

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2010-0007-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 38922
RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received on November 17, 2009 (Investigation 779500), alleging nuisance conditions. There are seven additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1284-AIR-E, 2009-1539-AIR-E, 2009-1848-IHW-E, 2009-1944-AIR-E, 2009-2050-AIR-E, 2010-0448-AIR-E, and 2010-0656-AIR-E.</p> <p>INTERESTED PARTIES: A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 12, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. Raymond Marlow, P.G., Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Steven R. Cope, Refinery Manager, Exxon Mobil Corporation, P.O. Box 3950, Baytown, Texas 77522-3950 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input checked="" type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: November 17, 2009</p> <p>Date of Investigation Relating to this Case: July 22, August 7, and November 17, 2009</p> <p>Date of NOV/NOE Relating to this Case: December 18, 2009 and January 8 and 12, 2010 (NOE)</p> <p>Background Facts: This was a complaint and routine investigations.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, unauthorized emissions of 12,598 pounds ("lbs") of volatile organic compounds ("VOCs"), 123 lbs of hydrogen sulfide ("H2S"), 13,832 lbs of sulfur dioxide ("SO2"), 90 lbs of hydrogen cyanide, 221 lbs of ammonia, 70,537 lbs of carbon monoxide ("CO"), 1,689 lbs of nitrogen oxides ("NOx"), and 558 lbs of particulate matter were released from the Hydrocracking Unit 1, Fluid Catalytic Cracking Unit 3, Sulfur Conversion Unit, Lube Hydrofining Unit 1, and Blend Gas-Fired Sources Flares 3 through 6, 11, 14 through 17, and 20 during an emissions event due to the Dock Line 50 ("DL-50") not being equipped with an appropriate pressure relief device, resulting in overpressure and fire (Incident No. 127838) that began on August 6, 2009 and lasted 25 hours and 17 minutes. Since this event could have been avoided by better design and operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, Special Condition ("SC") No. 1].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, unauthorized</p>	<p>Total Assessed: \$50,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$25,000</p> <p>Total Paid to General Revenue: \$25,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: This case involves unauthorized emissions which have been deemed excessive.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. By October 31, 2009, permanently removed approximately 4,500 feet from DL-50 from service and added computer control system enhancements to protect the remaining in-service sections of DL-50 in order to prevent recurrence of a same or similar event (Incident 127838);</p> <p>b. Added filters to the periodic maintenance checklist for pumps P-251A and B on July 31, 2009 and submitted a Corrective Action Plan ("CAP") to the TCEQ on March 3, 2010 (Incident 126041);</p> <p>c. Installed a weep hole on the C-701 centrifuge suction line to ensure that the lube oil reservoir cannot be drained in event of a centrifuge malfunction on January 13, 2010 (Incident 130563); and</p> <p>d. Implemented a procedure to increase the frequency to change out the C701 centrifuge O-ring bimonthly. This action is designed to prevent recurrence of O-ring failure and was completed on February 24, 2010 (Incident 130563).</p> <p>Ordering Provisions:</p> <p>1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2. The Order will also require the Respondent to:</p> <p>a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP for Incident No. 126041 within 15 days after the date of such requests, or by any other deadline specified in writing;</p> <p>b. Upon Commission approval, implement the CAP in accordance with the approved</p>

<p>emissions of 52,228 lbs of VOCs, 113 lbs of H₂S, 310 lbs of carbonyl sulfide, 2,505 lbs of SO₂, 5,147 lbs of CO, and 1,184 lbs of NO_x were released as a result of the Cooling Tower 80 system malfunction during an emissions event (Incident 126041) that began on June 24, 2009 and lasted 39 hours and 50 minutes. This event was determined to be an excessive emissions event [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, SC No. 1].</p> <p>3) Failure to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,944 lbs of CO, 9,397 lbs of VOCs, 733 lbs of H₂S, 456 lbs of SO₂, and 359 lbs of NO_x were released from the HCU1 during an emissions event due to deterioration of an O-ring on the centrifuge of Compressor C-701 (Incident No. 130563) that began on October 9, 2009, and lasted 6 hours. Since this event could have been avoided by better maintenance and/or operational practices and the duration and the quantity of emissions were not minimized, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, SC No. 1].</p>		<p>schedule; and</p> <p>c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.b.</p>
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Additional ID No(s): HG0232Q

