

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2009-1677-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 38534

RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are seven additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1080-AIR-E, 2009-1221-IHW-E, 2009-1284-AIR-E, 2009-1539-AIR-E, 2009-1944-AIR-E, 2009-2050-AIR-E, and 2010-0007-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 15, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Trina Gricco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Gary W. Wilson, Baytown Refinery Manager, Exxon Mobil Corporation, P.O. Box 3950, Baytown, Texas 77522-3950 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 7 through 21, 2009</p> <p>Date of NOV/NOE Relating to this Case: September 29, 2009 (NOE)</p> <p>Background Facts: This was a record review.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, unauthorized emissions of 3,674 pounds ("lbs") of propane, 3,128 lbs of butanes, 925 lbs of pentanes, 1,020 lbs of unspciated volatile organic compounds, 1,776 lbs of carbon monoxide, 831 lbs of hydrogen sulfide, 620 lbs of sulfur dioxide, and 329 lbs of nitrogen oxides were released during an emissions event (Incident No. 124215) that occurred on May 12, 2009 and lasted 77 hours and two minutes. Since this event could have been avoided by better oversight of third party contractors, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$40,000</p> <p>Total Deferred: \$8,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$16,000</p> <p>Total Paid to General Revenue: \$16,000</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>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on August 10, 2009, the Respondent re-emphasized hazard recognition and reinforced the job hazard analyses process to third party contractors as measures designed to prevent future events due to same or similar causes.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A).</p>

Additional ID No(s): HG0232Q

Attachment A
Docket Number: 2009-1677-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Thirty-Two Thousand Dollars (\$32,000)
SEP Amount:	Sixteen Thousand Dollars (\$16,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston Regional Monitoring Corporation - Houston Area Monitoring
Location of SEP:	Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The Contribution will be to Houston Regional Monitoring Corporation for the Houston Area Monitoring program as set forth in an agreement between the Third-Party Recipient and the TCEQ. Performing Party shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation Ambient Air Quality Monitoring Network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided.

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

Data from this monitoring may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. Performing party notifies the TCEQ on a quarterly basis of all exceedences of the National Ambient Air Quality Standards (“NAAQS”) that it measures at its monitoring stations. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston’s progress toward achieving or remaining in attainment of the NAAQS.

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Houston Regional Monitoring Corporation. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Christopher B. Amandes
Vinson & Elkins LLP
First City Tower
1001 Fannin Street, Suite 2500
Houston, TX 77002-6760

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.

Exxon Mobil Corporation
Agreed Order – Attachment A

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	5-Oct-2009	Screening	13-Oct-2009	EPA Due	26-Jun-2010
	PCW	9-Oct-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.	38534	No. of Violations	1
Docket No.	2009-1677-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotal 2, 3, & 7**

Notes: Penalty enhancement due to 26 NOVs issued for same or similar violations, 11 NOVs issued for unrelated violations, eight Agreed Orders issued with a denial of liability, 21 Agreed Orders issued without a denial of liability, and one Court Order with a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 13-Oct-2009

Docket No. 2009-1677-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38534

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Trina Grieco

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 (<i>number of NOVs meeting criteria</i>)	26	130%
	Other written NOVs	11	22%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	8	160%
	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	21	525%
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 (<i>number of judgments or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 867%

>> 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 Penalty enhancement due to 26 NOVs issued for same or similar violations, 11 NOVs issued for unrelated violations, eight Agreed Orders issued with a denial of liability, 21 Agreed Orders issued without a denial of liability, and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 867%

Screening Date 13-Oct-2009

Docket No. 2009-1677-AIR-E

PCW

Respondent Exxon-Mobil-Corporation

Policy Revision 2 (September 2009)

Case ID No. 38534

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Trina Grieco

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3,674 pounds ("lbs") of propane, 3,128 lbs of butanes, 925 lbs of pentanes, 1,020 lbs of unspecified volatile organic compounds, 1,776 lbs of carbon monoxide, 831 lbs of hydrogen sulfide, 620 lbs of sulfur dioxide, and 329 lbs of nitrogen oxides were released during an emissions event (Incident No. 124215) that occurred on May 12, 2009 and lasted 77 hours and two minutes. Since this event could have been avoided by better oversight of third party contractors, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria non-attainment area has been exposed to significant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 Number of violation days 4

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

One monthly event is recommended for the event that occurred from May 12, 2009 at 3:46 p.m. to May 15, 2009 at 8:48 p.m.

