

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 3  
**DOCKET NO.:** 2009-1539-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 38278  
**RESPONDENT NAME:** Exxon Mobil Corporation

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p><b>TYPE OF OPERATION:</b> Refinery</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> Three complaints were received on April 24, 2009 alleging odors. There are seven pending enforcement actions regarding this facility location, Docket Nos. 2009-1080-AIR-E, 2009-1677-AIR-E, 2009-2050-AIR-E, 2009-1944-AIR-E, 2009-1221-IHW-E, 2010-0007-AIR-E, and 2009-1284-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> Complaints were received but the complainants have not expressed a desire to protest this action or speak at Agenda.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 5, 2010. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>SEP Coordinator:</b> Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732  <b>TCEQ Enforcement Coordinator:</b> Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Ms. Laurie Baves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Gary W. Wilson, Baytown Refinery Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> April 24, 2009</p> <p><b>Date of Record Review Relating to this Case:</b> May 4 and May 12 through 26, 2009</p> <p><b>Date of NOEs Relating to this Case:</b> August 20 and September 2, 2009</p> <p><b>Background Facts:</b> These were record reviews.</p> <p><b>AIR/WATER/WASTE</b></p> <p>1) Failure to limit carbon monoxide concentrations to 400 parts per million by volume at 3% oxygen (3.0 grains per horsepower hour) for unit ID Nos. LXU1B5, FCCU2WGS, FXKWHB301, HF3F2, HF4F402, HF4F403 and SEP12ICE12 on seven occasions for an aggregate amount of 1,764 pounds ("lbs") of unauthorized carbon monoxide ("CO") emissions during the November 22, 2007 through November 21, 2008 reporting period [30 TEX. ADMIN. CODE § 117.310(c)(1)(A) and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failure to conduct stack testing. Specifically, Furnace FCCU3F103 was down during the initial stack testing period and was not tested. The furnace ran intermittently from February 1, 2006 through the date when the stack test was conducted on May 28, 2008 [30 TEX. ADMIN. CODE §§ 115.725(a), 116.715(a) and 122.143(4), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), Federal Operating Permit No. O-1229, Special Condition Nos. 1A and 30 and Flexible Permit No. 18287, Special Condition No. 32].</p> <p>3) Failure to prevent unauthorized emissions. Specifically, the Respondent released 8,238 lbs of volatile organic compounds, 4,345 lbs of CO, 3,978 lbs of sulfur dioxide, 824 lbs of hydrogen sulfide and 233 lbs of nitrogen oxide from the</p>	<p><b>Total Assessed:</b> \$111,750</p> <p><b>Total Deferred:</b> \$22,350  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$44,700</p> <p><b>Total Paid (Due) to General Revenue:</b> \$44,700</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. Adjusted the furnace draft to correct the CO exceedance and reduced the CO feed on the furnace on September 10, 2008;</p> <p>b. Conducted a stack test on Furnace FCCU3F103 on May 28, 2008; and</p> <p>c. Performed reliability maintenance on Gas Turbine Generator ("GTG") 45 to prevent steam system upsets, and took steps to improve the GTG 45 control system by June 30, 2009 by installing capacitance filters on the unit's wiring and replacing a failed fuel gas control valve controller to prevent equipment trips, in order to prevent the reoccurrence of emissions events due to the same causes as that of Incident No. 123381.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A).</p>

<p>Hydrocracking and Flexicoker ("FXK") Units during an avoidable emissions event (Incident No. 123381) that began April 24, 2009 and lasted seven hours and nine minutes. The event was the result of a drop in reactor feed steam atomization pressure in the FXK Unit leading to an emergency shutdown and unauthorized emissions. Since this emissions event could have been avoided by better operational and maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH &amp; SAFETY CODE § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1].</p>		
---	--	--

Additional ID No(s): HG0232Q



Attachment A  
Docket Number: 2009-1539-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Exxon Mobil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Eighty-Nine Thousand Four Hundred Dollars (\$89,400)</b>
<b>SEP Amount:</b>	<b>Forty-Four Thousand Seven Hundred Dollars (\$44,700)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston Regional Monitoring Corporation - Houston Area Monitoring</b>
<b>Location of SEP:</b>	<b>Harris County</b>

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

<b>DATES</b>	Assigned	14-Sep-2009	Screening	21-Sep-2009	EPA Due	17-May-2010
	PCW	7-Jan-2010				

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

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38278	No. of Violations	3
Docket No.	2009-1539-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Muennink
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

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

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

Notes: Enhancement due to 29 NOVs with same or similar violations, five NOVs with unrelated violations, 21 Findings Orders, seven 1660 Agreed Orders 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 21-Sep-2009

Docket No. 2009-1539-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38278

PCW Revision October 30, 2009

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	29	145%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	7	140%
	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 (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

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) 850%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to 29 NOVs with same or similar violations, five NOVs with unrelated violations, 21 Findings Orders, seven 1660 Agreed Orders and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 850%

