/2005	(337401)
126	02/21/2005	(351015)
127	02/28/2005	(267818)
128	03/29/2005	(375295)
129	04/07/2005	(337403)
130	04/07/2005	(344010)
131	04/12/2005	(375744)
132	04/22/2005	(347659)
133	04/22/2005	(349058)
134	04/22/2005	(349214)
135	04/28/2005	(348685)
136	05/10/2005	(380346)
137	05/12/2005	(374170)
138	05/13/2005	(379379)
139	05/26/2005	(333676)

140	06/09/2005	(394572)
141	06/13/2005	(395496)
142	06/20/2005	(343630)
143	06/23/2005	(395306)
144	06/30/2005	(396806)
145	06/30/2005	(396852)
146	07/12/2005	(349438)
147	07/12/2005	(399391)
148	07/13/2005	(348979)
149	07/13/2005	(349569)
150	07/13/2005	(399494)
151	07/22/2005	(349408)
152	07/29/2005	(349505)
153	08/02/2005	(402576)
154	08/02/2005	(402737)
155	08/02/2005	(402844)
156	08/02/2005	(402917)
157	08/03/2005	(401816)
158	08/08/2005	(399628)
159	08/08/2005	(402336)
160	08/09/2005	(403017)
161	08/09/2005	(403164)
162	08/09/2005	(403230)
163	08/09/2005	(403380)
164	08/09/2005	(403721)
165	08/09/2005	(404230)
166	08/09/2005	(404259)
167	08/09/2005	(404296)
168	08/15/2005	(405021)
169	08/16/2005	(404301)
170	08/16/2005	(404547)
171	08/19/2005	(404792)
172	08/23/2005	(405305)
173	08/24/2005	(399636)
174	08/24/2005	(399637)
175	08/29/2005	(405272)
176	08/29/2005	(405928)
177	08/31/2005	(418871)
178	09/01/2005	(399476)
179	09/28/2005	(431581)
180	09/28/2005	(432076)
181	10/07/2005	(347309)
182	10/12/2005	(342414)
183	10/17/2005	(434480)
184	11/03/2005	(418987)
185	11/03/2005	(431598)
186	11/07/2005	(431566)
187	11/07/2005	(431591)
188	11/09/2005	(431541)
189	11/09/2005	(431596)
190	11/15/2005	(431597)
191	11/22/2005	(433933)
192	11/22/2005	(435072)
193	11/22/2005	(438130)
194	12/20/2005	(267563)
195	12/21/2005	(434204)
196	12/21/2005	(435335)
197	12/30/2005	(435909)
198	12/30/2005	(435916)
199	01/17/2006	(273538)
200	01/17/2006	(450474)
201	02/06/2006	(450733)
202	02/16/2006	(337610)
203	02/21/2006	(452651)
204	02/28/2006	(456441)
205	02/28/2006	(457051)
206	03/23/2006	(343625)
207	03/24/2006	(459648)
208	04/04/2006	(461224)
209	04/13/2006	(431716)
210	04/20/2006	(457390)
211	04/20/2006	(457398)
212	04/20/2006	(461537)