Good Faith Efforts to Comply

25.0% Reduction

\$1,250

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

Notes The Respondent completed corrective actions on August 10, 2009 (prior to the September 29, 2009 NOE).

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$47,100

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38534
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	12-May-2009	10-Aug-2009	0.25	\$18	n/a	\$18

Notes for DELAYED costs

Estimated cost to re-emphasize hazard recognition and reinforce the job hazard analyses process to third party contractors as measures designed to prevent future events due to same or similar causes. The date required is the date the release began and the final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$18

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600123939 Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.80
Regulated Entity:	RN102579307 EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 7.78

ID Number(s):			
	AIR NEW SOURCE PERMITS	PERMIT	18287
	AIR NEW SOURCE PERMITS	PERMIT	19301
	AIR NEW SOURCE PERMITS	PERMIT	22874
	AIR NEW SOURCE PERMITS	PERMIT	23378
	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	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	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	90337
AIR NEW SOURCE PERMITS	REGISTRATION	85745
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
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
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0232Q

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 06, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 06, 2004 to October 06, 2009

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)

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

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

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(c)(7)

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

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(c)(7)

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

Rqmt Prov: Special Condition No. 1 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 sulfur dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

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

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

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

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

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

Effective Date: 03/01/2007

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 Flexlcocker 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 NO_x 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 ("NO_x") and 55 lbs of hydrogen sulfide ("H₂S") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 101349) that began December 14, 2007 and lasted 33 hours and 52 minutes.

Effective Date: 02/08/2009

ADMINORDER 2007-0214-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 07/09/2009

ADMINORDER 2008-1163-AIR-E

Classification: Moderate

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

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

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

Effective Date: 07/20/2009

ADMINORDER 2009-0132-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 08/23/2009

ADMINORDER 2007-1985-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287/PSD-TX-730M3 PERMIT

Description: Failed to properly seal the ends of four lines associated with Tag Nos.: G833, H415, H944, and H943 which were in VOC and HAP service.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287/PSD-TX-730M3 PERMIT

Description: Failed to equip the end of an open-ended line or valve with a cap, blind flange, plug, or a second valve. Specifically, it was documented that on May 3, 2005, the open-ended valve with Tag Number F010 was not equipped with a plug as required.

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 PERMIT

Description: Failed to prevent unauthorized emissions from pressure relief valve PV368 on July 27, 2004, at Catalytic Light Ends Unit 3 resulting from the failure of pressure Transmitter P368 closing and allowing the process pressure to reach the set limit of PV368.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions from the Fluid Catalytic Cracking Unit 3 ("FCCU3") of Plant No. 1 during an emissions event that began on October 14, 2006 and lasted 17 hours and 34 minutes, releasing 1,125 pounds ("lbs") of ammonia, 263,767 lbs of carbon monoxide ("CO"), 900 lbs of hydrogen cyanide, 1,271 lbs of particulate matter ("PM"), and 11,441 lbs of sulfur dioxide ("SO2"). This event was determined to be an excessive emissions event.

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 from the Fluid Catalytic Cracking Unit 2 ("FCCU2") of Plant No. 1 during an emissions event (incident nos. 77470 and 78472) that began June 16, 2006 and lasted 116 hours, releasing 446,831 lbs of CO, 6,013 lbs of SO2, and 313 lbs of NOx. This event was determined to be an excessive emissions event.

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 from the Girbotol Unit of Plant No. 1 during an emissions event that began June 24, 2006 and lasted 18 hours and one minute, releasing 159,599 lbs of SO2, 3,293 lbs of hydrogen sulfide ("H2S"), 34 lbs of the Hazardous Air Pollutant ("HAP") carbon disulfide, 275 lbs of the HAP carbonyl sulfide ("COS") and 331 lbs of nitrogen oxide ("NOx"). This event was determined to be an excessive emissions event.

Classification: Moderate

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

Rqmt Prov: 18287 SC 1 PERMIT

Description: Failed to prevent unauthorized emissions from the Fluid Catalytic Cracking Unit ("FCCU3") of Plant No. 1 during an avoidable emissions event that began November 1, 2006 and lasted 25 hours and 36 minutes, releasing 40,681 lbs of CO, 123 lbs of ammonia, 99 lbs of hydrogen cyanide, 24 lbs of NOx, 44 lbs of PM, and 685 lbs of SO2.

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 PA

Description: Failed to prevent unauthorized emissions from the FCCU2 of Plant No. 1 during an emissions event that began June 12, 2006 and lasted 87 hours, releasing 98,121 lbs of CO.

