EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2010-0448-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 39390
RESPONDENT NAME: Exxon Mobil Corporation

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

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

TYPE OF OPERATION: Petroleum refinery

SMALL BUSINESS: ___ Yes X No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are seven additional pending enforcement actions regarding this facility location: Docket Nos. 2010-1036-AIR-E, 2010-0656-AIR-E, 2010-0007-AIR-E, 2009-2050-AIR-E, 2009-1944-AIR-E, 2009-1848-IHW-E, and 2009-1284-AIR-E.

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on August 30, 2010. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732
TCEQ Enforcement Coordinator: Ms. Gena Hawkins, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2583; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495
Respondent: Mr. Steven R. Cope, Refinery Manager, Exxon Mobil Corporation, 5000 Bayway Drive, Baytown, Texas 77520
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint X Routine __ Enforcement Follow-up __ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** July 22, 2009 **Date of NOV/NOE Relating to this Case:** February 18, 2010 (NOE) **Background Facts:** This was a routine investigation. **AIR** Failure to comply with permitted emissions limits [New Source Review Flexible Air Permit No. 18287/PSD-TX-730M4, Special Condition 1, 30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3), and TEX. HEALTH & SAFETY CODE § 382.085(b)].	**Total Assessed:** $40,000 **Total Deferred:** $0 __Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $20,000 **Total Paid to General Revenue:** $20,000 **Site Compliance History Classification** __ **High** X **Average** __ **Poor** **Person Compliance History Classification** __ **High** X **Average** __ **Poor** **Major Source:** X Yes __ No **Applicable Penalty Policy:** September 2002 **Findings Orders Justification:** Human health and the environment have been exposed to pollutants which exceed levels that are protective.	**Corrective Actions Taken:** The Executive Director recognizes that, by December 31, 2009, and in response to Incident No. 126082 the Respondent made available industrial sized, temporary, portable air conditioning units to be used for emergency cooling in order to prevent recurrence of the same or a similar event. **Ordering Provisions:** The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)

Additional ID No(s).: Air Account No. HG0232Q

Attachment A
Docket Number: 2010-0448-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Penalty Amount:	**Forty Thousand Dollars ($40,000)**
SEP Offset Amount:	**Twenty Thousand Dollars ($20,000)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston Regional Monitoring Corporation – *HRMC Houston Area Air Monitoring***
Location of SEP:	**Harris County**

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. Specifically, SEP funds will be used to operate, maintain, and potentially expand portions of the existing ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that it has no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The SEP will provide collection of near real-time volatile organic compound ("VOC"), nitrogen oxides ("NOx"), ozone ("0_3"), and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, and to assess potential ambient community exposure to a limited number of air pollutants. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and will indirectly benefit by having data useful in addressing Houston's ozone non-attainment status.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP offset 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 offset amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Vinson & Elkins LLP
First City Tower
1001 Fannin Street, Suite 2500
Houston, Texas 77002-6760

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP offset 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 expenditure of the SEP offset 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 offset amount.

In the event of incomplete performance, the Respondent shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondent shall make the payment for the amount due to "Texas Commission on Environmental Quality" and mail it to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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

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Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) — *PCW Revision October 30, 2008*

DATES					
Assigned	22-Feb-2010				
PCW	2-Jun-2010	Screening	8-Mar-2010	EPA Due	

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.	39390	No. of Violations	1
Docket No.	2010-0448-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Gena Hawkins
		EC's Team	Enforcement Team 4

Admin. Penalty $ Limit Minimum: $0 — Maximum: $10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)		*Subtotal 1*	$40,000
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History	615.0% Enhancement	*Subtotals 2, 3, & 7*	$246,000
Notes	The penalty was enhanced by seventeen similar and five dissimilar NOVs, six 1660-style and sixteen findings agreed orders.		
Culpability	No — 0.0% Enhancement	*Subtotal 4*	$0
Notes	The Respondent does not meet the culpability criteria.		
Good Faith Effort to Comply Total Adjustments		*Subtotal 5*	$10,000
Economic Benefit	0.0% Enhancement*	*Subtotal 6*	$0
Total EB Amounts	$52	**Capped at the Total EB $ Amount*	
Approx. Cost of Compliance	$2,000		
SUM OF SUBTOTALS 1-7		*Final Subtotal*	$276,000
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	*Adjustment*	$0
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes			
		Final Penalty Amount	$276,000
STATUTORY LIMIT ADJUSTMENT		*Final Assessed Penalty*	$40,000
DEFERRAL	0.0% Reduction	*Adjustment*	$0
Reduces the Final Assessed Penalty by the indicted percentage. *(Enter number only; e.g. 20 for 20% reduction.)*			
Notes	No deferral is recommended for Findings Orders.		
PAYABLE PENALTY			$40,000

Screening Date	8-Mar-2010	**Docket No.** 2010-0448-AIR-E	**PCW**
Respondent	Exxon Mobil Corporation		*Policy Revision 2 (September 2002)*
Case ID No.	39390		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN102579307		
Media [Statute]	Air		
Enf. Coordinator	Gena Hawkins		