213	04/26/2006	(338552)
214	04/27/2006	(461574)
215	04/28/2006	(463895)
216	05/02/2006	(460481)
217	05/03/2006	(463377)
218	05/04/2006	(462741)
219	05/08/2006	(457378)
220	05/16/2006	(462451)
221	05/16/2006	(465569)
222	05/17/2006	(457374)
223	05/22/2006	(466175)
224	05/25/2006	(431599)
225	05/30/2006	(479710)
226	05/30/2006	(479729)
227	05/30/2006	(479780)
228	05/30/2006	(479785)
229	05/30/2006	(479791)
230	05/30/2006	(479817)
231	05/31/2006	(344766)
232	05/31/2006	(462401)
233	05/31/2006	(463588)
234	05/31/2006	(465081)
235	06/02/2006	(454646)
236	06/02/2006	(460480)
237	06/02/2006	(464665)
238	06/14/2006	(466357)
239	06/19/2006	(481233)
240	06/19/2006	(481262)
241	06/26/2006	(481569)
242	06/29/2006	(480981)
243	06/30/2006	(481533)
244	07/07/2006	(483457)
245	07/07/2006	(483683)
246	07/07/2006	(484811)
247	07/20/2006	(484814)
248	07/31/2006	(484463)
249	07/31/2006	(489107)
250	08/03/2006	(454867)
251	08/03/2006	(489455)
252	08/09/2006	(484809)
253	08/18/2006	(347307)
254	08/18/2006	(487811)
255	08/31/2006	(465761)
256	08/31/2006	(489776)
257	09/01/2006	(509264)
258	09/01/2006	(510727)
259	09/01/2006	(510733)
260	09/05/2006	(489701)
261	09/05/2006	(489770)
262	09/25/2006	(497145)
263	09/29/2006	(489710)
264	10/18/2006	(512809)
265	10/18/2006	(513741)
266	10/26/2006	(517328)
267	10/30/2006	(516968)
268	11/15/2006	(347306)
269	11/15/2006	(514799)
270	11/15/2006	(518447)
271	11/30/2006	(457899)
272	11/30/2006	(531626)
273	12/08/2006	(532394)
274	12/13/2006	(519183)
275	12/21/2006	(393692)
276	01/08/2007	(533556)
277	01/09/2007	(535937)
278	01/11/2007	(534949)
279	01/12/2007	(481287)
280	01/23/2007	(536577)
281	01/29/2007	(449587)
282	01/31/2007	(517160)
283	01/31/2007	(538653)
284	02/02/2007	(462413)
285	02/05/2007	(457903)

286 02/08/2007 (539165)
287 02/08/2007 (539319)
288 02/09/2007 (440421)
289 02/09/2007 (449579)
290 02/09/2007 (484815)
291 02/15/2007 (457902)
292 02/15/2007 (535801)
293 02/27/2007 (515554)
294 02/28/2007 (481875)
295 03/08/2007 (449583)
296 03/23/2007 (489664)
297 03/23/2007 (490037)
298 03/26/2007 (541019)
299 03/26/2007 (541089)
300 03/26/2007 (541133)
301 03/27/2007 (534342)
302 03/28/2007 (555118)
303 03/30/2007 (535817)
304 03/30/2007 (541407)
305 04/04/2007 (511045)
306 04/05/2007 (536574)
307 04/05/2007 (543125)
308 04/12/2007 (535873)
309 04/19/2007 (537203)
310 04/19/2007 (538065)
311 04/20/2007 (536593)
312 04/20/2007 (539663)
313 04/20/2007 (556917)
314 04/24/2007 (536941)
315 04/24/2007 (537438)
316 04/27/2007 (556005)
317 04/30/2007 (542577)
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320 05/04/2007 (555563)
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322 05/08/2007 (535299)
323 05/08/2007 (535352)
324 05/08/2007 (541040)
325 05/08/2007 (558748)
326 05/09/2007 (457383)
327 05/09/2007 (535078)
328 05/09/2007 (535565)
329 05/11/2007 (536591)
330 05/16/2007 (539675)
331 05/16/2007 (558902)
332 05/17/2007 (490200)
333 05/30/2007 (560387)
334 05/31/2007 (538802)
335 05/31/2007 (540430)
336 05/31/2007 (561882)
337 06/05/2007 (562903)
338 06/08/2007 (554582)
339 06/15/2007 (560235)
340 06/15/2007 (561789)
341 06/27/2007 (559236)
342 06/27/2007 (559573)
343 06/27/2007 (559574)
344 06/27/2007 (563272)
345 07/03/2007 (555858)
346 07/05/2007 (564964)
347 07/06/2007 (562588)
348 07/10/2007 (567169)
349 07/11/2007 (541738)
350 07/11/2007 (543749)
351 07/16/2007 (561456)
352 07/23/2007 (568005)
353 07/30/2007 (563075)
354 08/03/2007 (564720)
355 08/06/2007 (570695)
356 08/09/2007 (554535)
357 08/09/2007 (571423)
358 08/10/2007 (560522)