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 #18287, SC#1 PA

Description: Failed to prevent unauthorized emissions from Hydrocracking Unit of Plant No. 1 during an emissions event that began August 4, 2006 and lasted 43 hours, releasing 29,876 lbs of SO₂, 1,121 lbs of VOCs, 1,118 lbs of CO, 423 lbs of propane, 325 lbs of H₂S, 293 lbs of N-butane, 261 lbs of isobutane, 206 lbs of NO_x, 33 lbs of propylene, 21 lbs of butene, 9 lbs ethylene and 1 lb of 1,3-butadiene.

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 No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions from FCCU3 of Plant No. 1 during an emissions event that began November 20, 2006 and lasted 48 hours and 24 minutes, releasing 197,548 lbs of CO, 226 lbs of ammonia and 285 lbs of hydrogen cyanide. This event was determined to be an excessive emissions event.

Classification: Minor

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

Description: Failed to submit the initial notification for the August 4, 2006 emissions event in timely manner. Specifically, the report which was due on August 5, 2006, was not submitted until August 6, 2006.

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 from Power Plant 4 and Substation 29 of Plant No. 1 during an avoidable emissions event that began on October 5, 2006 and lasted 8 hours and 48 minutes, releasing 6,686.3 lbs of CO, 28.21 lbs of H₂S, 431.2 lbs of NO_x, 2,592 lbs of SO₂, 8 lbs of the HAP COS, and 3,201 lbs of volatile organic compounds ("VOC") including 7 lbs of the Highly Reactive VOC ("HRVOC") propylene.

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 from Booster Station 4 of Plant No. 1 during an avoidable emissions event that began on January 17, 2007 and lasted 27 hours and 11 minutes, releasing 23,812 lbs of SO₂, 4,509 lbs of CO, 258 lbs of H₂S, 829 lbs of NO_x, and 1,291 lbs of VOC.

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 from Booster Station 4 of Plant No. 1 during an avoidable emissions event that began February 21, 2007 and lasted 25 hours and 8 minutes, releasing 18,786 lbs of SO₂, 2,757.1 lbs of CO, 706.88 lbs of VOC, 506.7 lbs of NO_x and 203.76 lbs of H₂S.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No. 18287, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from Booster Station 4, Pipestill 7, and the Flexicoker Unit of Plant No. 1 during an avoidable emissions event that began January 24, 2007 and lasted 25 hours, releasing 130.04 lbs of H₂S, 12,042.08 lbs of SO₂, 1,538 lbs of VOC, 3,320.03 lbs of CO, 216.01 lbs of NO_x and 4 lbs sulfur, and resulting in 100% opacity averaged over a six minute period.

Classification: Moderate

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

Rqmt Prov: No. 18287, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the Flexicoker Unit of Plant No. 1 during an avoidable emissions event that began February 24, 2007 and lasted 9 hours and 11 minutes, releasing 10.89 lbs of n-butane, 19.53 lbs of butene, 9.01 lbs of ethylene, 4.67 lbs of isobutane, 28.34 lbs of propane, 18.03 lbs of propylene, 161.76 lbs of VOCs, 22.25 lbs of H₂S, 2,859.05 lbs of SO₂, 7,806.09 lbs of CO, 192.5 lbs of NO_x, and 15.43 lbs of sulfur.

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 from the Flexcoker Unit, the Catalytic Light End Unit 3, the West Loop Flare System and the Fules North Flare System of Plant No. 1 during an avoidable emissions event that began April 27, 2007 and lasted 5 hours and 30 minutes, releasing 2,491.4 lbs of SO₂, 1,102 lbs of CO, 26.83 lbs of H₂S, 0.79 lbs of sulfur, 106.2 lbs of NO_x, 2,282.3 lbs of VOC, and 1,560 lbs, 7.2 lbs, and 2.3 lbs of the HRVOCs ethylene, propylene, and 1-butene + isobutylene.

