

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2009-1080-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 37938
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"/> IMMEDIATE 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: A complaint was received on February 27, 2009, alleging a release of hydrogen sulfide causing a fecal matter odor inside and outside the complainant's home which caused respiratory problems and continuous vomiting and diarrhea. There are five additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1539-AIR-E, 2009-1677-AIR-E, 2008-1877-AIR-E, 2009-1284-AIR-E, and 2009-1221-IHW-E.</p> <p>INTERESTED PARTIES: A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 27, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: 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 Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Mr. Gary W. Wilson, 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 checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: February 27, 2009</p> <p>Date of Investigation Relating to this Case: March 12 through July 2, 2009, April 14 through April 27, 2009, April 21 through May 6, 2009, and May 12 through May 26, 2009</p> <p>Date of NOV/NOE Relating to this Case: July 1, 17, and 22, 2009 (NOE)</p> <p>Background Facts: This was a record review.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 4,481 pounds ("lbs") of volatile organic compounds ("VOC"), 1,834 lbs of sulfur dioxide ("SO2"), 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 (Incident No. 119391) that began January 26, 2009 and lasted 37 hours and 37 minutes. The event was the result of the malfunction of a discharge check valve on the C-302 Wet Gas Compressor during shutdown. Since a procedure was not in place at the time that required operators to manually close the block valve, the block valve was not closed, resulting in unauthorized emissions. 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>Total Assessed: \$40,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$20,000</p> <p>Total Paid to General Revenue: \$20,000</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: This case involves emissions which were deemed excessive. Screen 3 Modeling results predicted that ambient air concentration would be 2.87 times above the TCEQ one hour short term Effects Screening Level for non-industrial receptors.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent:</p> <p>a. Implemented a review of all 2009 pre-turnaround projects and maintenance work that will involve high risk activities, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);</p> <p>b. Implemented a process whereby 2009 pre-turnaround projects and maintenance work is permitted and conducted by project technicians to ensure consistency and work scope is fully understood, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);</p> <p>c. Implemented a requirement for technicians to perform a hazard and consequence analysis prior to taking equipment out of service or placing equipment back in service during 2009 pre-turnaround project work, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);</p> <p>d. Revised startup and shutdown procedures with regard to the C302 and C303 manual check valves and reviewed the incident with shift teams on July 3, 2009, in order to prevent the reoccurrence of an emissions event due to the same causes as that of Incident No. 119391; and</p> <p>e. Submitted corrective action plans ("CAP") to address Incident No. 120401 on July 30 and September 29, 2009.</p> <p>Ordering Provisions:</p> <p>1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A.)</p> <p>2. The Order will also require the Respondent to:</p>

<p>2) Failure to prevent unauthorized emissions. Specifically, the Respondent released 34,509 lbs of CO, 247 lbs of NO_x, 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 (Incident No. 121025) that began March 6, 2009 and lasted two hours and 43 minutes. The event was the result of a technician inadvertently closing a block valve, realizing the error and quickly opening the valve back up. This resulted in uncontrollably high fuel gas pressure and activation of a boiler shutdown system. 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>3) Failure 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 complaint investigation conducted on March 12 through July 2, 2009. Since this emissions event could have been avoided by better design and was determined to be excessive, 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), 101.4 and 112.31, TEX. HEALTH & SAFETY CODE § 382.085(a) and (b) and Flexible Permit No. 18287, Special Condition No. 1].</p>		<p>a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP for Incident No. 120401 within 15 days after the date of such requests, or by other deadline specified in writing;</p> <p>b. Upon Commission approval, implement the CAP in accordance with the approved schedule; and</p> <p>c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.b.</p>
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Additional ID No(s): HG0232Q

Attachment A
Docket Number: 2009-1080-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Forty Thousand Dollars (\$40,000)
SEP Amount:	Twenty Thousand Dollars (\$20,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program
Location of SEP:	Harris County

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

I. Project Description

A. Project

The Respondent will contribute to Barbers Hill Independent School District’s (“Barbers Hill ISD”) Alternative Fueled Vehicle and Equipment Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between Barbers Hill ISD and the Texas Commission on Environmental Quality*. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP Funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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 air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	27-Jul-2009	Screening	4-Aug-2009	EPA Due	
	PCW	4-Aug-2009				