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	17	85%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	16	400%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 615%

>> 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

The penalty was enhanced by seventeen similar and five dissimilar NOVs, six 1660-style and sixteen findings agreed orders.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 615%

Screening Date 8-Mar-2010 **Docket No.** 2010-0448-AIR-E **PCW**

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

Case ID No. 39390 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Gena Hawkins

Violation Number 1

Rule Cite(s) New Source Review Flexible Air Permit No. 18287/PSD-TX-730M4, Special Condition 1, 30 Tex. Admin. Code §§ 116.715(a) and 101.20(3), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation conducted on July 22, 2009. Specifically, during an emissions event (Incident No. 126082) beginning on June 25, 2009, an instrument malfunction occurred due to an air conditioning unit failure, causing the unauthorized release of 165,411 pounds ("lbs") of carbon monoxide, 56,734 lbs of sulfur dioxide, 18,830 lbs of nitrogen oxides, 426 lbs of hydrogen sulfide, and 344 lbs of other sulfur compounds, from Flare Stack 25 (Emission Point No. FL25), Flare Stack 26 (Emission Point No. FL26), and Flare Stack 27 (Emission Point No. FL27) in the Flexicoker Unit, and Fuels North Fired Sources over a 78 hour and 46 minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222(b).

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

OR

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to significant amounts of pollutants exceeding levels protective of human health or enviornmental receptors.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 4 | 4 Number of violation days

mark only one with an x

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $40,000

Four daily events are recommended based on the four days during which emissions occurred.

Good Faith Efforts to Comply

25.0% Reduction $10,000

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

Notes: Corrective actions were completed by December 31, 2009, and the NOE is dated February 18, 2010.

Violation Subtotal $30,000

Economic Benefit (EB) for this violation

Estimated EB Amount $52

Statutory Limit Test

Violation Final Penalty Total $276,000

This violation Final Assessed Penalty (adjusted for limits) $40,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 39390
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$2,000	25-Jun-2009	31-Dec-2009	0.52	$52	n/a	$52

Notes for DELAYED costs: Estimated cost of implementing procedures designed to prevent recurrence of unauthorized emissions due to the same cause. The date required is the date of the emissions event, and the final date is the date of compliance.

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 $2,000

TOTAL $52

Compliance History Report

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.70

Regulated Entity: RN102579307 EXXON MOBIL BAYTOWN FACILITY Classification: AVERAGE Site Rating: 5.73

ID Number(s):			
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50111
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30040
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD000782698
	AIR NEW SOURCE PERMITS	REGISTRATION	92810
	AIR NEW SOURCE PERMITS	PERMIT	18287
	AIR NEW SOURCE PERMITS	REGISTRATION	22874
	AIR NEW SOURCE PERMITS	REGISTRATION	23378
	AIR NEW SOURCE PERMITS	REGISTRATION	24669
	AIR NEW SOURCE PERMITS	REGISTRATION	26486
	AIR NEW SOURCE PERMITS	REGISTRATION	26294
	AIR NEW SOURCE PERMITS	REGISTRATION	27403
	AIR NEW SOURCE PERMITS	REGISTRATION	26443
	AIR NEW SOURCE PERMITS	REGISTRATION	30186
	AIR NEW SOURCE PERMITS	REGISTRATION	31067
	AIR NEW SOURCE PERMITS	REGISTRATION	31008
	AIR NEW SOURCE PERMITS	REGISTRATION	31690
	AIR NEW SOURCE PERMITS	REGISTRATION	31852
	AIR NEW SOURCE PERMITS	REGISTRATION	31915
	AIR NEW SOURCE PERMITS	REGISTRATION	34295
	AIR NEW SOURCE PERMITS	REGISTRATION	33875
	AIR NEW SOURCE PERMITS	REGISTRATION	36536
	AIR NEW SOURCE PERMITS	PERMIT	36664
	AIR NEW SOURCE PERMITS	REGISTRATION	38532
	AIR NEW SOURCE PERMITS	REGISTRATION	39164
	AIR NEW SOURCE PERMITS	PERMIT	40394
	AIR NEW SOURCE PERMITS	REGISTRATION	40421
	AIR NEW SOURCE PERMITS	REGISTRATION	38572
	AIR NEW SOURCE PERMITS	REGISTRATION	42509
	AIR NEW SOURCE PERMITS	REGISTRATION	43489
	AIR NEW SOURCE PERMITS	REGISTRATION	43582
	AIR NEW SOURCE PERMITS	REGISTRATION	44162
	AIR NEW SOURCE PERMITS	REGISTRATION	47145
	AIR NEW SOURCE PERMITS	REGISTRATION	47912
	AIR NEW SOURCE PERMITS	REGISTRATION	49342