359 08/10/2007 (563117)
360 08/13/2007 (563757)
361 08/22/2007 (568350)
362 08/24/2007 (570712)
363 08/29/2007 (543365)
364 08/29/2007 (572924)
365 09/07/2007 (593545)
366 09/19/2007 (570275)
367 09/19/2007 (570278)
368 09/19/2007 (572771)
369 09/20/2007 (570276)
370 09/26/2007 (593611)
371 09/28/2007 (564900)
372 09/28/2007 (565019)
373 09/28/2007 (565214)
374 10/01/2007 (595471)
375 10/02/2007 (563996)
376 10/02/2007 (564053)
377 10/02/2007 (564057)
378 10/02/2007 (564825)
379 10/02/2007 (566406)
380 10/03/2007 (574482)
381 10/04/2007 (565775)
382 10/10/2007 (566719)
383 10/10/2007 (567038)
384 10/11/2007 (566557)
385 10/12/2007 (572311)
386 10/16/2007 (597893)
387 10/19/2007 (596209)
388 10/25/2007 (571458)
389 10/25/2007 (572951)
390 10/25/2007 (573665)
391 11/02/2007 (573789)
392 11/02/2007 (598325)
393 11/02/2007 (598327)
394 11/08/2007 (597351)
395 11/19/2007 (569267)
396 11/19/2007 (593935)
397 11/20/2007 (568861)
398 11/27/2007 (568601)
399 12/04/2007 (599936)
400 12/07/2007 (593717)
401 12/07/2007 (594582)
402 12/12/2007 (593931)
403 12/17/2007 (571653)
404 12/20/2007 (599324)
405 12/20/2007 (599344)
406 12/20/2007 (599350)
407 12/20/2007 (599754)
408 12/21/2007 (599347)
409 12/21/2007 (599624)
410 12/27/2007 (572579)
411 01/02/2008 (598999)
412 01/02/2008 (599796)
413 01/02/2008 (560208)
414 01/04/2008 (570570)
415 01/07/2008 (560287)
416 01/07/2008 (560300)
417 01/07/2008 (560335)
418 01/07/2008 (573467)
419 01/08/2008 (560322)
420 01/08/2008 (560360)
421 01/08/2008 (560399)
422 01/10/2008 (560962)
423 01/18/2008 (569246)
424 01/18/2008 (572843)
425 01/18/2008 (574380)
426 01/28/2008 (576174)
427 01/30/2008 (576222)
428 02/07/2008 (574032)
429 02/08/2008 (571547)
430 02/13/2008 (573846)
431 02/15/2008 (572403)

432 02/15/2008 (612684)
 433 02/27/2008 (617012)
 434 02/28/2008 (617220)
 435 03/05/2008 (611632)
 436 03/07/2008 (616312)
 437 03/09/2008 (609542)
 438 03/14/2008 (639154)
 439 03/21/2008 (639445)
 440 03/24/2008 (639458)
 441 04/02/2008 (637836)
 442 04/04/2008 (613406)
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 444 04/17/2008 (646246)
 445 04/24/2008 (653934)
 446 04/25/2008 (613756)
 447 04/30/2008 (654258)
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 450 05/07/2008 (646555)
 451 05/08/2008 (613978)
 452 05/09/2008 (598614)
 453 05/13/2008 (439155)
 454 05/19/2008 (670962)
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 456 05/27/2008 (679941)
 457 06/15/2008 (433577)
 458 06/16/2008 (398344)
 459 06/17/2008 (683333)
 460 06/19/2008 (683121)
 461 06/26/2008 (683668)
 462 06/27/2008 (671720)
 463 07/18/2008 (686470)
 464 07/22/2008 (531928)
 465 07/22/2008 (685958)
 466 07/28/2008 (684325)
 467 08/07/2008 (684566)
 468 09/24/2008 (701775)
 469 10/16/2008 (687747)
 470 10/17/2008 (617775)
 471 10/27/2008 (706457)
 472 10/29/2008 (687171)
 473 10/30/2008 (685194)
 474 10/31/2008 (703451)
 475 11/03/2008 (686921)

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

Date: 08/28/2004 (268055)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 18287

Description: Exceeded VOC permit limit.

Date: 08/28/2004, (268992)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 18287

Description: Failed to prevent unauthorized emissions during an emissions event.

Date: 11/10/2004, (339949)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Flex Permit 18287, SC 1

Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.

Date: 11/30/2004 (340185)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Flex Permit 18287, SC 1

Description: Failure to prevent unauthorized emissions of 687 lbs SO2.