<b>Screening Date</b> 21-Sep-2009	<b>Docket No.</b> 2009-1539-AIR-E	<b>PCW</b>															
<b>Respondent</b> Exxon Mobil Corporation	<small>Policy Revision 2 (September 2002)</small>																
<b>Case ID No.</b> 38278	<small>PCW Revision October 30, 2008</small>																
<b>Reg. Ent. Reference No.</b> RN102579307																	
<b>Media [Statute]</b> Air																	
<b>Enf. Coordinator</b> John Muennink																	
<b>Violation Number</b> <input type="text" value="1"/>																	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 117.310(c)(1)(A) and Tex. Health & Safety Code § 382.085(b)																
<b>Violation Description</b>	Failed to limit carbon monoxide ("CO") concentrations to 400 parts per million by volume at 3% oxygen (3.0 grains per horsepower hour) for unit ID Nos. LXU1B5, FCCU2WGS, FXKWHB301, HF3F2, HF4F402, HF4F403 and SEP12ICE12 on seven occasions for an aggregate amount of 1,764 pounds ("lbs") of unauthorized CO emissions during the November 22, 2007 through November 21, 2008 reporting period.																
<b>Base Penalty</b>		<input type="text" value="\$10,000"/>															
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																	
<b>Harm</b>																	
<b>Release</b>	Major	Moderate	Minor														
<b>OR</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Actual</td> <td style="width:33%;"></td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> </tr> </table>			Actual			x	Potential									
Actual			x														
Potential																	
<b>Percent</b>		<input type="text" value="25%"/>															
<b>&gt;&gt; Programmatic Matrix</b>																	
<b>Falsification</b>																	
Major      Moderate      Minor																	
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:33%;"></td> <td style="width:33%;"></td> </tr> </table>																	
<b>Percent</b>		<input type="text" value="0%"/>															
<b>Matrix Notes</b>	Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective human health or environmental receptors.																
<b>Adjustment</b>		<input type="text" value="\$7,500"/>															
		<input type="text" value="\$2,500"/>															
<b>Violation Events</b>																	
<b>Number of Violation Events</b> <input type="text" value="4"/>		<b>Number of violation days</b> <input type="text" value="22"/>															
<small>mark only one with an x</small>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td style="width:33%;"></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event		<b>Violation Base Penalty</b> <input type="text" value="\$10,000"/>	
daily																	
weekly																	
monthly																	
quarterly	x																
semiannual																	
annual																	
single event																	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">                 Four quarterly events are recommended based on the four quarters that the exceedances occurred.             </div>																	
<b>Good Faith Efforts to Comply</b>		<input type="text" value="\$2,500"/>															
		<input type="text" value="25.0% Reduction"/>															
		<small>Before NOV      NOV to EDRP/Settlement Offer</small>															
Extraordinary																	
Ordinary	x																
N/A		<small>(mark with x)</small>															
<b>Notes</b>	The Respondent completed corrective measures on September 10, 2008, before the August 20, 2009 NOE date.																
<b>Violation Subtotal</b>		<input type="text" value="\$7,500"/>															
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>															
<b>Estimated EB Amount</b> <input type="text" value="\$135"/>		<b>Violation Final Penalty Total</b> <input type="text" value="\$92,500"/>															
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$92,500"/>															

## Economic Benefit Worksheet

**Respondent** Exxon Mobil Corporation  
**Case ID No.** 38278  
**Reg. Ent. Reference No.** RN102579307  
**Media** Air  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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)	\$3,500	4-Dec-2007	10-Sep-2008	0.77	\$135	n/a	\$135

Notes for DELAYED costs: Estimated expense to implement measures designed to ensure that CO concentrations are below permitted limits. The Date Required is the initial date of non-compliance. The Final Date is the date that corrective measures were completed.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personal				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

<b>Approx. Cost of Compliance</b>	\$3,500	<b>TOTAL</b>	\$135
-----------------------------------	---------	--------------	-------

<p><b>Screening Date</b> 21-Sep-2009</p> <p><b>Respondent</b> Exxon Mobil Corporation</p> <p><b>Case ID No.</b> 38278</p> <p><b>Reg. Ent. Reference No.</b> RN102579307</p> <p><b>Media [Statute]</b> Air</p> <p><b>Enf. Coordinator</b> John Muennink</p> <p><b>Violation Number</b> 2</p> <p><b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 115.725(a), 116.715(a) and 122.143(4), Tex. Health &amp; Safety Code § 382.085(b), Federal Operating Permit No. O-1229, Special Condition Nos. 1A and 30 and Flexible Permit No. 18287, Special Condition No. 32</p> <p><b>Violation Description</b> Failed to conduct stack testing. Specifically, Furnace FCCU3F103 was down during the initial stack testing period and was not tested. The furnace ran intermittently from February 1, 2008 through the date when the stack test was conducted on May 28, 2008.</p>	<p><b>Docket No.</b> 2009-1539-AIR-E</p> <p style="text-align: right;"><b>PCW</b></p> <p style="text-align: right; font-size: small;">Policy Revision 2 (State-Order 2007-2) PCW Revision October 30, 2008</p>																													
<b>Base Penalty</b> \$10,000																														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																														
<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td colspan="2"></td> <td colspan="3" style="text-align: center;">Harm</td> <td></td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td rowspan="2" style="vertical-align: middle;"><b>OR</b></td> <td style="text-align: center;">Release</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="3"></td> <td style="text-align: right;"><b>Percent</b> 10%</td> </tr> </table>				Harm						Major	Moderate	Minor		<b>OR</b>	Release					Actual			X							<b>Percent</b> 10%
		Harm																												
		Major	Moderate	Minor																										
<b>OR</b>	Release																													
	Actual			X																										
					<b>Percent</b> 10%																									
<b>&gt;&gt; Programmatic Matrix</b>																														
<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td colspan="2"></td> <td colspan="3" style="text-align: center;">Harm</td> <td></td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td colspan="2"></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="3"></td> <td style="text-align: right;"><b>Percent</b> 0%</td> </tr> </table>				Harm						Major	Moderate	Minor													<b>Percent</b> 0%					
		Harm																												
		Major	Moderate	Minor																										
					<b>Percent</b> 0%																									
<b>Matrix Notes</b>	Human health or the environment could be exposed to an insignificant amount of pollutants that would not exceed levels protective of human health or environmental receptors.																													
<b>Adjustment</b> \$9,000																														
<b>\$1,000</b>																														
<b>Violation Events</b>																														
<table style="width:100%;"> <tr> <td style="width:30%;">Number of Violation Events</td> <td style="width:20%; text-align: center;">1</td> <td style="width:20%; text-align: center;">847</td> <td style="width:30%;">Number of violation days</td> </tr> <tr> <td rowspan="6" style="vertical-align: middle; font-size: small;">mark only one with an x</td> <td style="text-align: center;">daily</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">weekly</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">monthly</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">quarterly</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">semiannual</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">annual</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">single event</td> <td style="text-align: center;">X</td> <td></td> </tr> </table>		Number of Violation Events	1	847	Number of violation days	mark only one with an x	daily			weekly			monthly			quarterly			semiannual			annual				single event	X			
Number of Violation Events	1	847	Number of violation days																											
mark only one with an x	daily																													
	weekly																													
	monthly																													
	quarterly																													
	semiannual																													
	annual																													
	single event	X																												
<b>Violation Base Penalty</b> \$1,000																														
<p style="text-align: center;">One single event is recommended based on the initial stack test that was not conducted.</p>																														
<b>Good Faith Efforts to Comply</b>																														
<b>25.0% Reduction</b> \$250																														
<table style="width:100%;"> <tr> <td colspan="2" style="text-align: center; font-size: small;">Before NOV      NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td style="width:30%;">Extraordinary</td> <td></td> </tr> <tr> <td>Ordinary</td> <td style="text-align: center;">X</td> </tr> <tr> <td>N/A</td> <td style="text-align: center;">(mark with x)</td> </tr> </table>		Before NOV      NOV to EDPRP/Settlement Offer		Extraordinary		Ordinary	X	N/A	(mark with x)																					
Before NOV      NOV to EDPRP/Settlement Offer																														
Extraordinary																														
Ordinary	X																													
N/A	(mark with x)																													
<b>Notes</b>	The Respondent completed corrective measures on May 28, 2008, before the August 20, 2009 NOE date.																													
<b>Violation Subtotal</b> \$750																														
<b>Economic Benefit (EB) for this violation</b>																														
<b>Statutory Limit Test</b>																														
<b>Estimated EB Amount</b> \$580	<b>Violation Final Penalty Total</b> \$9,250																													
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$9,250																														