AIR NEW SOURCE PERMITS	REGISTRATION	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	REGISTRATION	11007
AIR NEW SOURCE PERMITS	REGISTRATION	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	REGISTRATION	11053
AIR NEW SOURCE PERMITS	REGISTRATION	11206
AIR NEW SOURCE PERMITS	REGISTRATION	11250
AIR NEW SOURCE PERMITS	REGISTRATION	11380
AIR NEW SOURCE PERMITS	REGISTRATION	11464
AIR NEW SOURCE PERMITS	REGISTRATION	11475
AIR NEW SOURCE PERMITS	REGISTRATION	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	REGISTRATION	11624
AIR NEW SOURCE PERMITS	REGISTRATION	11703
AIR NEW SOURCE PERMITS	REGISTRATION	11939
AIR NEW SOURCE PERMITS	REGISTRATION	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	REGISTRATION	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	REGISTRATION	12977
AIR NEW SOURCE PERMITS	REGISTRATION	12994
AIR NEW SOURCE PERMITS	REGISTRATION	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
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	REGISTRATION	50429
AIR NEW SOURCE PERMITS	REGISTRATION	53461
AIR NEW SOURCE PERMITS	REGISTRATION	52474
AIR NEW SOURCE PERMITS	REGISTRATION	55912
AIR NEW SOURCE PERMITS	REGISTRATION	54582
AIR NEW SOURCE PERMITS	REGISTRATION	54497
AIR NEW SOURCE PERMITS	REGISTRATION	71394
AIR NEW SOURCE PERMITS	REGISTRATION	50582

AIR NEW SOURCE PERMITS	REGISTRATION	54848
AIR NEW SOURCE PERMITS	REGISTRATION	53785
AIR NEW SOURCE PERMITS	REGISTRATION	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	75186
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	EPA ID	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0232Q

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 11, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 08, 2005 to March 08, 2010

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

Name: Gena Hawkins Phone: (512) 239-2583

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)?

   N/A
5. When did the change(s) in owner or operator occur?

   N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 03/11/2005 ADMINORDER 2002-1243-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

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

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

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.

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

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT

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

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

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

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

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

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

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC#1 PERMIT

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PA

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

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

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 18287/PSD-TX-703 SC 1 PA

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

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Flexible Permit #18287, SC#1 PA

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

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

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

Description: Failed to prevent an avoidable emissions event in the Delayed Coker Unit ("DCU") on August 29, 2003 that lasted four hours and five minutes, releasing 40,798 pounds ("lbs") of sulfur dioxide, 2,097 lbs of volatile organic compounds ("VOCs"), 1,408 lbs of carbon monoxide, 233 lbs of nitric oxide and 438 lbs of hydrogen sulfide.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit the final notification for the August 29, 2003 emissions event in a timely

manner.

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

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

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

Description: Failed to prevent the unauthorized release of 11,294 lbs of SO2, 1.5 lbs of H2S and .81 lbs of sulfur from the Low BTU Gas Fired Sources during an avoidable emissions event that began March 2, 2007 and alsted 16 hours and 27 minutes.

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

Classification: Moderate

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

Rqmt Prov: TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA

Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 6.83 lbs of H2S, 37.45 lbs CO, 6.88 lbs of NOx, 7.58 lbs of propylene, 4.94 lbs of volatile organic compounds and 1,494.97 lbs of SO2 from the Delayed Coker Unit during an avoidable emissions event that began January 31, 2007 and lasted 15 minutes.

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 referrence 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.

Effective Date: 11/06/2008 ADMINORDER 2007-0463-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: Permit No. 18287, Special Cond. No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 25,336 lbs of heptane, 308 lbs of toluene and 2 lbs of benzene from the Oil Movements Area 2 during an avoidable emissions event that began May 31, 2006 and lasted 15 hours and 50 minutes.

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 unauthorized emissions. Specifically, Exxon released 8,005 lbs of carbon monoxide, 209 lbs nitrogen oxide and 68,157 lbs of sulfur dioxide from the Flexicoker and the Sulfur Conversion Unit during an avoidable emissions event that began May 23, 2006 and lasted three hours and 47 minutes.

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 28,213 pounds ("lbs") of carbon monoxide, 115 lbs of ammonia and 92 lbs of hydrogen cyanide during an avoidable emissions event that began June 16, 2005 and lasted three hours and 34 minutes.

Effective Date: 12/04/2008 ADMINORDER 2008-0641-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 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of carbon monoxide ("CO"), 135 lbs of nitrogen oxide ("NOx") and 8 lbs of hydrogen sulfide ("H2S") from Catalytic Light Ends Unit 1 ("CLEU") during an avoidable emissions event that began December 5, 2007 and lasted one hour and 22 minutes.

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,736 lbs of VOCs, 2,363 lbs of SO2, 6,473 lbs of CO, 198 lbs of NOx and 25 lbs of H2S from Fluid Catalytic Cracking Unit 2 during an avoidable emissions event that began December 17, 2007 and lasted eight hours and two minutes.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the final report for the emissions event that occurred December 17, 2007 within 14 days after the end of the event.