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

CASE INFORMATION			
Enf./Case ID No.	37938	No. of Violations	3
Docket No.	2009-1080-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	\$22,500
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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	780.0% Enhancement	Subtotals 2, 3, & 7	\$175,500
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Notes: Enhancement due to 28 NOVs with same or similar violations, five NOVs with unrelated violations, 20 Findings Orders, five 1680 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	\$2,750
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$77
 Approx. Cost of Compliance: \$3,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$195,250
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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	\$195,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$40,000
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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	\$40,000
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Screening Date 4-Aug-2009

Docket No. 2009-1080-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37938

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 NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	28	140%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%
	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	20	500%
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) 780%

>> 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 28 NOVs with same or similar violations, five NOVs with unrelated violations, 20 Findings Orders, five 1660 Agreed Orders and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 780%

Screening Date 4-Aug-2009	Docket No. 2009-1080-AIR-E																
Respondent Exxon Mobil Corporation	PCW <small>Policy Revision 2 (September 2002) PCW Revision October 30, 2008</small>																
Case ID No. 37938																	
Reg. Ent. Reference No. RN102579307																	
Media [Statute] Air																	
Enf. Coordinator John Muennink																	
Violation Number 1																	
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1																
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,481 pounds ("lbs") of volatile organic compounds ("VOC"), 1,834 lbs of sulfur dioxide ("SO2"), 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 (Incident No. 119391) that began January 26, 2009 and lasted 37 hours and 37 minutes. The event was the result of the malfunction of a discharge check valve on the C-302 Wet Gas Compressor during shutdown. Since a procedure was not in place at the time that required operators to manually close the block valve, the block valve was not closed, resulting in unauthorized emissions. 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	\$10,000																
>> Environmental, Property and Human Health Matrix																	
OR	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="4" style="text-align: center;">Harm</td> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> </tr> </table> <p style="text-align: right;">Percent 25%</p>	Harm				Release	Major	Moderate	Minor	Actual			x	Potential			
Harm																	
Release	Major	Moderate	Minor														
Actual			x														
Potential																	
>> Programmatic Matrix																	
Matrix Notes	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Falsification</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p style="text-align: right;">Percent 0%</p> <p>Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.</p> <p style="text-align: right;">Adjustment \$7,500</p>	Falsification	Major	Moderate	Minor												
Falsification	Major	Moderate	Minor														
Adjustment \$7,500																	
Violation Subtotal \$2,500																	
Violation Events																	
Number of Violation Events	1																
Number of violation days	2																
mark only one with an x	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event			
daily																	
weekly																	
monthly																	
quarterly	x																
semiannual																	
annual																	
single event																	
Violation Base Penalty	\$2,500																
One quarterly event is recommended based on the emissions event that occurred on January 26 through 27, 2009.																	
Good Faith Efforts to Comply																	
10.0% Reduction	\$250																
Before NOV	NOV to EDPRP/Settlement Offer																
Extraordinary																	
Ordinary	x																
N/A	(mark with x)																
Notes	The Respondent completed corrective measures on July 3, 2009, after the NOE dated July 1, 2009.																
Violation Subtotal	\$2,250																
Economic Benefit (EB) for this violation																	
Statutory Limit Test																	
Estimated EB Amount \$22	Violation Final Penalty Total \$21,750																
This violation Final Assessed Penalty (adjusted for limits) \$20,000																	

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 37938
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
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	26-Jan-2009	3-Jul-2009	0.43	\$22	n/a	\$22
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated expense to revise startup and shutdown procedures with regard to the C302 and C303 manual checks valves and to review the incident with shift teams. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures were completed.