## Economic Benefit Worksheet

**Respondent** Exxon Mobil Corporation  
**Case ID No.** 38278  
**Reg. Ent. Reference No.** RN102579307  
**Media** Air  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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)	\$5,000	1-Feb-2006	28-May-2008	2.32	\$580	n/a	\$580

Notes for DELAYED costs

Estimated expense to conduct stack testing on Furnace FCCU3F103. The Date Required is the initial date of non-compliance. The Final Date is the date that the stack test was conducted.

**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

\$5,000

**TOTAL**

\$580

<b>Screening Date</b> 21-Sep-2009	<b>Docket No.</b> 2009-1539-AIR-E	<b>PCW</b>														
<b>Respondent</b> Exxon Mobil Corporation		<small>Policy Revision 2 (September 2002)</small>														
<b>Case ID No.</b> 38278		<small>PCW Revision October 30, 2008</small>														
<b>Reg. Ent. Reference No.</b> RN102579307																
<b>Media [Statute]</b> Air																
<b>Enf. Coordinator</b> John Muennink																
<b>Violation Number</b>	3															
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 116.715(a), Tex. Admin. Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1															
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,238 lbs of volatile organic compounds, 4,345 lbs of CO, 3,978 lbs of sulfur dioxide, 824 lbs of hydrogen sulfide and 233 lbs of nitrogen oxide from the Hydrocracking and Flexicoker ("FXK") Units during an avoidable emissions event that began April 24, 2009 and lasted seven hours and nine minutes. The event was the result of a drop in reactor feed steam atomization pressure in the FXK Unit leading to an emergency shutdown and unauthorized emissions. Since this emissions event could have been avoided by better operational and maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.															
	<b>Base Penalty</b>	\$10,000														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																
<b>OR</b>	<b>Harm</b>															
	Major      Moderate      Minor															
Actual	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<b>Percent</b> <input type="text" value="50%"/>														
Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>															
<b>&gt;&gt; Programmatic Matrix</b>																
	Falsification      Major      Moderate      Minor															
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Percent</b> <input type="text" value="0%"/>														
<b>Matrix Notes</b>	Human health or the environment has been exposed to a significant amount of pollutants that do not exceed levels protective of human health or environmental receptors.															
	<b>Adjustment</b>	\$5,000														
		\$5,000														
<b>Violation Events</b>																
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<b>Number of violation days</b> <input type="text" value="1"/>														
<small>mark only one with an x</small>	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr><td>daily</td><td><input type="checkbox"/></td></tr> <tr><td>weekly</td><td><input type="checkbox"/></td></tr> <tr><td>monthly</td><td><input checked="" type="checkbox"/></td></tr> <tr><td>quarterly</td><td><input type="checkbox"/></td></tr> <tr><td>semiannual</td><td><input type="checkbox"/></td></tr> <tr><td>annual</td><td><input type="checkbox"/></td></tr> <tr><td>single event</td><td><input type="checkbox"/></td></tr> </table>	daily	<input type="checkbox"/>	weekly	<input type="checkbox"/>	monthly	<input checked="" type="checkbox"/>	quarterly	<input type="checkbox"/>	semiannual	<input type="checkbox"/>	annual	<input type="checkbox"/>	single event	<input type="checkbox"/>	<b>Violation Base Penalty</b> <input type="text" value="\$5,000"/>
daily	<input type="checkbox"/>															
weekly	<input type="checkbox"/>															
monthly	<input checked="" type="checkbox"/>															
quarterly	<input type="checkbox"/>															
semiannual	<input type="checkbox"/>															
annual	<input type="checkbox"/>															
single event	<input type="checkbox"/>															
	One monthly event is recommended based on the emissions event that began on April 24, 2009.															
<b>Good Faith Efforts to Comply</b>																
	<input type="text" value="25.0%"/> Reduction	<input type="text" value="\$1,250"/>														
	<small>Before NOV      NOV to EDPRP/Settlement Offer</small>															
Extraordinary	<input type="checkbox"/> <input type="checkbox"/>															
Ordinary	<input checked="" type="checkbox"/> <input type="checkbox"/>															
N/A	<input type="checkbox"/> (mark with x)															
<b>Notes</b>	The Respondent completed corrective measures on June 30, 2009, before the September 2, 2009 NOE date.															
	<b>Violation Subtotal</b>	\$3,750														
<b>Economic Benefit (EB) for this violation</b>																
	<b>Estimated EB Amount</b> <input type="text" value="\$46"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$46,250"/>														
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$10,000"/>															

## Economic Benefit Worksheet

Respondent Exxon Mobil Corporation  
 Case ID No. 38278  
 Reg. Ent. Reference No. RN102579307  
 Media Air  
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Item Description: 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)	\$5,000	24-Apr-2009	30-Jun-2009	0.18	\$46	\$46

Notes for DELAYED costs: Estimated expense to perform reliability maintenance on Gas Turbine Generator ("GTG") 45 to prevent steam system upsets, and to take steps to improve the GTG 45 control system by installing capacitance filters on the unit's wiring and replacing a failed fuel gas control valve controller to prevent equipment trips, in order to prevent the reoccurrence of emissions events due to the same causes. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures were completed.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$46

# Compliance History Report

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

ID Number(s):			
	AIR NEW SOURCE PERMITS	PERMIT	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	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

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 26, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 26, 2004 to August 26, 2009

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

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

### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. 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: TGEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT

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

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

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

Rqmt Prov: Special Condition 1 PERMIT  
Special Conditions PERMIT

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

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

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

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

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

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

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

5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT  
Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 09/21/2006 ADMINORDER 2006-0233-AIR-E