Effective Date: 01/30/2009 ADMINORDER 2008-0872-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 88,422 lbs of VOCs, 7,319 lbs of CO, 1,705 lbs of H2S, 300 lbs of NOx and 2,178 lbs of SO2 from Hydrocracking Unit 1 during an avoidable emissions event (Incident No. 93064) that began December 14, 2007 and lasted 65 hours and 41 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(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 5,032 pounds ("lbs") of sulfur dioxide ("SO2"), 383 lbs of carbon monoxide ("CO"), 307 lbs of volatile organic compounds ("VOC"), 71 lbs of nitrogen oxide ("NOx") and 55 lbs of hydrogen sulfide ("H2S") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 101349) that began December 14, 2007 and lasted 33 hours and 52 minutes.

Effective Date: 02/08/2009 ADMINORDER 2007-0214-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(a)
Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Description: Failed to prevent unauthorized emissions.

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 07/09/2009 ADMINORDER 2008-1163-AIR-E

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 19,492 pounds ("lbs") of sulfur dioxide, 1,764 lbs of carbon monoxide, 1,154 lbs of volatile organic compounds, 324 lbs of nitrogen oxide and 211 lbs of hydrogen sulfide from Booster Station 4 during an avoidable emissions event that began March 8, 2008 and lasted 67 hours and 54 minutes.

Effective Date: 07/20/2009 ADMINORDER 2009-0132-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,168 lbs of SO2, 1,529 lbs of VOCs, 394 lbs of CO, 182 lbs of H2S and 75 lbs of NOx from Hydrocracking Unit 1 during an avoidable emissions event that began August 11, 2008 and lasted nine hours and 37 minutes.The root cause of the event was the inadvertant activation of the compressor trip button, resulting in the shutdown of the C-701 relay system.

Effective Date: 09/21/2009 ADMINORDER 2009-0073-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,328 pounds ("lbs") of volatile organic compounds, 89 lbs of ammonia and the following Hazardous Air Pollutants ("HAPs"): 442.1 lbs of benzene, 23 lbs of cumene, 71 lbs of ethylbenzene, 24 lbs of methyl ethyl ketone, 16 lbs of methyl isobutyl ketone, 192 lbs of naphthalene, 712 lbs of phonol, 796 lbs of toluene and 106 lbs of xylene from the Wastewater Treatment Plant during an avoidable emissions event

Effective Date: 10/18/2009 ADMINORDER 2008-1727-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 129,997 lbs of CO, 17,270 lbs of SO2, 3,020 lbs of NOx, 150 lbs of hydrogen cyanide, 381 lbs of ammonia, 803 lbs of particulate matter and resulted in 50% opacity from Fluid Catalytic Cracking Unit 3 (FCUU3) during an avoidable emissions event that began April 22, 2008 and lasted 29 hrs and 19 min. The unauthorized emissions were the result of an operator inadvertently closing the fuel gas valve to C-Boiler on FCCU3.

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 28,105.8 lbs of VOCs, 6,824 lbs of SO2, 2,720 lbs of CO, 351.8 lbs of NOx, 75.9 lbs of H2S and 3,653 lbs of the HRVOC ethylene from the Utilities Control Center during an avoidable emissions event 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 reb

Effective Date: 03/08/2010 ADMINORDER 2009-1080-AIR-E

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,481 pounds ("lbs") of volatile organic compounds, 1,834 lbs of sulfur dioxide, 1,091 lbs of carbon monoxide ("CO"), 146 lbs of nitrogen oxide ("NOx"), 45 lbs of hydrogen sulfide ("H2S"), 2 lbs of ammonia ("NH3") and 1 lb of hydrogen cyanide ("HCN") from Fluid Catalytic Cracking Unit 3 ("FCCU3") during an avoidable emissions event that began January 26, 2009 and lasted 37 hours and 37 minutes. The event was the resu

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 112, SubChapter B 112.31
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and nuisance conditions. Specifically, the Respondent released 15,504 lbs of VOC and 1,918 lbs of H2S from Hydrocracking Unit 1 ("HCU1") during an avoidable emissions event (Incident No. 120401) that began February 21, 2009 and lasted three hours and 28 minutes. The event was the result of a valve that began leaking during the planned start-up of HCU1. The emissions event also resulted in nuisance conditions that were confirmed during a subsequent investi

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 34,509 lbs of CO, 247 lbs of NOx, 186 lbs of SO2, 121 lbs of NH3, 92 lbs of particulate matter and 49 lbs of HCN from FCCU3 during an avoidable emissions event that began March 6, 2009 and lasted two hours and 43 minutes. The event was the result of a technician inadvertantly closing a block valve, realizing the error and quickly opening the valve back up. This resulted in uncontrolably high fuel gas pressure and

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 03/29/2005 (375295)
2 04/07/2005 (337403)
3 04/07/2005 (344010)