Effective Date: 09/21/2009

ADMINORDER 2009-0073-AIR-E

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

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

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	10/11/2004	(335357)
2	10/18/2004	(352255)
3	10/26/2004	(292710)
4	10/27/2004	(333600)
5	11/03/2004	(338702)
6	11/05/2004	(334294)
7	11/08/2004	(335879)
8	11/08/2004	(337651)
9	11/08/2004	(340024)
10	11/08/2004	(340028)
11	11/09/2004	(339020)
12	11/09/2004	(339949)
13	11/09/2004	(340023)
14	11/11/2004	(340075)
15	11/11/2004	(340145)
16	11/12/2004	(335883)
17	11/12/2004	(340365)
18	11/12/2004	(340615)
19	11/15/2004	(352256)
20	11/17/2004	(340163)
21	11/17/2004	(340565)
22	11/22/2004	(267703)
23	11/22/2004	(337719)
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26	11/22/2004	(340689)
27	11/23/2004	(340185)
28	11/29/2004	(340829)
29	12/05/2004	(269620)
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37	12/14/2004	(342432)
38	12/14/2004	(342708)
39	12/16/2004	(342682)
40	12/20/2004	(338518)
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43	12/22/2004	(268731)
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45	12/22/2004	(339607)
46	12/22/2004	(340759)
47	12/22/2004	(342051)
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56	12/28/2004	(334936)
57	12/28/2004	(337673)
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62	12/29/2004	(278295)
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64	12/30/2004	(268760)
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66	12/31/2004	(272589)
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70	01/06/2005	(267642)
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258	12/08/2006	(532394)
259	12/13/2006	(519183)
260	12/21/2006	(393692)
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292	03/30/2007	(535817)
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320	05/16/2007	(539675)
321	05/16/2007	(558902)
322	05/16/2007	(575449)
323	05/17/2007	(490200)
324	05/30/2007	(560387)
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327	05/31/2007	(561882)
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333	06/27/2007	(559236)
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357	08/29/2007	(543365)
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365	09/26/2007	(593611)
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368	09/28/2007	(565214)
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370	10/02/2007	(563996)
371	10/02/2007	(564053)
372	10/02/2007	(564057)
373	10/02/2007	(564825)
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376	10/04/2007	(565775)
377	10/10/2007	(566719)
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382	10/16/2007	(597893)
383	10/19/2007	(596209)
384	10/25/2007	(571458)
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410	01/02/2008	(599796)
411	01/02/2008	(600208)
412	01/04/2008	(610570)
413	01/07/2008	(600287)
414	01/07/2008	(600300)
415	01/07/2008	(600335)
416	01/07/2008	(613467)
417	01/08/2008	(600322)
418	01/08/2008	(600360)
419	01/08/2008	(600399)
420	01/10/2008	(600962)
421	01/11/2008	(619554)
422	01/18/2008	(609246)
423	01/18/2008	(612843)
424	01/18/2008	(614380)
425	01/18/2008	(615193)
426	01/28/2008	(616174)
427	01/30/2008	(616222)
428	02/04/2008	(554662)
429	02/08/2008	(611547)
430	02/08/2008	(672076)
431	02/13/2008	(613846)
432	02/15/2008	(612403)
433	02/15/2008	(612684)
434	02/27/2008	(617012)
435	03/05/2008	(611632)
436	03/07/2008	(616312)
437	03/09/2008	(609542)
438	03/10/2008	(672077)
439	03/14/2008	(639154)
440	03/21/2008	(639445)
441	03/24/2008	(639458)
442	04/02/2008	(637836)
443	04/04/2008	(613406)
444	04/04/2008	(638369)

445	04/09/2008	(672078)
446	04/17/2008	(646246)
447	04/24/2008	(653934)
448	04/25/2008	(613756)
449	04/30/2008	(654258)
450	04/30/2008	(654677)
451	05/01/2008	(595539)
452	05/07/2008	(646555)
453	05/08/2008	(613978)
454	05/09/2008	(598614)
455	05/13/2008	(439155)
456	05/19/2008	(670962)
457	05/22/2008	(670825)
458	05/22/2008	(690005)
459	05/27/2008	(679941)
460	06/15/2008	(433577)
461	06/16/2008	(398344)
462	06/16/2008	(690006)
463	06/16/2008	(690007)
464	06/17/2008	(683333)
465	06/19/2008	(683121)
466	06/26/2008	(683668)
467	06/27/2008	(671720)
468	07/15/2008	(710781)
469	07/18/2008	(686470)
470	07/22/2008	(531928)
471	07/22/2008	(685958)
472	07/28/2008	(684325)
473	08/07/2008	(684566)
474	08/18/2008	(710782)
475	09/23/2008	(710783)
476	09/24/2008	(701775)
477	10/16/2008	(687747)
478	10/17/2008	(617775)
479	10/20/2008	(727520)
480	10/27/2008	(706457)
481	10/29/2008	(687171)
482	10/30/2008	(685194)
483	10/31/2008	(703451)
484	11/03/2008	(686921)
485	11/10/2008	(706764)
486	11/21/2008	(706342)
487	11/21/2008	(706700)
488	11/24/2008	(617767)
489	11/24/2008	(617773)
490	12/15/2008	(727521)
491	12/22/2008	(709485)
492	01/09/2009	(709484)
493	01/15/2009	(721346)
494	01/26/2009	(724624)
495	01/26/2009	(750311)
496	02/02/2009	(723307)
497	02/12/2009	(726982)
498	02/17/2009	(750309)
499	03/18/2009	(519302)
500	03/19/2009	(750310)
501	04/09/2009	(740917)
502	04/14/2009	(740493)
503	04/17/2009	(741980)