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SPECIAL CONDITION 1 PERMIT  
Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfure dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT  
Description: Failed to prevent an avoidable emissions event on August 9, 2005 that lasted for one hour and 43 minutes, releasing 3,887 lbs of sulfur dioxide, 1,080 lbs of nitrogen monoxide, 120 lbs of nitrogen dioxide and 569 lbs of carbon monoxide.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA  
Description: Failed to prevent the unauthorized emissions of 11,582 lbs of sulfur dioxide, 1,591 lbs of nitrogen monoxide, 839 lbs of carbon monoxide and 180 lbs if 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 amonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfid

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

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT  
Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on Septemeber 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT  
Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

Effective Date: 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 H<sub>2</sub>S, 37.45 lbs CO, 6.88 lbs of NO<sub>x</sub>, 7.58 lbs of propylene, 4.94 lbs of volatile organic compounds and 1,494.97 lbs of SO<sub>2</sub> 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 ("O<sub>2</sub>") for sulfur dioxide ("SO<sub>2</sub>"). Specifically, during a reference method stack test conducted on March 27, 2007, it was determined that SO<sub>2</sub> emissions from Boiler 1 (EPN No. LXU2B1) were 96.83 ppm at 0% O<sub>2</sub>.

Classification: Moderate

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

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

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

Effective Date: 11/06/2008

ADMINORDER 2007-0463-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit No. 18287, Special Cond. No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, Exxon released 28,213 pounds ("lbs") of carbon monoxide, 115 lbs of ammonia and 92 lbs of hydrogen cyanide during an avoidable emissions event that began June 16, 2005 and lasted three hours and 34 minutes.

Effective Date: 12/04/2008

ADMINORDER 2008-0641-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of carbon monoxide ("CO"), 135 lbs of nitrogen oxide ("NOx") and 8 lbs of hydrogen sulfide ("H2S") from Catalytic Light Ends Unit 1 ("CLEU") during an avoidable emissions event that began December 5, 2007 and lasted one hour and 22 minutes.

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 01/30/2009

ADMINORDER 2008-0872-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 88,422 lbs of VOCs, 7,319 lbs of CO, 1,705 lbs of H2S, 300 lbs of NOx and 2,178 lbs of SO2 from Hydrocracking Unit 1 during an avoidable emissions event (Incident No. 93064) that began December 14, 2007 and

lasted 65 hours and 41 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air flexible permit #18287, SC#1 PA

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,032 pounds ("lbs") of sulfur dioxide ("SO2"), 383 lbs of carbon monoxide ("CO"), 307 lbs of volatile organic compounds ("VOC"), 71 lbs of nitrogen oxide ("NOx") and 55 lbs of hydrogen sulfide ("H2S") from the Delayed Coker Unit during an avoidable emissions event (Incident No. 101349) that began December 14, 2007 and lasted 33 hours and 52 minutes.

Effective Date: 02/08/2009

ADMINORDER 2007-0214-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 07/09/2009

ADMINORDER 2008-1163-AIR-E

Classification: Moderate

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

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

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

Effective Date: 07/20/2009

ADMINORDER 2009-0132-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,168 lbs of SO2, 1,529 lbs of VOCs, 394 lbs of CO, 182 lbs of H2S and 75 lbs of NOx from Hydrocracking Unit 1 during an avoidable emissions event that began August 11, 2008 and lasted nine hours and 37 minutes. The root cause of the event was the 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 NOx, 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 NOx, 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 NOx, 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 NOx 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 NOx 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 NOx, 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 Flexicoker 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 NOx, 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.

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. (CEEDS Inv. Track. No.)

1	08/28/2004	(268055)
2	08/28/2004	(268992)
3	08/30/2004	(268034)
4	08/31/2004	(268738)
5	08/31/2004	(268748)
6	08/31/2004	(268764)
7	09/01/2004	(283208)
8	09/01/2004	(290226)
9	09/01/2004	(290594)
10	09/01/2004	(291353)
11	09/01/2004	(292073)
12	09/01/2004	(292083)
13	09/24/2004	(270454)
14	10/11/2004	(335357)
15	10/26/2004	(292710)
16	10/27/2004	(333600)
17	11/03/2004	(338702)
18	11/05/2004	(334294)
19	11/08/2004	(335879)
20	11/08/2004	(337651)
21	11/08/2004	(340024)
22	11/08/2004	(340028)
23	11/09/2004	(339020)
24	11/09/2004	(339949)
25	11/09/2004	(340023)
26	11/11/2004	(340075)
27	11/11/2004	(340145)
28	11/12/2004	(335883)
29	11/12/2004	(340365)
30	11/12/2004	(340615)
31	11/17/2004	(340163)
32	11/17/2004	(340565)
33	11/22/2004	(267703)
34	11/22/2004	(337719)
35	11/22/2004	(339656)

36	11/22/2004	(340575)
37	11/22/2004	(340689)
38	11/23/2004	(340185)
39	11/29/2004	(340829)
40	12/05/2004	(269620)
41	12/09/2004	(341224)
42	12/13/2004	(267690)
43	12/13/2004	(267765)
44	12/13/2004	(268246)
45	12/13/2004	(342441)
46	12/13/2004	(342452)
47	12/14/2004	(342152)
48	12/14/2004	(342432)
49	12/14/2004	(342708)
50	12/16/2004	(342682)
51	12/20/2004	(338518)
52	12/21/2004	(341978)
53	12/22/2004	(268731)
54	12/22/2004	(278243)
55	12/22/2004	(339607)
56	12/22/2004	(340759)
57	12/22/2004	(342051)
58	12/27/2004	(341022)
59	12/28/2004	(267530)
60	12/28/2004	(268918)
61	12/28/2004	(268990)
62	12/28/2004	(268993)
63	12/28/2004	(269717)
64	12/28/2004	(272677)
65	12/28/2004	(334795)
66	12/28/2004	(334936)
67	12/28/2004	(337673)
68	12/28/2004	(338557)
69	12/28/2004	(341014)
70	12/28/2004	(341980)
71	12/28/2004	(343607)
72	12/29/2004	(278295)
73	12/29/2004	(341979)
74	12/30/2004	(268760)
75	12/31/2004	(267843)
76	12/31/2004	(272589)
77	01/04/2005	(267623)
78	01/04/2005	(267736)
79	01/04/2005	(341983)
80	01/06/2005	(267642)
81	01/06/2005	(344763)
82	01/07/2005	(341981)
83	01/07/2005	(343633)
84	01/10/2005	(339231)
85	01/10/2005	(341982)
86	01/12/2005	(267368)
87	01/12/2005	(344761)
88	01/13/2005	(346338)
89	01/21/2005	(342494)
90	01/23/2005	(334796)
91	01/25/2005	(341747)
92	01/25/2005	(348070)
93	01/27/2005	(342684)
94	01/31/2005	(347261)