4	04/22/2005	(347659)
5	04/28/2005	(348685)
6	05/10/2005	(380346)
7	05/13/2005	(379379)
8	05/26/2005	(333676)
9	06/09/2005	(394572)
10	06/13/2005	(395496)
11	06/23/2005	(395306)
12	06/30/2005	(396806)
13	07/12/2005	(399391)
14	07/13/2005	(399494)
15	08/02/2005	(402576)
16	08/02/2005	(402737)
17	08/02/2005	(402844)
18	08/02/2005	(402917)
19	08/03/2005	(401816)
20	08/08/2005	(399628)
21	08/08/2005	(402336)
22	08/09/2005	(403017)
23	08/09/2005	(403164)
24	08/09/2005	(403230)
25	08/09/2005	(403721)
26	08/09/2005	(404230)
27	08/09/2005	(404259)
28	08/09/2005	(404296)
29	08/15/2005	(405021)
30	08/16/2005	(404301)
31	08/16/2005	(404547)
32	08/19/2005	(404792)
33	08/23/2005	(405305)
34	08/24/2005	(399636)
35	08/24/2005	(399637)
36	08/29/2005	(405928)
37	08/31/2005	(418871)
38	09/01/2005	(399476)
39	09/28/2005	(431581)
40	09/28/2005	(432076)
41	10/17/2005	(434480)
42	11/03/2005	(431598)
43	11/22/2005	(433933)
44	11/22/2005	(435072)
45	11/22/2005	(438130)
46	12/20/2005	(267563)
47	12/21/2005	(434204)
48	12/21/2005	(435335)
49	12/30/2005	(435909)
50	12/30/2005	(435916)
51	01/17/2006	(273538)
52	01/17/2006	(450474)
53	02/06/2006	(450733)
54	02/21/2006	(452651)
55	02/28/2006	(456441)
56	03/24/2006	(459648)
57	04/04/2006	(461224)
58	04/20/2006	(461537)
59	04/26/2006	(338552)
60	04/27/2006	(461574)
61	04/28/2006	(463895)
62	05/02/2006	(460481)

63	05/03/2006	(463377)
64	05/04/2006	(462741)
65	05/08/2006	(457378)
66	05/16/2006	(462451)
67	05/16/2006	(465569)
68	05/17/2006	(457374)
69	05/22/2006	(466175)
70	05/25/2006	(431599)
71	05/30/2006	(479710)
72	05/30/2006	(479729)
73	05/30/2006	(479780)
74	05/30/2006	(479785)
75	05/30/2006	(479791)
76	05/30/2006	(479817)
77	05/31/2006	(344766)
78	05/31/2006	(462401)
79	05/31/2006	(463588)
80	06/02/2006	(454646)
81	06/02/2006	(460480)
82	06/02/2006	(464665)
83	06/14/2006	(466357)
84	06/19/2006	(481233)
85	06/19/2006	(481262)
86	06/26/2006	(481569)
87	06/29/2006	(480981)
88	06/30/2006	(481533)
89	07/07/2006	(483457)
90	07/07/2006	(483683)
91	07/07/2006	(484811)
92	07/20/2006	(484814)
93	07/31/2006	(484463)
94	07/31/2006	(489107)
95	08/03/2006	(489455)
96	08/09/2006	(484809)
97	08/18/2006	(487811)
98	08/31/2006	(465761)
99	08/31/2006	(489776)
100	09/01/2006	(509264)
101	09/01/2006	(510727)
102	09/01/2006	(510733)
103	09/05/2006	(489701)
104	09/05/2006	(489770)
105	09/25/2006	(497145)
106	09/29/2006	(489710)
107	10/18/2006	(513741)
108	10/26/2006	(517328)
109	10/30/2006	(516968)
110	11/15/2006	(514799)
111	11/15/2006	(518447)
112	11/30/2006	(457899)
113	11/30/2006	(531626)
114	12/08/2006	(532394)
115	12/13/2006	(519183)
116	12/21/2006	(393692)
117	01/08/2007	(533556)
118	01/09/2007	(535937)
119	01/11/2007	(534949)
120	01/12/2007	(481287)
121	01/23/2007	(536577)

122	01/29/2007	(449587)
123	01/31/2007	(517160)
124	01/31/2007	(538653)
125	02/02/2007	(462413)
126	02/05/2007	(457903)
127	02/06/2007	(539165)
128	02/08/2007	(539319)
129	02/09/2007	(440421)
130	02/09/2007	(449579)
131	02/09/2007	(484815)
132	02/15/2007	(457902)
133	02/15/2007	(535801)
134	02/27/2007	(515654)
135	02/28/2007	(481875)
136	03/08/2007	(449583)
137	03/23/2007	(489664)
138	03/23/2007	(490037)
139	03/26/2007	(541019)
140	03/26/2007	(541089)
141	03/26/2007	(541133)
142	03/27/2007	(534342)
143	03/28/2007	(555118)
144	03/30/2007	(535817)
145	03/30/2007	(541407)
146	04/04/2007	(511045)
147	04/05/2007	(536574)
148	04/05/2007	(543125)
149	04/12/2007	(535873)
150	04/19/2007	(537203)
151	04/19/2007	(538065)
152	04/20/2007	(536593)
153	04/20/2007	(539663)
154	04/20/2007	(556917)
155	04/24/2007	(536941)
156	04/24/2007	(537438)
157	04/27/2007	(556005)
158	04/30/2007	(542577)
159	05/01/2007	(539681)
160	05/03/2007	(554208)
161	05/04/2007	(535563)
162	05/08/2007	(489678)
163	05/08/2007	(535299)
164	05/08/2007	(535352)
165	05/08/2007	(541040)
166	05/08/2007	(558748)
167	05/09/2007	(457383)
168	05/09/2007	(535078)
169	05/09/2007	(535565)
170	05/11/2007	(536591)
171	05/16/2007	(539675)
172	05/16/2007	(558902)
173	05/17/2007	(490200)
174	05/30/2007	(560387)
175	05/31/2007	(538802)
176	05/31/2007	(540430)
177	05/31/2007	(561882)
178	06/05/2007	(562903)
179	06/15/2007	(560235)
180	06/15/2007	(561789)