Attachment A
Docket Number: 2010-0007-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	Fifty Thousand Dollars (\$50,000)
SEP Amount:	Twenty-Five Thousand Dollars (\$25,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston Regional Monitoring Corporation - Houston Area Monitoring
Location of SEP:	Harris County

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

1. Project Description

A. Project

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

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

Exxon Mobil Corporation
Agreed Order – Attachment A

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned PCW	20-Jan-2010	Screening	26-Jan-2010	EPA Due	17-Oct-2010
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RESPONDENT/FACILITY INFORMATION	
Respondent	Exxon Mobil Corporation
Reg. Ent. Ref. No.	RN102579307
Facility/Site Region	Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	38922	No. of Violations	3
Docket No.	2010-0007-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raymond Marlow, P.G.
		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

Culpability Enhancement **Subtotal 4**

Notes

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

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$646
Approx. Cost of Compliance	\$32,500

*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

PAYABLE PENALTY

Screening Date 26-Jan-2010

Docket No. 2010-0007-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38922

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	17	85%
	Other written NOVs	6	12%
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	16	400%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 637%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 17 NOVs issued for same or similar violations, six NOVs issued for unrelated violations, seven Agreed Orders issued with a denial of liability, 16 Agreed Orders issued without a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 637%

Screening Date 26-Jan-2010

Docket No. 2010-0007-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38922

PCW Revision October 30, 2009

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Permit No. 18287, Special Condition ("SC") No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 12,598 pounds ("lbs") of volatile organic compounds ("VOCs"), 123 lbs of hydrogen sulfide ("H2S"), 13,832 lbs of sulfur dioxide ("SO2"), 90 lbs of hydrogen cyanide, 221 lbs of ammonia, 70,537 lbs of carbon monoxide ("CO"), 1,688 lbs of nitrogen oxides ("NOx"), and 558 lbs of particulate matter were released from the Hydrocracking Unit 1, Fluid Catalytic Cracking Unit 3, Sulfur Conversion Unit, Lube Hydrofining Unit 1, and Blend Gas Fired Sources Flares 3 through 6, 11, 14 through 17, and 20 during an emissions event due to the Dock Line 50 ("DL-50") not being equipped with an appropriate pressure relief device, resulting in overpressure and fire (Incident No. 127838) that began on August 6, 2009 and lasted 25 hours and 17 minutes. Since this event could have been avoided by better design and operational practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	x			100%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria non-attainment area has been exposed to significant amounts of contaminants that exceeded protective levels as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 2 Number of violation days 2

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$20,000

Two daily events are recommended based on the emissions event that began August 6, 2009 and lasted 25 hours and 17 minutes.

Good Faith Efforts to Comply

25.0% Reduction

\$5,000

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

Notes The Respondent completed all corrective actions on October 31, 2009 prior to the NOE dated December 18, 2009.

Violation Subtotal \$15,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$412

Violation Final Penalty Total \$142,400

This violation Final Assessed Penalty (adjusted for limits) \$20,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38922
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date-Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$25,000	6-Aug-2008	31-Oct-2009	0.24	\$20	\$393	\$412
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to permanently remove from service approximately 4,500 feet of DL-50 and add computer control system enhancements to protect the remaining in-service sections of DL-50 in order to prevent recurrence of a same or similar event. The date required is the date of the release and the final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25,000

TOTAL

\$412

Screening Date 26-Jan-2010

Docket No. 2010-0007-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38922

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

Violation Number

2

Rule Cite(s)

30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Permit No. 18287, SC No.1

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 52,228 lbs of VOCs, 113 lbs of H2S, 310 lbs of carbonyl sulfide, 2,505 lbs of SO2, 5,147 lbs of CO, and 1,184 lbs of NOx were released as a result of the Cooling Tower 80 system malfunction during an emissions event (Incident 126041) that began on June 24, 2009 and lasted 39 hours and 50 minutes. This event was determined to be an excessive emissions event.