95	02/21/2005	(337401)
96	02/21/2005	(351015)
97	02/28/2005	(267818)
98	03/29/2005	(375295)
99	04/07/2005	(337403)
100	04/07/2005	(344010)
101	04/12/2005	(375744)
102	04/22/2005	(347659)
103	04/22/2005	(349058)
104	04/22/2005	(349214)
105	04/28/2005	(348685)
106	05/10/2005	(380346)
107	05/12/2005	(374170)
108	05/13/2005	(379379)
109	05/26/2005	(333676)
110	06/09/2005	(394572)
111	06/13/2005	(395496)
112	06/20/2005	(343630)
113	06/23/2005	(395306)
114	06/30/2005	(396806)
115	06/30/2005	(396852)
116	07/12/2005	(349438)
117	07/12/2005	(399391)
118	07/13/2005	(348979)
119	07/13/2005	(349569)
120	07/13/2005	(399494)
121	07/22/2005	(349408)
122	07/29/2005	(349505)
123	08/02/2005	(402576)
124	08/02/2005	(402737)
125	08/02/2005	(402844)
126	08/02/2005	(402917)
127	08/03/2005	(401816)
128	08/08/2005	(399628)
129	08/08/2005	(402336)
130	08/09/2005	(403017)
131	08/09/2005	(403164)
132	08/09/2005	(403230)
133	08/09/2005	(403380)
134	08/09/2005	(403721)
135	08/09/2005	(404230)
136	08/09/2005	(404259)
137	08/09/2005	(404296)
138	08/15/2005	(405021)
139	08/16/2005	(404301)
140	08/16/2005	(404547)
141	08/19/2005	(404792)
142	08/23/2005	(405305)
143	08/24/2005	(399636)
144	08/24/2005	(399637)
145	08/29/2005	(405272)
146	08/29/2005	(405928)
147	08/31/2005	(418871)
148	09/01/2005	(399476)
149	09/28/2005	(431581)
150	09/28/2005	(432076)
151	10/07/2005	(347309)
152	10/12/2005	(342414)
153	10/17/2005	(434480)

154	11/03/2005	(418987)
155	11/03/2005	(431598)
156	11/07/2005	(431566)
157	11/07/2005	(431591)
158	11/09/2005	(431541)
159	11/09/2005	(431596)
160	11/15/2005	(431597)
161	11/22/2005	(433933)
162	11/22/2005	(435072)
163	11/22/2005	(438130)
164	12/20/2005	(267563)
165	12/21/2005	(434204)
166	12/21/2005	(435335)
167	12/30/2005	(435909)
168	12/30/2005	(435916)
169	01/17/2006	(273538)
170	01/17/2006	(450474)
171	02/06/2006	(450733)
172	02/16/2006	(337610)
173	02/21/2006	(452651)
174	02/28/2006	(456441)
175	02/28/2006	(457051)
176	03/23/2006	(343625)
177	03/24/2006	(459648)
178	04/04/2006	(461224)
179	04/13/2006	(431716)
180	04/20/2006	(457390)
181	04/20/2006	(457398)
182	04/20/2006	(461537)
183	04/26/2006	(338552)
184	04/27/2006	(461574)
185	04/28/2006	(463895)
186	05/02/2006	(460481)
187	05/03/2006	(463377)
188	05/04/2006	(462741)
189	05/08/2006	(457378)
190	05/16/2006	(462451)
191	05/16/2006	(465569)
192	05/17/2006	(457374)
193	05/22/2006	(466175)
194	05/25/2006	(431599)
195	05/30/2006	(479710)
196	05/30/2006	(479729)
197	05/30/2006	(479780)
198	05/30/2006	(479785)
199	05/30/2006	(479791)
200	05/30/2006	(479817)
201	05/31/2006	(344766)
202	05/31/2006	(462401)
203	05/31/2006	(463588)
204	05/31/2006	(465081)
205	06/02/2006	(454646)
206	06/02/2006	(460480)
207	06/02/2006	(464665)
208	06/14/2006	(466357)
209	06/19/2006	(481233)
210	06/19/2006	(481262)
211	06/26/2006	(481569)
212	06/29/2006	(480981)

213	06/30/2006	(481533)
214	07/07/2006	(483457)
215	07/07/2006	(483683)
216	07/07/2006	(484811)
217	07/20/2006	(484814)
218	07/31/2006	(484463)
219	07/31/2006	(489107)
220	08/03/2006	(454867)
221	08/03/2006	(489455)
222	08/09/2006	(484809)
223	08/18/2006	(347307)
224	08/18/2006	(487811)
225	08/31/2006	(465761)
226	08/31/2006	(489776)
227	09/01/2006	(509264)
228	09/01/2006	(510727)
229	09/01/2006	(510733)
230	09/05/2006	(489701)
231	09/05/2006	(489770)
232	09/25/2006	(497145)
233	09/29/2006	(489710)
234	10/18/2006	(512809)
235	10/18/2006	(513741)
236	10/26/2006	(517328)
237	10/30/2006	(516968)
238	11/15/2006	(347306)
239	11/15/2006	(514799)
240	11/15/2006	(516447)
241	11/30/2006	(457899)
242	11/30/2006	(531626)
243	12/08/2006	(532394)
244	12/13/2006	(519183)
245	12/21/2006	(393692)
246	01/08/2007	(533556)
247	01/09/2007	(535937)
248	01/11/2007	(534949)
249	01/12/2007	(481287)
250	01/23/2007	(536577)
251	01/29/2007	(449587)
252	01/31/2007	(517160)
253	01/31/2007	(538653)
254	02/02/2007	(462413)
255	02/05/2007	(457903)
256	02/06/2007	(539165)
257	02/08/2007	(539319)
258	02/09/2007	(440421)
259	02/09/2007	(449579)
260	02/09/2007	(484815)
261	02/15/2007	(457902)
262	02/15/2007	(535801)
263	02/27/2007	(515654)
264	02/28/2007	(481875)
265	03/08/2007	(449583)
266	03/23/2007	(489664)
267	03/23/2007	(490037)
268	03/26/2007	(541019)
269	03/26/2007	(541089)
270	03/26/2007	(541133)
271	03/27/2007	(534342)