181	06/27/2007	(559236)
182	06/27/2007	(559573)
183	06/27/2007	(559574)
184	06/27/2007	(563272)
185	07/03/2007	(555858)
186	07/05/2007	(564964)
187	07/06/2007	(562588)
188	07/10/2007	(567169)
189	07/11/2007	(541738)
190	07/11/2007	(543749)
191	07/16/2007	(561456)
192	07/23/2007	(568005)
193	07/30/2007	(563075)
194	08/03/2007	(564720)
195	08/06/2007	(570695)
196	08/09/2007	(571423)
197	08/10/2007	(560522)
198	08/10/2007	(563117)
199	08/13/2007	(563757)
200	08/22/2007	(568350)
201	08/24/2007	(570712)
202	08/29/2007	(572924)
203	09/07/2007	(593545)
204	09/19/2007	(570275)
205	09/19/2007	(570278)
206	09/19/2007	(572771)
207	09/20/2007	(570276)
208	09/26/2007	(593611)
209	09/28/2007	(564900)
210	09/28/2007	(565019)
211	09/28/2007	(565214)
212	10/01/2007	(595471)
213	10/02/2007	(563996)
214	10/02/2007	(564053)
215	10/02/2007	(564057)
216	10/02/2007	(564825)
217	10/02/2007	(566406)
218	10/03/2007	(574482)
219	10/04/2007	(565775)
220	10/10/2007	(566719)
221	10/10/2007	(567038)
222	10/11/2007	(566557)
223	10/12/2007	(572311)
224	10/16/2007	(597893)
225	10/19/2007	(596209)
226	10/25/2007	(571458)
227	10/25/2007	(572951)
228	10/25/2007	(573665)
229	11/02/2007	(573789)
230	11/02/2007	(598325)
231	11/02/2007	(598327)
232	11/08/2007	(597351)
233	11/19/2007	(569267)
234	11/19/2007	(593935)
235	11/20/2007	(608861)
236	11/27/2007	(568601)
237	12/04/2007	(599936)
238	12/07/2007	(593717)
239	12/07/2007	(594582)

240	12/12/2007	(593931)
241	12/17/2007	(611653)
242	12/20/2007	(599324)
243	12/20/2007	(599344)
244	12/20/2007	(599350)
245	12/20/2007	(599754)
246	12/21/2007	(599347)
247	12/21/2007	(599624)
248	01/04/2008	(610570)
249	01/07/2008	(613467)
250	01/18/2008	(612843)
251	01/18/2008	(614380)
252	01/18/2008	(615193)
253	01/28/2008	(616174)
254	01/30/2008	(616222)
255	02/07/2008	(614032)
256	02/08/2008	(611547)
257	02/13/2008	(613846)
258	02/27/2008	(617012)
259	02/28/2008	(617220)
260	03/05/2008	(611632)
261	03/07/2008	(616312)
262	03/09/2008	(609542)
263	03/14/2008	(639154)
264	03/21/2008	(639445)
265	03/24/2008	(639458)
266	04/02/2008	(637836)
267	04/04/2008	(613406)
268	04/04/2008	(638369)
269	04/17/2008	(646246)
270	04/24/2008	(653934)
271	04/25/2008	(613756)
272	04/30/2008	(654258)
273	05/07/2008	(646555)
274	05/08/2008	(613978)
275	05/09/2008	(598614)
276	05/13/2008	(439155)
277	05/19/2008	(670962)
278	05/22/2008	(670825)
279	05/27/2008	(679941)
280	06/15/2008	(433577)
281	06/16/2008	(398344)
282	06/17/2008	(683333)
283	06/19/2008	(683121)
284	06/26/2008	(683668)
285	06/27/2008	(671720)
286	07/18/2008	(686470)
287	07/22/2008	(531928)
288	07/22/2008	(685958)
289	08/07/2008	(684566)
290	09/24/2008	(701775)
291	10/16/2008	(687747)
292	10/29/2008	(687171)
293	10/30/2008	(685194)
294	10/31/2008	(703451)
295	11/03/2008	(686921)
296	11/10/2008	(706764)
297	11/21/2008	(706342)
298	11/21/2008	(706700)