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,000 **TOTAL** \$22

Screening Date 4-Aug-2009	Docket No. 2009-1080-AIR-E	PCW	
Respondent Exxon Mobil Corporation	<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 37938	<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No. RN102679307			
Media [Statute] Air			
Enf. Coordinator John Muennink			
Violation Number 2			
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1		
Violation 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 (Incident No. 121025) that began March 6, 2009 and lasted two hours and 43 minutes. The event was the result of a technician inadvertently closing a block valve, realizing the error and quickly opening the valve back up. This resulted in uncontrollably high fuel gas pressure and activation of a boiler shutdown system. 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	\$10,000	
>> Environmental, Property and Human Health Matrix			
OR	Release	Harm	
		Major Moderate Minor	
	Actual	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Percent <input type="text" value="100%"/>
	Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
>> Programmatic Matrix			
	Falsification	Major Moderate Minor	
	<input type="checkbox"/>	<input type="checkbox"/> <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.		
	Adjustment	\$0	
		\$10,000	
Violation Events			
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/> Number of violation days	
<i>mark only one with an x</i>	daily	<input checked="" type="checkbox"/>	Violation Base Penalty <input type="text" value="\$10,000"/>
	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"/>	
One daily event is recommended based on the emissions event that occurred on March 6, 2009.			
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="checkbox"/> <input type="checkbox"/>		
Ordinary	<input checked="" type="checkbox"/> <input type="checkbox"/>		
N/A	<input type="checkbox"/> (mark with x)		
Notes	The Respondent completed corrective measures by May 27, 2009 before the NOE date of July 1, 2009.		
		Violation Subtotal <input type="text" value="\$7,500"/>	
Economic Benefit (EB) for this violation			
Estimated EB Amount <input type="text" value="\$11"/>		Statutory Limit Test	
		Violation Final Penalty Total <input type="text" value="\$85,500"/>	
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>	

Economic Benefit Worksheet

Respondent: Exxon Mobil Corporation
Case ID No.: 37938
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	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,000	6-Mar-2009	27-May-2009	0.22	\$11	n/a	\$11
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to implement a review of all pre-turnaround projects and maintenance work that will involve high risk activities. The Date Required is the date of the emissions event. The 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

\$1,000

TOTAL

\$11

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 37938
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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)	\$1,000	21-Feb-2009	9-Jan-2010	0.88	\$44	n/a	\$44

Notes for DELAYED costs

Estimated expense to ensure the proper design specifications for components in HCU1. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures are estimated to be 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

\$1,000

TOTAL

\$44

Compliance History Report

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.62
Regulated Entity: RN102579307 EXXON MOBIL BAYTOWN FACILITY Classification: AVERAGE Site Rating: 5.04

ID Number(s):			
	AIR NEW SOURCE PERMITS	PERMIT	17370
	AIR NEW SOURCE PERMITS	PERMIT	18287
	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	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	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	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 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

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: July 08, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 08, 2004 to July 08, 2009

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/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

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: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

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

Description: Operated FINs LS243RP1, LS243RP2 &LS24RP3 during the 2002 without first obtaining allowances for the emissions

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 OP

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 OP

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

Effective Date: 08/07/2005

ADMINORDER 2003-1185-AIR-E

Classification: Moderate

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

Rqmt Prov: 18287 and PSD-TX-730, SC No. 20.D PA

Description: Failure to conduct grab samples which is representative of the vent gas to flares 14, 15, 17, 19, 20, 22, 25, 26 and 27.

Classification: Moderate

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

Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Moderate

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

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

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

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

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

Classification: Moderate

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

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)

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

Rqmt Prov: Special Condition 1 PERMIT

Special Conditions PERMIT

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

Special Condition 1 PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

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

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

Classification: Moderate

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

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

cyanide.

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

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

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

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

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

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

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

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

Effective Date: 01/26/2007

ADMINORDER 2006-0737-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 Flexible Air Permit No. 18287, SC#1 PERMIT

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

Classification: Moderate

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

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

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

hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

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

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

Effective Date: 03/01/2007

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Rqmt Prov: General Condition 15 PERMIT

Special Condition 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Classification: Moderate

Citation: 30 TAC Chapter 327 327.3(e)

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

Classification: Moderate

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

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

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

Effective Date: 05/25/2007

ADMINORDER 2006-1398-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent the unauthorized release of 510 lbs of carbon monoxide, 182 lbs of hydrogen sulfide, 16,743 lbs of sulfur dioxide, 42.9 lbs of ethylene, 128.6 lbs of butane, 285.8 lbs 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 2006-0498-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 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.

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.