272	03/28/2007	(555118)
273	03/30/2007	(535817)
274	03/30/2007	(541407)
275	04/04/2007	(511045)
276	04/05/2007	(536574)
277	04/05/2007	(543125)
278	04/12/2007	(535873)
279	04/19/2007	(537203)
280	04/19/2007	(538065)
281	04/20/2007	(536593)
282	04/20/2007	(539663)
283	04/20/2007	(556917)
284	04/24/2007	(536941)
285	04/24/2007	(537438)
286	04/27/2007	(556005)
287	04/30/2007	(542577)
288	05/01/2007	(539681)
289	05/03/2007	(554208)
290	05/04/2007	(535563)
291	05/08/2007	(489678)
292	05/08/2007	(535299)
293	05/08/2007	(535352)
294	05/08/2007	(541040)
295	05/08/2007	(558748)
296	05/09/2007	(457383)
297	05/09/2007	(535078)
298	05/09/2007	(535565)
299	05/11/2007	(536591)
300	05/16/2007	(539675)
301	05/16/2007	(558902)
302	05/17/2007	(490200)
303	05/30/2007	(560387)
304	05/31/2007	(538802)
305	05/31/2007	(540430)
306	05/31/2007	(561882)
307	06/05/2007	(562903)
308	06/08/2007	(554582)
309	06/15/2007	(560235)
310	06/15/2007	(561789)
311	06/27/2007	(559236)
312	06/27/2007	(559573)
313	06/27/2007	(559574)
314	06/27/2007	(563272)
315	07/03/2007	(555858)
316	07/05/2007	(564964)
317	07/06/2007	(562588)
318	07/10/2007	(567169)
319	07/11/2007	(541738)
320	07/11/2007	(543749)
321	07/16/2007	(561456)
322	07/23/2007	(568005)
323	07/30/2007	(563075)
324	08/03/2007	(564720)
325	08/06/2007	(570695)
326	08/09/2007	(554535)
327	08/09/2007	(571423)
328	08/10/2007	(560522)
329	08/10/2007	(563117)
330	08/13/2007	(563757)

331	08/22/2007	(568350)
332	08/24/2007	(570712)
333	08/29/2007	(543365)
334	08/29/2007	(572924)
335	09/07/2007	(593545)
336	09/19/2007	(570275)
337	09/19/2007	(570278)
338	09/19/2007	(572771)
339	09/20/2007	(570276)
340	09/26/2007	(593611)
341	09/28/2007	(564900)
342	09/28/2007	(565019)
343	09/28/2007	(565214)
344	10/01/2007	(595471)
345	10/02/2007	(563996)
346	10/02/2007	(564053)
347	10/02/2007	(564057)
348	10/02/2007	(564825)
349	10/02/2007	(566406)
350	10/03/2007	(574482)
351	10/04/2007	(565775)
352	10/10/2007	(566719)
353	10/10/2007	(567038)
354	10/11/2007	(566557)
355	10/12/2007	(572311)
356	10/16/2007	(597893)
357	10/19/2007	(596209)
358	10/25/2007	(571458)
359	10/25/2007	(572951)
360	10/25/2007	(573665)
361	11/02/2007	(573789)
362	11/02/2007	(598325)
363	11/02/2007	(598327)
364	11/08/2007	(597351)
365	11/19/2007	(569267)
366	11/19/2007	(593935)
367	11/20/2007	(608861)
368	11/27/2007	(568601)
369	12/04/2007	(599936)
370	12/07/2007	(593717)
371	12/07/2007	(594582)
372	12/12/2007	(593931)
373	12/17/2007	(611653)
374	12/20/2007	(599324)
375	12/20/2007	(599344)
376	12/20/2007	(599350)
377	12/20/2007	(599754)
378	12/21/2007	(599347)
379	12/21/2007	(599624)
380	12/27/2007	(612579)
381	01/02/2008	(598999)
382	01/02/2008	(599796)
383	01/02/2008	(600208)
384	01/04/2008	(610570)
385	01/07/2008	(600287)
386	01/07/2008	(600300)
387	01/07/2008	(600335)
388	01/07/2008	(613467)
389	01/08/2008	(600322)

390 01/08/2008 (600360)  
391 01/08/2008 (600399)  
392 01/10/2008 (600962)  
393 01/18/2008 (609246)  
394 01/18/2008 (612843)  
395 01/18/2008 (614380)  
396 01/18/2008 (615193)  
397 01/28/2008 (616174)  
398 01/30/2008 (616222)  
399 02/07/2008 (614032)  
400 02/08/2008 (611547)  
401 02/13/2008 (613846)  
402 02/15/2008 (612403)  
403 02/15/2008 (612684)  
404 02/27/2008 (617012)  
405 02/28/2008 (617220)  
406 03/05/2008 (611632)  
407 03/07/2008 (616312)  
408 03/09/2008 (609542)  
409 03/14/2008 (639154)  
410 03/21/2008 (639445)  
411 03/24/2008 (639458)  
412 04/02/2008 (637836)  
413 04/04/2008 (613406)  
414 04/04/2008 (638369)  
415 04/17/2008 (646246)  
416 04/24/2008 (653934)  
417 04/25/2008 (613756)  
418 04/30/2008 (654258)  
419 04/30/2008 (654677)  
420 05/01/2008 (595539)  
421 05/07/2008 (646555)  
422 05/08/2008 (613978)  
423 05/09/2008 (598614)  
424 05/13/2008 (439155)  
425 05/19/2008 (670962)  
426 05/22/2008 (670825)  
427 05/27/2008 (679941)  
428 06/15/2008 (433577)  
429 06/16/2008 (398344)  
430 06/17/2008 (683333)  
431 06/19/2008 (683121)  
432 06/26/2008 (683668)  
433 06/27/2008 (671720)  
434 07/18/2008 (686470)  
435 07/22/2008 (531928)  
436 07/22/2008 (685958)  
437 07/28/2008 (684325)  
438 08/07/2008 (684566)  
439 09/24/2008 (701775)  
440 10/16/2008 (687747)  
441 10/17/2008 (617775)  
442 10/27/2008 (706457)  
443 10/29/2008 (687171)  
444 10/30/2008 (685194)  
445 10/31/2008 (703451)  
446 11/03/2008 (686921)  
447 11/10/2008 (706764)  
448 11/21/2008 (706342)