504 04/20/2009 (768398)
505 04/21/2009 (743215)
506 04/22/2009 (735601)
507 04/29/2009 (737394)
508 04/30/2009 (739819)
509 05/04/2009 (657157)
510 05/04/2009 (741500)
511 05/05/2009 (743062)
512 05/05/2009 (743063)
513 05/13/2009 (725716)
514 05/14/2009 (744009)
515 06/04/2009 (743832)
516 06/23/2009 (744062)
517 06/23/2009 (744174)
518 06/23/2009 (744178)
519 06/23/2009 (744302)
520 06/23/2009 (744317)
521 06/23/2009 (744320)
522 06/23/2009 (744323)
523 06/23/2009 (744406)
524 07/01/2009 (742028)
525 07/01/2009 (746149)
526 07/15/2009 (738281)
527 07/17/2009 (745541)
528 07/17/2009 (749850)
529 07/24/2009 (743966)
530 07/27/2009 (747598)
531 07/30/2009 (763678)
532 08/03/2009 (764251)
533 08/05/2009 (760783)
534 08/06/2009 (741015)
535 08/06/2009 (741982)
536 08/10/2009 (759843)
537 08/10/2009 (763817)
538 08/10/2009 (764911)
539 08/11/2009 (763878)
540 08/20/2009 (721130)
541 08/20/2009 (766551)
542 08/21/2009 (726876)
543 09/02/2009 (746806)
544 09/02/2009 (767216)
545 09/02/2009 (767239)
546 09/15/2009 (766566)
547 09/15/2009 (767619)
548 09/23/2009 (776026)
549 09/28/2009 (760729)
550 09/28/2009 (760745)
551 09/28/2009 (760771)
552 09/28/2009 (761072)
553 09/28/2009 (777658)
554 09/29/2009 (761132)
555 10/05/2009 (759724)

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

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: 09/30/2005 (440888) CN602700304
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 04/26/2006 (461574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
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: 01/29/2007 (532949) CN602700304
Self Report? NO Classification: Minor
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.

Self Report? NO Classification: Moderate
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(5)
Description: Failure to properly operate and maintain the tricking filter.

Self Report? NO Classification: Minor
Citation: 00592-000 PERMIT
30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failure to document the time of pH analyses for Outfalls 102 and 002, therefore, the pH holding time could not be determined.

Self Report? NO Classification: Moderate
Citation: 00592-000 PERMIT

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.
Self Report? NO Classification: Minor
Citation: 00592-000 PERMIT
30 TAC Chapter 319, SubChapter A 319.7(a)

Description: Failure to properly record the time of sample collection, as required.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Description: Failure to properly complete the 10/06 discharge monitoring report (DMR).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)
30 TAC Chapter 319, SubChapter A 319.11(b)

Description: Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.
Self Report? NO Classification: Moderate
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)
TWC Chapter 26 26.121(a)(1)
TWC Chapter 26 26.121(a)(2)
TWC Chapter 26 26.121(a)(3)
TWC Chapter 26 26.121(b)
TWC Chapter 26 26.121(c)
TWC Chapter 26 26.121(d)
TWC Chapter 26 26.121(e)

Description: Failure to prevent the unauthorized discharge of domestic sewage.

Date: 02/13/2007 (539319)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
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 UUU 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 UUU.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

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)(vii)
 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.

Date: 08/10/2009 (763878)

CN602700304

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Other Requirements, No. 13, p. 15 PERMIT

Description: Failure to provide notification for the application and discharge of Aquashade.

Self Report? NO

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

2D TWC Chapter 26, SubChapter A 26.121(a)(1)

2D TWC Chapter 26, SubChapter A 26.121(a)(3)

2D TWC Chapter 26, SubChapter A 26.121(b)

2D TWC Chapter 26, SubChapter A 26.121(c)

2D TWC Chapter 26, SubChapter A 26.121(d)
2D TWC Chapter 26, SubChapter A 26.121(e)
30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)(2)

Description: Failure to prevent unauthorized discharges from the collection system.