299	12/22/2008	(709485)
300	01/09/2009	(709484)
301	01/15/2009	(721346)
302	04/09/2009	(740917)
303	04/14/2009	(740493)
304	04/17/2009	(741980)
305	04/21/2009	(743215)
306	04/22/2009	(735601)
307	04/29/2009	(737394)
308	04/30/2009	(739819)
309	05/05/2009	(743062)
310	05/05/2009	(743063)
311	05/13/2009	(725716)
312	05/14/2009	(744009)
313	06/04/2009	(743832)
314	06/23/2009	(744178)
315	06/23/2009	(744302)
316	06/23/2009	(744317)
317	06/23/2009	(744320)
318	06/23/2009	(744323)
319	06/23/2009	(744406)
320	07/01/2009	(742028)
321	07/01/2009	(746149)
322	07/15/2009	(738281)
323	07/17/2009	(745541)
324	07/24/2009	(743966)
325	07/27/2009	(747598)
326	07/30/2009	(763678)
327	08/03/2009	(764251)
328	08/06/2009	(741015)
329	08/06/2009	(741982)
330	08/10/2009	(759843)
331	08/10/2009	(763817)
332	08/10/2009	(764911)
333	08/20/2009	(721130)
334	08/20/2009	(766551)
335	08/21/2009	(726876)
336	09/02/2009	(746806)
337	09/02/2009	(767216)
338	09/02/2009	(767239)
339	09/15/2009	(766566)
340	09/15/2009	(767619)
341	09/23/2009	(776026)
342	09/28/2009	(760745)
343	09/28/2009	(777658)
344	09/29/2009	(761132)
345	10/05/2009	(759724)
346	10/26/2009	(779952)
347	10/30/2009	(764922)
348	10/30/2009	(766755)
349	11/03/2009	(780703)
350	11/12/2009	(782073)
351	11/18/2009	(761133)
352	11/24/2009	(780766)
353	12/02/2009	(783517)
354	12/08/2009	(775293)
355	12/18/2009	(766987)
356	01/08/2010	(766984)
357	01/08/2010	(780134)

358 01/12/2010 (779500)
359 02/18/2010 (766985)
360 02/25/2010 (785566)
361 03/01/2010 (792396)
362 03/04/2010 (793709)

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

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)
TCEQ Permit #18287, SC #1 PERMIT
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)
TCEQ Permit No. 44533, GC #8 PERMIT
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: 18287 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: EM failed to prevent this emissions event.

Date: 10/18/2006 (513741) CN600123939
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA
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) CN600123939

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

Date: 02/13/2007 (539319) CN600123939

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA

Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.

Date: 04/04/2007 (511045) CN600123939

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
No. 18287/Special Condition No. 45E. PERMIT

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)
No.18287/PSD-TX-703 SC 1 PA
No.18287/PSD-TX-703 SC14B PA

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

Date: 05/22/2008 (670825) CN600123939

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

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? NO Classification: Moderate

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

TCEQ Flexible Air Permit #18287, SC#1 PA

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.

Date: 11/21/2008 (706342) CN600123939

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Air Flexible Permit No. 18287, SC#1 PA

Description: The respondent failed to prevent the shutdown of the Refinery Gas Recovery (RGR) compressor PC-01 due to a current imbalance across the motor phases resulting in the unauthorized release of 666 pounds of sulfur dioxide, 219 pounds of carbon monoxide, 156.30 pounds of volatile organic compounds (VOCs), 43 pounds of NOx, and 8 pounds of hydrogen sulfide. The duration of this emissions event was 24 minutes.

Date: 01/09/2009 (709484)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to present an affirmative defense in regard to the avoidability of Excess Opacity Event No. 113088.

Date: 04/22/2009 (735601)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions, specifically the RE failed to prevent a level indicator malfunction.

Date: 08/20/2009 (721130)
Self Report? NO Classification: Minor
Citation: 18287 and PSD-TX-730M4/PAL, SC 34E PA
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-01229, Special Condition 30 OP

Description: Failure to cap open- ended lines containing volatile organic compounds (VOC), and hazardous air pollutants (HAPs). CATEGORY C 10.

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 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to meet closed purge requirements

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 30 OP
Special Condition 34F PA

Description: Failure to monitor ten valves in volatile organic compound (VOC), and hazardous air pollutants (HAP's) service.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

Description: Failure to meet tank repair deadline. (Category B18)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

Description: Missing Pole Float, Wiper Assembly, Vacuum Breaker Gaskets, ID#TK0347,TK0743, TK1093, TK1096,TK0849, TK0855, TK0858, TK1032, TK1033, TK0859, TK1089 (Category B18)
Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(g)
5C THSC Chapter 382 382.085(b)

Description: Failure to include startup/shutdown (SS) information in MACT report.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

Description: Failure to notify Administrator of Tank inspection.
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143(d)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to Monitor Steam Strippers, ID#PRORTTT071G, PRORTTT081G.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)(2)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain fuel usage record.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to make degreasers operating requirements visible
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to operating degreaser with covers.
Self Report? NO Classification: Moderate
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 F 63.104(c)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PA
Special Condition 30 OP
Special Condition1A OP