449	11/21/2008	(706700)
450	11/24/2008	(617767)
451	11/24/2008	(617773)
452	12/22/2008	(709485)
453	01/09/2009	(709484)
454	01/15/2009	(721346)
455	01/26/2009	(724624)
456	02/02/2009	(723307)
457	02/12/2009	(726982)
458	03/18/2009	(519302)
459	04/09/2009	(740917)
460	04/14/2009	(740493)
461	04/17/2009	(741980)
462	04/21/2009	(743215)
463	04/22/2009	(735601)
464	04/29/2009	(737394)
465	04/30/2009	(739819)
466	05/04/2009	(657157)
467	05/04/2009	(741500)
468	05/05/2009	(743062)
469	05/05/2009	(743063)
470	05/13/2009	(725716)
471	05/14/2009	(744009)
472	06/04/2009	(743832)
473	06/23/2009	(744062)
474	06/23/2009	(744174)
475	06/23/2009	(744178)
476	06/23/2009	(744302)
477	06/23/2009	(744317)
478	06/23/2009	(744320)
479	06/23/2009	(744323)
480	06/23/2009	(744406)
481	07/01/2009	(742028)
482	07/01/2009	(746149)
483	07/15/2009	(738281)
484	07/17/2009	(745541)
485	07/17/2009	(749850)
486	07/24/2009	(743966)
487	07/27/2009	(747598)
488	07/30/2009	(763678)
489	08/03/2009	(764251)
490	08/05/2009	(760783)
491	08/06/2009	(741015)
492	08/06/2009	(741982)
493	08/10/2009	(759843)
494	08/10/2009	(763817)
495	08/10/2009	(764911)
496	08/20/2009	(721130)
497	08/20/2009	(766551)
498	08/21/2009	(726876)

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

Date: 08/28/2004 (268055)

Self Report? NO

Classification: Moderate

Citation: 18287 PERMIT

30 TAC Chapter 116, SubChapter G 116.715(a)

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

Description: Exceeded VOC permit limit.

Date: 08/28/2004 (268992)  
Self Report? NO Classification: Moderate  
Citation: 18287 PERMIT  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to prevent unauthorized emissions during an emissions event.

Date: 11/10/2004 (339949)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Flex Permit 18287, SC 1 PERMIT  
Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.

Date: 11/30/2004 (340185)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Flex Permit 18287, SC 1 PERMIT  
Description: Failure to prevent unauthorized emissions of 687 lbs SO2.

Date: 12/21/2004 (334796)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Special Condition 1 PERMIT  
Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.

Date: 12/22/2004 (339607)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Special Condition 1 PERMIT  
Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.

Date: 12/28/2004 (338518)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Special Condition 1 PERMIT  
Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.

Date: 12/28/2004 (341978)  
Self Report? NO Classification: Moderate  
Citation: 18287, SC 1 PERMIT  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.

Date: 12/29/2004 (341979)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Flexible Permit 18287, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.

Date: 12/30/2004 (268990)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Special Condition 1 PERMIT

Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

Date: 12/31/2004 (267843)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Special Condition 1 PERMIT

Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.

Date: 12/31/2004 (341980)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Permit 18287, SC 1 PERMIT

Description: Failure to prevent emissions of 4035 lbs of SO2.

Date: 01/24/2005 (342494)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
Permit 18287 Special Condition 54E PA

Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.

Self Report? NO Classification: Moderate

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

Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).

Date: 08/19/2005 (404792)

Self Report? NO Classification: Moderate

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

Description: failed to identify self heating waste material which caused a fire in a roll off bin.

Date: 04/26/2006 (461574)

Self Report? NO Classification: Moderate

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

Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.

Date: 05/15/2006 (462451)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter D 382.085(b)  
TCEQ Permit No. 44533, GC #8 PERMIT  
Description: Exxon failed to submit a completed final report.

Date: 05/31/2006 (463588)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)(1)(I)  
Description: Failed to report the permit authorization for the facility involved in the maintenance activity.

Date: 07/07/2006 (483457)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Exxon failed to submit a CAP in a timely manner.

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

Date: 08/31/2006 (489776)  
Self Report? NO Classification: Moderate  
Citation: 18287 PERMIT  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: EM failed to prevent this emissions event.

Date: 10/18/2006 (513741)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
TCEQ Flexible Air Permit #18287, SC#1 PA  
Description: Exxon Mobil failed to prevent a break on the instrument air line.

Date: 12/13/2006 (519183)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Exxon failed to submit a CAP in a timely manner.

Date: 01/08/2007 (533556)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
TCEQ Flexible Air Permit #18287, SC#1 PA  
Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

Date: 02/13/2007 (539319)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA  
Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.

Date: 04/04/2007 (511045)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
No. 18287/Special Condition No. 45E. PERMIT  
Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.

Date: 05/01/2007 (539681)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)  
No.18287/PSD-TX-703 SC 1 PA  
No.18287/PSD-TX-703 SC14B PA  
Description: Failed to maintain the pilot flame on all flares.

Date: 05/01/2008 (595539)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 14 OP  
FOP O-01229, ST&C 1A OP  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 36A PERMIT  
Description: Failure to comply with the 160 ppm H2S in fuel gas limit.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP  
Permit 18287, Special Condition 24 PERMIT  
Description: Failure to comply with 20 PPM SO2 limit on the SCU F-529 furnace.