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	07/23/2004	(267916)
2	07/28/2004	(273430)
3	07/30/2004	(281613)
4	08/03/2004	(278115)
5	08/05/2004	(284996)
6	08/05/2004	(285905)
7	08/12/2004	(287978)
8	08/28/2004	(268055)
9	08/28/2004	(268992)
10	08/30/2004	(268034)
11	08/31/2004	(268738)
12	08/31/2004	(268748)
13	08/31/2004	(268764)
14	09/01/2004	(283208)
15	09/01/2004	(290226)
16	09/01/2004	(290594)
17	09/01/2004	(291353)
18	09/01/2004	(292073)
19	09/01/2004	(292083)
20	09/24/2004	(270454)
21	10/11/2004	(335357)
22	10/26/2004	(292710)
23	10/27/2004	(333600)
24	11/03/2004	(338702)
25	11/05/2004	(334294)
26	11/08/2004	(335879)
27	11/08/2004	(337651)
28	11/08/2004	(340024)
29	11/08/2004	(340028)
30	11/09/2004	(339020)
31	11/09/2004	(339949)
32	11/09/2004	(340023)
33	11/11/2004	(340075)

34	11/11/2004	(340145)
35	11/12/2004	(335883)
36	11/12/2004	(340365)
37	11/12/2004	(340615)
38	11/17/2004	(340163)
39	11/17/2004	(340565)
40	11/22/2004	(267703)
41	11/22/2004	(337719)
42	11/22/2004	(339656)
43	11/22/2004	(340575)
44	11/22/2004	(340689)
45	11/23/2004	(340185)
46	11/29/2004	(340829)
47	12/05/2004	(269620)
48	12/09/2004	(341224)
49	12/13/2004	(267690)
50	12/13/2004	(267765)
51	12/13/2004	(268246)
52	12/13/2004	(342441)
53	12/13/2004	(342452)
54	12/14/2004	(342152)
55	12/14/2004	(342432)
56	12/14/2004	(342708)
57	12/16/2004	(342682)
58	12/20/2004	(338518)
59	12/21/2004	(341978)
60	12/22/2004	(268731)
61	12/22/2004	(278243)
62	12/22/2004	(339607)
63	12/22/2004	(340759)
64	12/22/2004	(342051)
65	12/27/2004	(341022)
66	12/28/2004	(267530)
67	12/28/2004	(268918)
68	12/28/2004	(268990)
69	12/28/2004	(268993)
70	12/28/2004	(269717)
71	12/28/2004	(272677)
72	12/28/2004	(334795)
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75	12/28/2004	(338557)
76	12/28/2004	(341014)
77	12/28/2004	(341980)
78	12/28/2004	(343607)
79	12/29/2004	(278295)
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94	01/12/2005	(344761)
95	01/13/2005	(346338)
96	01/21/2005	(342494)
97	01/23/2005	(334796)
98	01/25/2005	(341747)
99	01/25/2005	(348070)
100	01/27/2005	(342684)
101	01/31/2005	(347261)
102	02/21/2005	(337401)
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122	06/30/2005	(396852)
123	07/12/2005	(349438)
124	07/12/2005	(399391)
125	07/13/2005	(348979)
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127	07/13/2005	(399494)
128	07/22/2005	(349408)
129	07/29/2005	(349505)
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131	08/02/2005	(402737)
132	08/02/2005	(402844)
133	08/02/2005	(402917)
134	08/03/2005	(401816)
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136	08/08/2005	(402336)
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141	08/09/2005	(403721)
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143	08/09/2005	(404259)
144	08/09/2005	(404296)
145	08/15/2005	(405021)
146	08/16/2005	(404301)
147	08/16/2005	(404547)
148	08/19/2005	(404792)
149	08/23/2005	(405305)
150	08/24/2005	(399636)
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152 08/29/2005 (405272)
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154 08/31/2005 (418871)
155 09/01/2005 (399476)
156 09/28/2005 (431581)
157 09/28/2005 (432076)
158 10/07/2005 (347309)
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161 11/03/2005 (418987)
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163 11/07/2005 (431566)
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170 11/22/2005 (438130)
171 12/20/2005 (267563)
172 12/21/2005 (434204)
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174 12/30/2005 (435909)
175 12/30/2005 (435916)
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178 02/06/2006 (450733)
179 02/16/2006 (337610)
180 02/21/2006 (452651)
181 02/28/2006 (456441)
182 02/28/2006 (457051)
183 03/23/2006 (343625)
184 03/24/2006 (459648)
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187 04/20/2006 (457390)
188 04/20/2006 (457398)
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190 04/26/2006 (338552)
191 04/27/2006 (461574)
192 04/28/2006 (463895)
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197 05/16/2006 (462451)
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212	06/02/2006	(454646)
213	06/02/2006	(460480)
214	06/02/2006	(464665)
215	06/14/2006	(466357)
216	06/19/2006	(481233)
217	06/19/2006	(481262)
218	06/26/2006	(481569)
219	06/29/2006	(480981)
220	06/30/2006	(481533)
221	07/07/2006	(483457)
222	07/07/2006	(483683)
223	07/07/2006	(484811)
224	07/20/2006	(484814)
225	07/31/2006	(484463)
226	07/31/2006	(489107)
227	08/03/2006	(454867)
228	08/03/2006	(489455)
229	08/09/2006	(484809)
230	08/18/2006	(347307)
231	08/18/2006	(487811)
232	08/31/2006	(465761)
233	08/31/2006	(489776)
234	09/01/2006	(509264)
235	09/01/2006	(510727)
236	09/01/2006	(510733)
237	09/05/2006	(489701)
238	09/05/2006	(489770)
239	09/25/2006	(497145)
240	09/29/2006	(489710)
241	10/18/2006	(512809)
242	10/18/2006	(513741)
243	10/26/2006	(517328)
244	10/30/2006	(516968)
245	11/15/2006	(347306)
246	11/15/2006	(514799)
247	11/15/2006	(518447)
248	11/30/2006	(457899)
249	11/30/2006	(531626)
250	12/08/2006	(532394)
251	12/13/2006	(519183)
252	12/21/2006	(393692)
253	01/08/2007	(533556)
254	01/09/2007	(535937)
255	01/11/2007	(534949)
256	01/12/2007	(481287)
257	01/23/2007	(536577)
258	01/29/2007	(449587)
259	01/31/2007	(517160)
260	01/31/2007	(538653)
261	02/02/2007	(462413)
262	02/05/2007	(457903)
263	02/06/2007	(539165)
264	02/08/2007	(539319)
265	02/09/2007	(440421)
266	02/09/2007	(449579)
267	02/09/2007	(484815)
268	02/15/2007	(457902)
269	02/15/2007	(535801)