Base Penalty

\$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	X		
Potential			

Percent

100%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent

0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria non-attainment area has been exposed to significant amounts of contaminants that exceeded protective levels as a result of the violation.

Adjustment

\$0

\$10,000

Violation Events

Number of Violation Events

2

2

Number of violation days

mark only one with an x

daily	X
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty

\$20,000

Two daily events are recommended based on the emissions event that begun June 24, 2009 and lasted 39 hours and 50 minutes.

Good Faith Efforts to Comply

	0.0% Reduction	
	Before NOV	NOV to EDRP/ Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal

\$20,000

Economic Benefit (EB) for this violation

Estimated EB Amount

\$148

Statutory Limit Test

Violation Final Penalty Total

\$147,400

This violation Final Assessed Penalty (adjusted for limits)

\$20,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38922
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
6.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	24-Jun-2009	31-Jul-2009	0.10	\$3	n/a	\$3
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	24-Jun-2009	24-Aug-2010	1.17	\$146	n/a	\$146

Notes for DELAYED costs

Estimated cost to add filters to the periodic maintenance checklist for pumps P-251A and B (\$500) and take other measures designed to prevent recurrence of an emissions event due to the same causes (\$2,500). The date required is the date of the release and the final dates are the date corrective actions were completed, or are expected to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$3,000	TOTAL	\$148
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Screening Date 26-Jan-2010

Docket No. 2010-0007-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38922

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.086(b), and Flexible Permit No. 18287, SC No.1

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,944 lbs of CO, 9,397 lbs of VOCs, 733 lbs of H2S, 456 lbs of SO2, and 359 lbs of NOx were released from the HCU1 during an emissions event due to deterioration of an O-ring on the centrifuge of Compressor C-701 (Incident No. 130563) that began on October 9, 2009, and lasted 6 hours. Since this event could have been avoided by better maintenance and/or operational practices and the duration and the quantity of emissions were not minimized, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		x		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

One monthly event is recommended based on the incident that occurred on October 9, 2009.

Good Faith Efforts to Comply

10.0% Reduction Before NOV NOV to EDPRP/Settlement Offer \$500

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed all corrective actions by February 24, 2010 prior to the March 12, 2010 Settlement Offer.

Violation Subtotal \$4,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$84

Violation Final Penalty Total \$36,350

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38922
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$2,000	9-Oct-2009	13-Jan-2010	0.26	\$2	\$35	\$37
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	9-Oct-2009	24-Feb-2010	0.38	\$47	n/a	\$47

Notes for DELAYED costs

Estimated cost to install a weep hole on the C-701 centrifuge suction line to ensure that the lube oil reservoir cannot be drained in the event of a centrifuge malfunction (\$2,000) and implement measures designed to prevent failure of the O-ring on the centrifuge (\$2,500). The date required is the date of the release and the final dates are the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,500

TOTAL

\$84

Compliance History Report

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.73
Regulated Entity: RN102579307 EXXON MOBIL BAYTOWN FACILITY Classification: AVERAGE Site Rating: 5.73