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 34F PERMIT  
Description: Failure to include 47 valves in the LDAR Program.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(3)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP

**Description:** Submittal of an incomplete Semi-Annual Equipment Leaks Report.  
**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 11C PERMIT

**Description:** Operating a Safety Valve without a Rupture Disc.  
**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 11A PERMIT

**Description:** Failure to prevent VOC emissions from Safety Valves.  
**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT 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 Contruction Progress Report and Start-Up Notification Report within the required timeframes.  
**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.4(a)  
40 CFR Part 60, Subpart QQQ 60.698(b)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 16 OP

FOP O-01229, ST&C 1A OP

Description: Failure to submit a copy of the NSPS QQQ Semi-Annual Report to EPA Region 6.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 18D PERMIT

Description: Failure to submit the Tank 0347 Seal Inspection Report within the required timeframe.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(C)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP

Description: Failure to include all SSM events in the Periodic Report dated February 28, 2006.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.132(e)(3)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.340(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to assign Title V & 40 CFR 61, Subpart FF applicability to equipment in wastewater service.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 11A PERMIT

Description: Failure to operate flares with a net heating value of 300Btu/scf.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 30 OP

Description: Failure to submit two PI-7 forms.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 11B PERMIT

Description: Failure to operate flares with a lit pilot light.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)  
30 TAC Chapter 115, SubChapter H 115.764(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 10A OP  
FOP O-01229, ST&C 1A OP

Description: Failure to perform annual HRVOC Flow Meter Calibrations.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 10A OP  
FOP O-01229, ST&C 1A OP

Description: Failure to perform HRVOC Manual Sampling.  
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 30 OP  
Permit 18287, Special Condition 51A PERMIT

Description: Failure to perform daily Ammonium Polysulfide visual inspections.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(viii)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229, ST&C 1A OP  
FOP O-01229, ST&C 21C OP

Description: Failure to update the Refinery SSMP within 45 days of the date an unforeseen SSM event occurs.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
FOP O-01229 General Terms & Conditions OP

Description: Failure to submit the deviation report, dated June 21, 2007, within 30 days of the end of the reporting period.

Date: 05/22/2008 (670825)

Self Report? NO Classification: Moderate

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

Description: failed to prevent a Waste Heat Boiler (E-701) feed water leak due to previous startups and shutdowns resulting in the shutdown of two Tail Gas Clean Up Units (TGCU-A & TGCU-C).

Date: 10/31/2008 (703451)

Self Report? NO Classification: Moderate

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

Description: Failure to prevent solid sulfur pluggage in the condenser seal leg causing carryover of sulfur into the tail gas unit resulting in the unauthorized release of 1,457.3 pounds of carbonyl sulfide, 55.2 pounds of carbon disulfide, and 21.6 pounds of hydrogen sulfide. The duration of this emissions event was 63 hours.

Date: 11/21/2008 (706342)

Self Report? NO Classification: Moderate

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

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

Date: 01/09/2009 (709484)

Self Report? NO Classification: Moderate

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

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

Date: 02/02/2009 (723307)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)  
 Permit 18287, Special Condition 23(B)(1) PERMIT

Description: Hydroformer 3 Furnace 3 failed a NOx RATA.

Date: 04/22/2009 (735601)

Self Report? NO Classification: Moderate

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

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

Date: 08/20/2009 (721130)

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

Description: Failure to meet closed purge requirements

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

Description: Failure to meet tank repair deadline. (Category B18)

Self Report? NO Classification: Moderate

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

Description: Missing Pole Float, Wiper Assembly, Vacuum Breaker Gaskets, ID#TK0347,TK0743, TK1093, TK1096,TK0849, TK0855, TK0858, TK1032, TK1033, TK0859, TK1089 (Category B18)

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

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

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

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

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

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

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2009-1539-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 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 August 25 and September 7, 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 One Hundred Eleven Thousand Seven Hundred Fifty Dollars (\$111,750) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Forty-Four Thousand Seven Hundred Dollars (\$44,700) of the administrative penalty and Twenty-Two Thousand Three Hundred Fifty

Dollars (\$22,350) 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. Forty-Four Thousand Seven Hundred Dollars (\$44,700) 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 the Respondent has implemented the following corrective measures at the Plant:
  - a. Adjusted the furnace draft to correct the carbon monoxide ("CO") exceedance and reduced the CO feed on the furnace on September 10, 2008;
  - b. Conducted a stack test on Furnace FCCU3F103 on May 28, 2008; and
  - c. Performed reliability maintenance on Gas Turbine Generator ("GTG") 45 to prevent steam system upsets, and took steps to improve the GTG 45 control system by June 30, 2009 by installing capacitance filters on the unit's wiring and replacing a failed fuel gas control valve controller to prevent equipment trips, in order to prevent the reoccurrence of emissions events due to the same causes as that of Incident No. 123381.
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:

1. Failed to limit CO concentrations to 400 parts per million by volume at 3% oxygen (3.0 grains per horsepower hour) for unit ID Nos. LXU1B5, FCCU2WGS, FXKW301, HF3F2, HF4F402, HF4F403 and SEP12ICE12 on seven occasions for an aggregate amount of 1,764 pounds ("lbs") of unauthorized CO emissions during the November 22, 2007 through November 21, 2008

reporting period, in violation of 30 TEX. ADMIN. CODE § 117.310(c)(1)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on May 4, 2009.

2. Failed to conduct stack testing, in violation of 30 TEX. ADMIN. CODE §§ 115.725(a), 116.715(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit No. O-1229, Special Condition Nos. 1A and 30 and Flexible Permit No. 18287, Special Condition No. 32, as documented during a record review conducted on May 4, 2009. Specifically, Furnace FCCU3F103 was down during the initial stack testing period and was not tested. The furnace ran intermittently from February 1, 2006 through the date when the stack test was conducted on May 28, 2008.
3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1, as documented during a record review conducted on May 12 through 26, 2009. Specifically, the Respondent released 8,238 lbs of volatile organic compounds, 4,345 lbs of CO, 3,978 lbs of sulfur dioxide, 824 lbs of hydrogen sulfide and 233 lbs of nitrogen oxide from the Hydrocracking and Flexicoker ("FXK") Units during an avoidable emissions event (Incident No. 123381) that began April 24, 2009 and lasted seven hours and nine minutes. The event was the result of a drop in reactor feed steam atomization pressure in the FXK Unit leading to an emergency shutdown and unauthorized emissions. Since this emissions event could have been avoided by better operational and maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense 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. 2009-1539-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, Forty-Four Thousand Seven Hundred Dollars (\$44,700) 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

John Szelmer  
For the Executive Director

3/26/2010  
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.

Gary W. Wilson  
Signature

1/12/10  
Date

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

BAYTOWN  
REGISTRY MANAGER  
Title

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



Attachment A  
Docket Number: 2009-1539-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Exxon Mobil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Eighty-Nine Thousand Four Hundred Dollars (\$89,400)</b>
<b>SEP Amount:</b>	<b>Forty-Four Thousand Seven Hundred Dollars (\$44,700)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston Regional Monitoring Corporation - Houston Area Monitoring</b>
<b>Location of SEP:</b>	<b>Harris County</b>

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.