270	02/27/2007	(515654)
271	02/28/2007	(481875)
272	03/08/2007	(449583)
273	03/23/2007	(489664)
274	03/23/2007	(490037)
275	03/26/2007	(541019)
276	03/26/2007	(541089)
277	03/26/2007	(541133)
278	03/27/2007	(534342)
279	03/28/2007	(555118)
280	03/30/2007	(535817)
281	03/30/2007	(541407)
282	04/04/2007	(511045)
283	04/05/2007	(536574)
284	04/05/2007	(543125)
285	04/12/2007	(535873)
286	04/19/2007	(537203)
287	04/19/2007	(538065)
288	04/20/2007	(536593)
289	04/20/2007	(539663)
290	04/20/2007	(556917)
291	04/24/2007	(536941)
292	04/24/2007	(537438)
293	04/27/2007	(556005)
294	04/30/2007	(542577)
295	05/01/2007	(539681)
296	05/03/2007	(554208)
297	05/04/2007	(535563)
298	05/08/2007	(489678)
299	05/08/2007	(535299)
300	05/08/2007	(535352)
301	05/08/2007	(541040)
302	05/08/2007	(558748)
303	05/09/2007	(457383)
304	05/09/2007	(535078)
305	05/09/2007	(535565)
306	05/11/2007	(536591)
307	05/16/2007	(539675)
308	05/16/2007	(558902)
309	05/17/2007	(490200)
310	05/30/2007	(560387)
311	05/31/2007	(538802)
312	05/31/2007	(540430)
313	05/31/2007	(561882)
314	06/05/2007	(562903)
315	06/08/2007	(554582)
316	06/15/2007	(560235)
317	06/15/2007	(561789)
318	06/27/2007	(559236)
319	06/27/2007	(559573)
320	06/27/2007	(559574)
321	06/27/2007	(563272)
322	07/03/2007	(555858)
323	07/05/2007	(564964)
324	07/06/2007	(562588)
325	07/10/2007	(567169)
326	07/11/2007	(541738)
327	07/11/2007	(543749)
328	07/16/2007	(561456)