ID Number(s):			
	AIR NEW SOURCE PERMITS	PERMIT	18287
	AIR NEW SOURCE PERMITS	REGISTRATION	22874
	AIR NEW SOURCE PERMITS	REGISTRATION	23378
	AIR NEW SOURCE PERMITS	REGISTRATION	24669
	AIR NEW SOURCE PERMITS	REGISTRATION	26486
	AIR NEW SOURCE PERMITS	REGISTRATION	26294
	AIR NEW SOURCE PERMITS	REGISTRATION	27403
	AIR NEW SOURCE PERMITS	REGISTRATION	26443
	AIR NEW SOURCE PERMITS	REGISTRATION	30186
	AIR NEW SOURCE PERMITS	REGISTRATION	31067
	AIR NEW SOURCE PERMITS	REGISTRATION	31008
	AIR NEW SOURCE PERMITS	REGISTRATION	31690
	AIR NEW SOURCE PERMITS	REGISTRATION	31852
	AIR NEW SOURCE PERMITS	REGISTRATION	31915
	AIR NEW SOURCE PERMITS	REGISTRATION	34295
	AIR NEW SOURCE PERMITS	REGISTRATION	33875
	AIR NEW SOURCE PERMITS	REGISTRATION	36536
	AIR NEW SOURCE PERMITS	PERMIT	36664
	AIR NEW SOURCE PERMITS	REGISTRATION	38532
	AIR NEW SOURCE PERMITS	REGISTRATION	39164
	AIR NEW SOURCE PERMITS	PERMIT	40394
	AIR NEW SOURCE PERMITS	REGISTRATION	40421
	AIR NEW SOURCE PERMITS	REGISTRATION	38572
	AIR NEW SOURCE PERMITS	REGISTRATION	42509
	AIR NEW SOURCE PERMITS	REGISTRATION	43489
	AIR NEW SOURCE PERMITS	REGISTRATION	43582
	AIR NEW SOURCE PERMITS	REGISTRATION	44162
	AIR NEW SOURCE PERMITS	REGISTRATION	47145
	AIR NEW SOURCE PERMITS	REGISTRATION	47912
	AIR NEW SOURCE PERMITS	REGISTRATION	49342
	AIR NEW SOURCE PERMITS	REGISTRATION	49893
	AIR NEW SOURCE PERMITS	PERMIT	50203
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
	AIR NEW SOURCE PERMITS	REGISTRATION	11007
	AIR NEW SOURCE PERMITS	PERMIT	2073

AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	REGISTRATION	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	REGISTRATION	11053
AIR NEW SOURCE PERMITS	REGISTRATION	11206
AIR NEW SOURCE PERMITS	REGISTRATION	11250
AIR NEW SOURCE PERMITS	REGISTRATION	11380
AIR NEW SOURCE PERMITS	REGISTRATION	11464
AIR NEW SOURCE PERMITS	REGISTRATION	11475
AIR NEW SOURCE PERMITS	REGISTRATION	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	REGISTRATION	11624
AIR NEW SOURCE PERMITS	REGISTRATION	11703
AIR NEW SOURCE PERMITS	REGISTRATION	11939
AIR NEW SOURCE PERMITS	REGISTRATION	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	REGISTRATION	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	REGISTRATION	12977
AIR NEW SOURCE PERMITS	REGISTRATION	12994
AIR NEW SOURCE PERMITS	REGISTRATION	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	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	REGISTRATION	50429
AIR NEW SOURCE PERMITS	REGISTRATION	53461
AIR NEW SOURCE PERMITS	REGISTRATION	52474
AIR NEW SOURCE PERMITS	REGISTRATION	55912
AIR NEW SOURCE PERMITS	REGISTRATION	54582
AIR NEW SOURCE PERMITS	REGISTRATION	54497
AIR NEW SOURCE PERMITS	REGISTRATION	71394
AIR NEW SOURCE PERMITS	REGISTRATION	50582

AIR NEW SOURCE PERMITS	REGISTRATION	54848
AIR NEW SOURCE PERMITS	REGISTRATION	53785
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	REGISTRATION	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715

AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	90337
AIR NEW SOURCE PERMITS	REGISTRATION	85745
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0232Q

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: February 17, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 20, 2005 to January 20, 2010

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

Name: Raymond Marlow, P.G. Phone: 409-899-8785

Site Compliance History Components

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

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

Components (Multimedia) for the Site :

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

Effective Date: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

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

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

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

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

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

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

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

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

Classification: Moderate

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

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

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

Rqmt Prov: Special Condition No. 1 OP

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

Classification: Moderate

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

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

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Classification: Moderate

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

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

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

Rqmt Prov: Special Condition No. 1 OP

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

Effective Date: 08/07/2005

ADMINORDER 2003-1185-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to submit a timely initial notification after discovery of a reportable emissions event.