Date: 08/20/2009 (721130)

Self Report? NO Classification: Minor

Citation: 18287 and PSD-TX-730M4/PAL, SC 34E PA
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-01229, Special Condition 30 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to meet closed purge requirements

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(I)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 30 OP
Special Condition 34F PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

Description: Failure to meet tank repair deadline. (Category B1B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

Description: Missing Pole Float, Wiper Assembly, Vacuum Breaker Gaskets, ID#TK0347,TK0743, TK1093, TK1096,TK0849, TK0855, TK0858, TK1032, TK1033, TK0859, TK1089 (Category B1B)

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(g)
5C THSC Chapter 382 382.085(b)

Description: Failure to include startup/shutdown (SS) information in MACT report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA

Special Condition 30 OP

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

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

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

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

Description: Failure to operating degreaser with covers.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PA
Special Condition 30 OP
Special Condition 1A OP

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

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

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

Description: Failure to prevent non-fugitive emissions from a safety valve. (Category B18)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(III)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(II)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PA
Special Condition 30 OP

Description: Failure to maintain flare net heating value. (Category B18)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 23B(2) PA
Special Condition 30 OP

Description: Failure to Conduct Quarterly Cylinder Gas Audits.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.644(e)

5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP
 Description: Failure to operate incinerator with the minimum operating parameter.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to reduce emissions of organic HAP's.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

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

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

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

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

Description: Failure to conduct quarterly engine tests. (Category B1)
 Self Report? NO Classification: Minor
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to demonstrate continuous compliance with emissions limitation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to limit carbon monoxide (CO) discharge into the atmosphere.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)(II)
 Special Condition 1A OP

Description: Exceedence of sulfur dioxide limit. (Category B14)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)

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

Date: 09/15/2009 (767619)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
 5C THSC Chapter 382 382.085(a)

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

Date: 09/17/2009 (763625)

Self Report? NO

Classification: Minor

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

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

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. 2009-1677-AIR-E

I. JURISDICTION AND STIPULATIONS

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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refinery at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 4, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Forty Thousand Dollars (\$40,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Sixteen Thousand Dollars (\$16,000) of the administrative penalty and Eight Thousand Dollars (\$8,000) is deferred contingent upon the Respondent's timely and satisfactory compliance

with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Sixteen Thousand Dollars (\$16,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on August 10, 2009, the Respondent re-emphasized hazard recognition and reinforced the job hazard analyses process to third party contractors as measures designed to prevent future events due to same or similar causes.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. 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.
12. 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.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on July 7 through 21, 2009. Specifically, unauthorized emissions of 3,674 pounds ("lbs") of propane, 3,128 lbs of butanes, 925 lbs of pentanes, 1,020 lbs of unspecified volatile organic compounds, 1,776 lbs of carbon monoxide, 831 lbs of hydrogen sulfide, 620 lbs of sulfur dioxide, and 329 lbs of nitrogen oxides were released during an emissions event (Incident No. 124215) that occurred on May 12, 2009 and lasted 77 hours and two minutes. Since this event could have been avoided by better oversight of third party contractors, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which 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. 2009-1677-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 I, Paragraph 6 above, Sixteen Thousand Dollars (\$16,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

2/25/2010
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

12/22/09
Date

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

GARY WILSON
PERMIT MANAGER
Title

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

Attachment A
Docket Number: 2009-1677-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Thirty-Two Thousand Dollars (\$32,000)
SEP Amount:	Sixteen Thousand Dollars (\$16,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston Regional Monitoring Corporation - Houston Area Monitoring
Location of SEP:	Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The Contribution will be to Houston Regional Monitoring Corporation for the Houston Area Monitoring program as set forth in an agreement between the Third-Party Recipient and the TCEQ. Performing Party shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation Ambient Air Quality Monitoring Network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided.

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

Data from this monitoring may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. Performing party notifies the TCEQ on a quarterly basis of all exceedences of the National Ambient Air Quality Standards (“NAAQS”) that it measures at its monitoring stations. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston’s progress toward achieving or remaining in attainment of the NAAQS.

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Houston Regional Monitoring Corporation. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Christopher B. Amandes
Vinson & Elkins LLP
First City Tower
1001 Fannin Street, Suite 2500
Houston, TX 77002-6760

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.

Exxon Mobil Corporation
Agreed Order - Attachment A

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