Date: 12/21/2004 (334796)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1
 Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.
 Date: 12/22/2004 (339607)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.
 Date: 12/28/2004 (338518)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.
 Date: 12/28/2004 (341978)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.
 Date: 12/29/2004 (341979)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Flexible Permit 18287, SC 1
 Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.
 Date: 12/30/2004 (268990)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.
 Date: 12/31/2004 (267843)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.
 Date: 12/31/2004 (341980)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Permit 18287, SC 1
 Description: Failure to prevent emissions of 4035 lbs of SO2.
 Date: 01/24/2005 (342494)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 Rqmt Prov: PA Permit 18287 Special Condition 54E
 Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).
 Date: 08/19/2005 (404792)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: failed to identify self heating waste material which caused a fire in a roll off bin.

Date: 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: 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)

Rqmt Prov:	40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1) 5C THSC Chapter 382 382.085(b) 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)		
Rqmt Prov:	5C THSC Chapter 382 382.085(b) 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)		
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 Construction 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
 Description: PERMIT Permit 18287, Special Condition 18D
 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).		
Date:	10/31/2008 (703451)		
Self Report?	NQ	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:	Failure to prevent solid sulfur pluggage in the condenser seal leg causing carryover of sulfur into the tail gas unit resulting in the unauthorized release of 1,457.3 pounds of carbonyl sulfide, 55.2 pounds of carbon disulfide, and 21.6 pounds of hydrogen sulfide. The duration of this emissions event was 63 hours.		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-1727-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 July 21 through August 11, 2008 and August 12 through August 21, 2008, TCEQ staff documented that:
 - a. The Respondent released 129,997 pounds ("lbs") of carbon monoxide ("CO"), 17,270 lbs of sulfur dioxide ("SO₂"), 3,020 lbs of nitrogen oxide ("NO_x"), 150 lbs of hydrogen cyanide, 381 lbs of ammonia and 803 lbs of particulate matter from Fluid Catalytic Cracking Unit 3 ("FCUU3") which resulted in 50% opacity during an avoidable emissions event (Incident No. 106703) that began April 22, 2008 and lasted 29 hours and 19 minutes. The unauthorized emissions were the result of an operator inadvertently closing the C-Boiler fuel gas valves on FCCU3, causing the boiler to trip; and
 - b. The Respondent released 28,105.8 lbs of volatile organic compounds ("VOC"), 6,824 lbs of SO₂, 2,720 lbs of CO, 351.8 lbs of NO_x, 75.9 lbs of hydrogen sulfide and 3,653 lbs of the highly reactive VOC ("HRVOC") ethylene during an avoidable emissions event (Incident No. 107090) that began April 29, 2008 and lasted four hours and four minutes. The unauthorized emissions were the result of a third party contractor inadvertently piercing a live underground power cable by driving a piece of steel rebar into the ground. This resulted in the failure of several power supplies in the Utilities Control Center.
4. The Respondent received notice of the violations on November 4 and 8, 2008.
5. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On August 11, 2008, the Respondent modified computer schematics for the three boilers to make it more apparent which of the boiler controls are being viewed and selected (Incident No. 106703); and
 - b. On August 21, 2008, the Respondent modified Job Hazard Analysis procedures and implemented training on the recognition and communication of job hazards (Incident No. 107090).

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 Flexible Permit No. 18287, Special Condition No. 1. Since this emissions event could have been avoided by better operational practices, 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(b) and Flexible Permit No. 18287, Special Condition No. 1. Since this emissions event could have been avoided by better operational practices, 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 Thirty Thousand Dollars (\$30,000) 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 Fifteen Thousand Dollars (\$15,000) of the administrative penalty. Fifteen Thousand Dollars (\$15,000) 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 Thirty Thousand Dollars (\$30,000) 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. 2008-1727-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

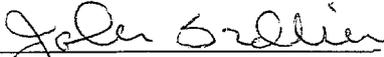
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5 above, Fifteen Thousand Dollars (\$15,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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



For the Executive Director

Date 9/11/09

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.



Signature

Date 2/20/09

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

BAYTOWN
REFINERY MANAGER
Title

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

Attachment A
Docket Number: 2008-1727-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation
Payable Penalty Amount: Thirty Thousand Dollars (\$30,000)
SEP Amount: Fifteen Thousand Dollars (\$15,000)
Type of SEP: Pre-approved
Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP: Texas Air Quality Control Region 216 – Houston-Galveston

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. 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 of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

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

2. Performance Schedule

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

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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
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.