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT
Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT
Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

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

Effective Date: 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: 09/21/2007

ADMINORDER 2007-0077-AIR-E

Classification: Moderate

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

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

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

Effective Date: 01/12/2008

ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

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

Effective Date: 02/25/2008

ADMINORDER 2006-0498-AIR-E

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

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

Effective Date: 02/25/2008

ADMINORDER 2007-1403-AIR-E

Classification: Moderate

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

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

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

Effective Date: 03/08/2008

ADMINORDER 2007-1004-AIR-E

Classification: Moderate

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

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

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

Effective Date: 06/05/2008

ADMINORDER 2007-1637-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,160

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

Effective Date: 09/22/2008

ADMINORDER 2006-0875-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Effective Date: 10/06/2008

ADMINORDER 2008-0160-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

were 96.83 ppm at 0% O2.

Classification: Moderate

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

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

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

Effective Date: 11/06/2008

ADMINORDER 2007-0463-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Classification: Moderate

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

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

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

Effective Date: 12/04/2008

ADMINORDER 2008-0641-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,035

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 01/30/2009

ADMINORDER 2008-0872-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 88,422 lbs of VOCs, 7,319 lbs of CO, 1,705 lbs of H₂S, 300 lbs of NO_x and 2,178 lbs of SO₂ from Hydrocracking Unit 1 during an avoidable emissions event (Incident No. 93064) that began December 14, 2007 and lasted 65 hours and 41 minutes.

Classification: Moderate

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

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

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

Effective Date: 02/08/2009

ADMINORDER 2007-0214-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 07/09/2009

ADMINORDER 2008-1163-AIR-E

Classification: Moderate

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

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

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

Effective Date: 07/20/2009

ADMINORDER 2009-0132-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 09/21/2009

ADMINORDER 2009-0073-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 10/18/2009

ADMINORDER 2008-1727-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 28,105.8 lbs of VOCs, 6,824 lbs of SO₂, 2,720 lbs of CO, 351.8 lbs of NO_x, 75.9 lbs of H₂S and 3,653 lbs of the HRVOC ethylene from the Utilities Control Center during an avoidable emissions event that began April 29, 2008 and lasted four hours and four minutes. The unauthorized emissions were the result of a third party contractor inadvertently piercing a live underground power cable by driving a piece of steel reb

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	01/21/2005	(342494)
2	01/25/2005	(341747)
3	01/25/2005	(348070)
4	01/27/2005	(342684)
5	02/21/2005	(337401)
6	02/21/2005	(351015)
7	02/28/2005	(267818)
8	03/29/2005	(375295)
9	04/07/2005	(337403)
10	04/07/2005	(344010)
11	04/22/2005	(347659)
12	04/28/2005	(348685)