329	07/23/2007	(568005)
330	07/30/2007	(563075)
331	08/03/2007	(564720)
332	08/06/2007	(570695)
333	08/09/2007	(554535)
334	08/09/2007	(571423)
335	08/10/2007	(560522)
336	08/10/2007	(563117)
337	08/13/2007	(563757)
338	08/22/2007	(568350)
339	08/24/2007	(570712)
340	08/29/2007	(543365)
341	08/29/2007	(572924)
342	09/07/2007	(593545)
343	09/19/2007	(570275)
344	09/19/2007	(570278)
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346	09/20/2007	(570276)
347	09/26/2007	(593611)
348	09/28/2007	(564900)
349	09/28/2007	(565019)
350	09/28/2007	(565214)
351	10/01/2007	(595471)
352	10/02/2007	(563996)
353	10/02/2007	(564053)
354	10/02/2007	(564057)
355	10/02/2007	(564825)
356	10/02/2007	(566406)
357	10/03/2007	(574482)
358	10/04/2007	(565775)
359	10/10/2007	(566719)
360	10/10/2007	(567038)
361	10/11/2007	(566557)
362	10/12/2007	(572311)
363	10/16/2007	(597893)
364	10/19/2007	(596209)
365	10/25/2007	(571458)
366	10/25/2007	(572951)
367	10/25/2007	(573665)
368	11/02/2007	(573789)
369	11/02/2007	(598325)
370	11/02/2007	(598327)
371	11/08/2007	(597351)
372	11/19/2007	(569267)
373	11/19/2007	(593935)
374	11/20/2007	(608861)
375	11/27/2007	(568601)
376	12/04/2007	(599936)
377	12/07/2007	(593717)
378	12/07/2007	(594582)
379	12/12/2007	(593931)
380	12/17/2007	(611653)
381	12/20/2007	(599324)
382	12/20/2007	(599344)
383	12/20/2007	(599350)
384	12/20/2007	(599754)
385	12/21/2007	(599347)
386	12/21/2007	(599624)
387	12/27/2007	(612579)

388	01/02/2008	(598999)
389	01/02/2008	(599796)
390	01/02/2008	(600208)
391	01/04/2008	(610570)
392	01/07/2008	(600287)
393	01/07/2008	(600300)
394	01/07/2008	(600335)
395	01/07/2008	(613467)
396	01/08/2008	(600322)
397	01/08/2008	(600360)
398	01/08/2008	(600399)
399	01/10/2008	(600962)
400	01/18/2008	(609246)
401	01/18/2008	(612843)
402	01/18/2008	(614380)
403	01/18/2008	(615193)
404	01/28/2008	(615174)
405	01/30/2008	(616222)
406	02/07/2008	(614032)
407	02/08/2008	(611547)
408	02/13/2008	(613846)
409	02/15/2008	(612403)
410	02/15/2008	(612684)
411	02/27/2008	(617012)
412	02/28/2008	(617220)
413	03/05/2008	(611632)
414	03/07/2008	(616312)
415	03/09/2008	(609542)
416	03/14/2008	(639154)
417	03/21/2008	(639445)
418	03/24/2008	(639458)
419	04/02/2008	(637836)
420	04/04/2008	(613406)
421	04/04/2008	(638369)
422	04/17/2008	(646246)
423	04/24/2008	(653934)
424	04/25/2008	(613756)
425	04/30/2008	(654258)
426	04/30/2008	(654677)
427	05/01/2008	(595539)
428	05/07/2008	(646555)
429	05/08/2008	(613978)
430	05/09/2008	(598614)
431	05/13/2008	(439155)
432	05/19/2008	(670962)
433	05/22/2008	(670825)
434	05/27/2008	(679941)
435	06/15/2008	(433577)
436	06/16/2008	(398344)
437	06/17/2008	(683333)
438	06/19/2008	(683121)
439	06/26/2008	(683668)
440	06/27/2008	(671720)
441	07/18/2008	(686470)
442	07/22/2008	(531928)
443	07/22/2008	(685958)
444	07/28/2008	(684325)
445	08/07/2008	(684566)
446	09/24/2008	(701775)