Description: Failure to monitor cooling tower with an Approved Method. (Category B1)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.305(f)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to submit quarterly report.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to meet final calculation and recordkeeping deadlines.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 30 OP
Special Condition 8 PA

Description: Failure to prevent non-fugitive emissions from a safety valve. (Category B18)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
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 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PA
Special Condition 30 OP
Description: Failure to maintain flare net heating value. (Category B18)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 23B(2) PA
Special Condition 30 OP
Description: Failure to Conduct Quarterly Cylinder Gas Audits.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.644(e)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to operate incinerator with the minimum operating parameter.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to reduce emissions of organic HAP's.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to sample HRVOC Analyzer

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to limit ammonia emissions.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to maintain fuel flow meter.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to maintain quarterly engine tests report.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to conduct quarterly engine tests. (Category B1)

Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to demonstrate continuous compliance with emissions limitation.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to limit carbon monoxide (CO) discharge into the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)(ii)
Special Condition 1A OP

Description: Exceedence of sulfur dioxide limit. (Category B14)

Self Report? NO Classification: Minor

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

Description: Failure to limit hydrogen sulfide (H2S) content in fuel gas.

Date: 09/15/2009 (767619)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THSC Chapter 382 382.085(a)

Description: During an avoidable excess opacity event (Incident No. 126110) that began June 28, 2009 and lasted 12 minutes Exxon Mobil failed to prevent opacity from exceeding 30% averaged over a 6 minute period. The unauthorized release was a result of poor maintenance and operation of Furnace 802 and Furnace 801.

Date: 09/17/2009 (763625)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: The RE failed to demonstrate that the VOC control device (an internal combustion engine) they used in storage tank degassing achieved the required 90% control efficiency.

Date: 01/07/2010 (780134) CN600123939

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: The RE failed to prevent the shutdown of a Boiler Feedwater Pump, resulting in the shutdown of the Flexicoker Unit due to the loss of steam supply.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED ORDER
DOCKET NO. 2010-0448-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 petroleum refinery 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 an investigation on July 22, 2009, TCEQ staff documented that the Respondent failed to comply with permitted emissions limits. Specifically, during an emissions event (Incident No. 126082) beginning on June 25, 2009, an instrument malfunction occurred due to an air conditioning unit failure, causing the unauthorized release of 165,411 pounds ("lbs") of carbon monoxide, 56,734 lbs of sulfur dioxide, 18,830 lbs of nitrogen oxides, 426 lbs of hydrogen sulfide, and 344 lbs of other sulfide compounds, from Flare Stack 25 (Emission Point No. FL25), Flare Stack 26 (Emission Point No. FL26) and Flare Stack 27 (Emission Point No. FL27) in the Flexicoker Unit, and Fuels North Fired Sources over a 78 hour and 46 minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b).

4. The Respondent received notice of the violations on February 22, 2010.

5. The Executive Director recognizes that, by December 31, 2009, and in response to Incident No. 126082 the Respondent made available industrial sized, temporary, portable air conditioning units to be used for emergency cooling in order to prevent recurrence of the same or a similar event.

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, the Respondent failed to comply with permitted emissions limits, in violation of New Source Review Flexible Air Permit No. 18287/PSD-TX-730M4, Special Condition 1, 30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3), and TEX. HEALTH & SAFETY CODE § 382.085(b).

3. 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.

4. An administrative penalty in the amount of Forty Thousand Dollars ($40,000) 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 Twenty Thousand Dollars ($20,000) of the administrative penalty. Twenty Thousand Dollars ($20,000) 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 Forty Thousand Dollars ($40,000) as set forth in Section II, Paragraph 4 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. 2010-0448-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 4 above, Twenty Thousand Dollars ($20,000) of the assessed administrative penalty shall be offset with the condition that Respondent implements 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 Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.

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

John Sadlier
For the Executive Director

8/23/2010
Date

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

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

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

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

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

Steven R Cope
Signature

06/18/2010
Date

STEVEN R. COPE
Name (Printed or typed)
Authorized Representative of
Exxon Mobil Corporation

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 III, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2010-0448-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Penalty Amount:	**Forty Thousand Dollars ($40,000)**
SEP Offset Amount:	**Twenty Thousand Dollars ($20,000)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston Regional Monitoring Corporation – *HRMC Houston Area Air Monitoring***
Location of SEP:	**Harris County**

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. Specifically, SEP funds will be used to operate, maintain, and potentially expand portions of the existing ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that it has no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The SEP will provide collection of near real-time volatile organic compound ("VOC"), nitrogen oxides ("NOx"), ozone ("0_3"), and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, and to assess potential ambient community exposure to a limited number of air pollutants. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and will indirectly benefit by having data useful in addressing Houston's ozone non-attainment status.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP offset 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 offset amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Vinson & Elkins LLP
First City Tower
1001 Fannin Street, Suite 2500
Houston, Texas 77002-6760

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP offset 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 expenditure of the SEP offset 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 offset amount.

In the event of incomplete performance, the Respondent shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondent shall make the payment for the amount due to "Texas Commission on Environmental Quality" and mail it to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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