13	05/10/2005	(380346)
14	05/13/2005	(379379)
15	05/26/2005	(333676)
16	06/09/2005	(394572)
17	06/13/2005	(395496)
18	06/23/2005	(395306)
19	06/30/2005	(396806)
20	07/12/2005	(399391)
21	07/13/2005	(399494)
22	08/02/2005	(402576)
23	08/02/2005	(402737)
24	08/02/2005	(402844)
25	08/02/2005	(402917)
26	08/03/2005	(401816)
27	08/08/2005	(399628)
28	08/08/2005	(402336)
29	08/09/2005	(403017)
30	08/09/2005	(403164)
31	08/09/2005	(403230)
32	08/09/2005	(403721)
33	08/09/2005	(404230)
34	08/09/2005	(404259)
35	08/09/2005	(404296)
36	08/15/2005	(405021)
37	08/16/2005	(404301)
38	08/16/2005	(404547)
39	08/19/2005	(404792)
40	08/23/2005	(405305)
41	08/24/2005	(399636)
42	08/24/2005	(399637)
43	08/29/2005	(405928)
44	08/31/2005	(418871)
45	09/01/2005	(399476)
46	09/28/2005	(431581)
47	09/28/2005	(432076)
48	10/17/2005	(434480)
49	11/03/2005	(431598)
50	11/22/2005	(433933)
51	11/22/2005	(435072)
52	11/22/2005	(438130)
53	12/20/2005	(267563)
54	12/21/2005	(434204)
55	12/21/2005	(435335)
56	12/30/2005	(435909)
57	12/30/2005	(435916)
58	01/17/2006	(273538)
59	01/17/2006	(450474)
60	02/06/2006	(450733)
61	02/21/2006	(452651)
62	02/28/2006	(456441)
63	03/24/2006	(459648)
64	04/04/2006	(461224)
65	04/20/2006	(461537)
66	04/26/2006	(338552)
67	04/27/2006	(461574)
68	04/28/2006	(463895)
69	05/02/2006	(460481)
70	05/03/2006	(463377)
71	05/04/2006	(462741)

72	05/08/2006	(457378)
73	05/16/2006	(462451)
74	05/16/2006	(465569)
75	05/17/2006	(457374)
76	05/22/2006	(466175)
77	05/25/2006	(431599)
78	05/30/2006	(479710)
79	05/30/2006	(479729)
80	05/30/2006	(479780)
81	05/30/2006	(479785)
82	05/30/2006	(479791)
83	05/30/2006	(479817)
84	05/31/2006	(344766)
85	05/31/2006	(462401)
86	05/31/2006	(463588)
87	06/02/2006	(454646)
88	06/02/2006	(460480)
89	06/02/2006	(464665)
90	06/14/2006	(466357)
91	06/19/2006	(481233)
92	06/19/2006	(481262)
93	06/26/2006	(481569)
94	06/29/2006	(480981)
95	06/30/2006	(481533)
96	07/07/2006	(483457)
97	07/07/2006	(483683)
98	07/07/2006	(484811)
99	07/20/2006	(484814)
100	07/31/2006	(484463)
101	07/31/2006	(489107)
102	08/03/2006	(489455)
103	08/09/2006	(484809)
104	08/18/2006	(487811)
105	08/31/2006	(465761)
106	08/31/2006	(489776)
107	09/01/2006	(509264)
108	09/01/2006	(510727)
109	09/01/2006	(510733)
110	09/05/2006	(489701)
111	09/05/2006	(489770)
112	09/25/2006	(497145)
113	09/29/2006	(489710)
114	10/18/2006	(513741)
115	10/26/2006	(517328)
116	10/30/2006	(516968)
117	11/15/2006	(514799)
118	11/15/2006	(518447)
119	11/30/2006	(457899)
120	11/30/2006	(531626)
121	12/08/2006	(532394)
122	12/13/2006	(519183)
123	12/21/2006	(393692)
124	01/08/2007	(533556)
125	01/09/2007	(535937)
126	01/11/2007	(534949)
127	01/12/2007	(481287)
128	01/23/2007	(536577)
129	01/29/2007	(449587)
130	01/31/2007	(517160)