447 10/16/2008 (687747)
 448 10/17/2008 (617775)
 449 10/27/2008 (706457)
 450 10/29/2008 (687171)
 451 10/30/2008 (685194)
 452 10/31/2008 (703451)
 453 11/03/2008 (686921)
 454 11/10/2008 (706764)
 455 11/21/2008 (706342)
 456 11/21/2008 (706700)
 457 11/24/2008 (617767)
 458 11/24/2008 (617773)
 459 12/22/2008 (709485)
 460 01/09/2009 (709484)
 461 01/15/2009 (721346)
 462 01/26/2009 (724624)
 463 02/02/2009 (723307)
 464 02/12/2009 (726982)
 465 03/18/2009 (519302)
 466 04/09/2009 (740917)
 467 04/14/2009 (740493)
 468 04/17/2009 (741980)
 469 04/21/2009 (743215)
 470 04/22/2009 (735601)
 471 04/29/2009 (737394)
 472 04/30/2009 (739819)
 473 05/04/2009 (657157)
 474 05/04/2009 (741500)
 475 05/05/2009 (743062)
 476 05/05/2009 (743063)
 477 05/13/2009 (725716)
 478 05/14/2009 (744009)
 479 06/04/2009 (743832)
 480 06/23/2009 (744062)
 481 06/23/2009 (744174)
 482 06/23/2009 (744178)
 483 06/23/2009 (744302)
 484 06/23/2009 (744317)
 485 06/23/2009 (744320)
 486 06/23/2009 (744323)
 487 06/23/2009 (744406)
 488 07/01/2009 (742028)
 489 07/01/2009 (746149)

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

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

Date: 08/28/2004 (268992)
 Self Report? NO Classification: Moderate
 Citation: 18287 PERMIT
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 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)
 Flex Permit 18287, SC 1 PERMIT
 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)
 Flex Permit 18287, SC 1 PERMIT
 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)
 Special Condition 1 PERMIT
 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)
 Special Condition 1 PERMIT
 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)
 Special Condition 1 PERMIT
 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: 18287, SC 1 PERMIT
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 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)
 Flexible Permit 18287, SC 1 PERMIT
 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)
Special Condition 1 PERMIT
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)
Special Condition 1 PERMIT

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)
Permit 18287, SC 1 PERMIT

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)
Permit 18287 Special Condition 54E PA

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)
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)

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)

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)

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)

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: 05/01/2008 (595539)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 14 OP
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 36A PERMIT
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)
FOP O-01229, ST&C 1A OP
Permit 18287, Special Condition 24 PERMIT
Description: Failure to comply with 20 PPM SO2 limit on the SCU F-529 furnace.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 34E PERMIT
Description: Failure to cap or plug 148 open-ended valves/lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 34F PERMIT
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)
FOP O-01229, ST&C 1A OP

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)
FOP O-01229, ST&C 30 OP

Permit 18287, Special Condition 11C PERMIT
 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)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11A PERMIT
 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 UUUU 63.1565(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 1F OP
 Description: Failure to comply with the 500 PPM CO limit of 40 CFR 60, Subpart UUUU.
 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)
 FOP O-01229, ST&C 11A OP
 FOP O-01229, ST&C 1A OP
 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)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 3 PERMIT
 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)
 FOP O-01229, ST&C 1A OP
 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)
 FOP O-01229, ST&C 30 OP
 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)
 FOP O-01229, ST&C 1A OP
 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)
 FOP O-01229, ST&C 16 OP
 FOP O-01229, ST&C 1A OP
 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)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 18D PERMIT
Description: Failure to submit the Tank 0347 Seal Inspection Report within the required timeframe.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(C)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP

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)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11A PERMIT

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)
 FOP O-01229, ST&C 30 OP

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)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11B PERMIT

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)
 FOP O-01229, ST&C 10A OP
 FOP O-01229, ST&C 1A OP

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)
 FOP O-01229, ST&C 10A OP
 FOP O-01229, ST&C 1A OP

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)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 51A PERMIT

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)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 21C OP

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)
 FOP O-01229 General Terms & Conditions OP

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)
 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)
 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: 02/02/2009 (723307)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit 18287, Special Condition 23(B)(1) PERMIT

Description: Hydroformer 3 Furnace 3 failed a NOx RATA.

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.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2009-1080-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 investigations conducted on March 12 through July 2, 2009, April 14 through April 27, 2009, April 21 through May 6, 2009 and May 12 through May 26, 2009, TCEQ staff documented:
 - a. The release of 4,481 pounds ("lbs") of volatile organic compounds ("VOC"), 1,834 lbs of sulfur dioxide ("SO₂"), 1,091 lbs of carbon monoxide ("CO"), 146 lbs of nitrogen oxide ("NO_x"), 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 (Incident No. 119391) that began January 26, 2009 and lasted 37 hours and 37 minutes. The event was the result of the malfunction of a discharge check valve on the C-302 Wet Gas Compressor during shutdown. Since a procedure was not in place at the time that required operators to manually close the block valve, the block valve was not closed, resulting in unauthorized emissions;
 - b. The release of 34,509 lbs of CO, 247 lbs of NO_x, 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 (Incident No. 121025) that began March 6, 2009 and lasted two hours and 43 minutes. The event was the result of a technician inadvertently closing a block valve, realizing the error and quickly opening the valve back up. This resulted in uncontrollably high fuel gas pressure and activation of a boiler shutdown system; and
 - c. The release 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 complaint investigation conducted on March 12 through July 2, 2009.
4. The Respondent received notice of the violations on July 6, 22 and 27, 2009.
5. The Executive Director recognizes that the Respondent:
 - a. Implemented a review of all 2009 pre-turnaround projects and maintenance work that will involve high risk activities, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);
 - b. Implemented a process whereby 2009 pre-turnaround projects and maintenance work is permitted and conducted by project technicians to ensure consistency and work scope is fully understood, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);
 - c. Implemented a requirement for technicians to perform a hazard and consequence analysis prior to taking equipment out of service or placing equipment back in service during 2009

pre-turnaround project work, in order to prevent similar events from occurring in the future, on May 27, 2009 (Incident No. 121025);

- d. Revised startup and shutdown procedures with regard to the C302 and C303 manual check valves and reviewed the incident with shift teams on July 3, 2009, in order to prevent the reoccurrence of an emissions event due to the same causes as that of Incident No. 119391; and
- e. Submitted corrective action plans ("CAP") to address Incident No. 120401 on July 30 and September 29, 2009.

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. As evidenced by Findings of Fact No. 3.c., the Respondent failed to prevent unauthorized emissions and nuisance conditions, in violation of 30 TEX. ADMIN. CODE §§ 116.715(a), 101.4 and 112.31, TEX. HEALTH & SAFETY CODE § 382.085(a) and (b) and Flexible Permit No. 18287, Special Condition No. 1. Since this emissions event could have been avoided by better design and was determined to be excessive, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
5. 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.
6. 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 6 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. 2009-1080-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 6 above, Twenty Thousand Dollars (\$20,000) 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 Respondent shall undertake the following technical requirements:
 - a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP for Incident No. 120401 within 15 days after the date of such requests, or by other deadline specified in writing;
 - b. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
 - c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provision Nos. 3.a. and 3.b. as described below.

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

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those

individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.”

The certification shall be submitted to:

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

with a copy to:

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

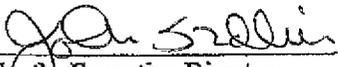
4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This 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.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

1/8/2010
Date

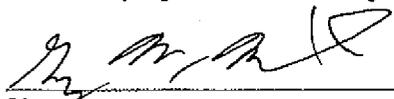
I, the undersigned, have read and understand the attached Agreed Order in the matter of Exxon Mobil Corporation. I am authorized to agree to the attached Agreed Order on behalf of Exxon Mobil Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting 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.



Signature

10/28/09
Date

GARY W. WILSON

Name (Printed or typed)
Authorized Representative of
Exxon Mobil Corporation

BAYTOWN
REGISTRY 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: 2009-1080-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Forty Thousand Dollars (\$40,000)
SEP Amount:	Twenty Thousand Dollars (\$20,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program
Location of SEP:	Harris County

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

1. Project Description

A. Project

The Respondent will contribute to Barbers Hill Independent School District's ("Barbers Hill ISD") Alternative Fueled Vehicle and Equipment Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between Barbers Hill ISD and the Texas Commission on Environmental Quality*. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP Funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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 air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