131	01/31/2007	(538653)
132	02/02/2007	(462413)
133	02/05/2007	(457903)
134	02/06/2007	(539165)
135	02/08/2007	(539319)
136	02/09/2007	(440421)
137	02/09/2007	(449579)
138	02/09/2007	(484815)
139	02/15/2007	(457902)
140	02/15/2007	(535801)
141	02/27/2007	(515654)
142	02/28/2007	(481875)
143	03/08/2007	(449583)
144	03/23/2007	(489664)
145	03/23/2007	(490037)
146	03/26/2007	(541019)
147	03/26/2007	(541089)
148	03/26/2007	(541133)
149	03/27/2007	(534342)
150	03/28/2007	(555118)
151	03/30/2007	(535817)
152	03/30/2007	(541407)
153	04/04/2007	(511045)
154	04/05/2007	(536574)
155	04/05/2007	(543125)
156	04/12/2007	(535873)
157	04/19/2007	(537203)
158	04/19/2007	(538065)
159	04/20/2007	(536593)
160	04/20/2007	(539663)
161	04/20/2007	(556917)
162	04/24/2007	(536941)
163	04/24/2007	(537438)
164	04/27/2007	(556005)
165	04/30/2007	(542577)
166	05/01/2007	(539681)
167	05/03/2007	(554208)
168	05/04/2007	(535563)
169	05/08/2007	(489678)
170	05/08/2007	(535299)
171	05/08/2007	(535352)
172	05/08/2007	(541040)
173	05/08/2007	(558748)
174	05/09/2007	(457383)
175	05/09/2007	(535078)
176	05/09/2007	(535565)
177	05/11/2007	(536591)
178	05/16/2007	(539675)
179	05/16/2007	(558902)
180	05/17/2007	(490200)
181	05/30/2007	(560387)
182	05/31/2007	(538802)
183	05/31/2007	(540430)
184	05/31/2007	(561882)
185	06/05/2007	(562903)
186	06/15/2007	(560235)
187	06/15/2007	(561789)
188	06/27/2007	(559236)
189	06/27/2007	(559573)

190	06/27/2007	(559574)
191	06/27/2007	(563272)
192	07/03/2007	(555858)
193	07/05/2007	(564964)
194	07/06/2007	(562588)
195	07/10/2007	(567169)
196	07/11/2007	(541738)
197	07/11/2007	(543749)
198	07/16/2007	(561456)
199	07/23/2007	(568005)
200	07/30/2007	(563075)
201	08/03/2007	(564720)
202	08/06/2007	(570695)
203	08/09/2007	(571423)
204	08/10/2007	(560522)
205	08/10/2007	(563117)
206	08/13/2007	(563757)
207	08/22/2007	(568350)
208	08/24/2007	(570712)
209	08/29/2007	(572924)
210	09/07/2007	(593545)
211	09/19/2007	(570275)
212	09/19/2007	(570278)
213	09/19/2007	(572771)
214	09/20/2007	(570276)
215	09/26/2007	(593611)
216	09/28/2007	(564900)
217	09/28/2007	(565019)
218	09/28/2007	(565214)
219	10/01/2007	(595471)
220	10/02/2007	(563996)
221	10/02/2007	(564053)
222	10/02/2007	(564057)
223	10/02/2007	(564825)
224	10/02/2007	(566406)
225	10/03/2007	(574482)
226	10/04/2007	(565775)
227	10/10/2007	(566719)
228	10/10/2007	(567038)
229	10/11/2007	(566557)
230	10/12/2007	(572311)
231	10/16/2007	(597893)
232	10/19/2007	(596209)
233	10/25/2007	(571458)
234	10/25/2007	(572951)
235	10/25/2007	(573665)
236	11/02/2007	(573789)
237	11/02/2007	(598325)
238	11/02/2007	(598327)
239	11/08/2007	(597351)
240	11/19/2007	(569267)
241	11/19/2007	(593935)
242	11/20/2007	(608861)
243	11/27/2007	(568601)
244	12/04/2007	(599936)
245	12/07/2007	(593717)
246	12/07/2007	(594582)
247	12/12/2007	(593931)
248	12/17/2007	(611653)

249 12/20/2007 (599324)
250 12/20/2007 (599344)
251 12/20/2007 (599350)
252 12/20/2007 (599754)
253 12/21/2007 (599347)
254 12/21/2007 (599624)
255 01/04/2008 (610570)
256 01/07/2008 (613467)
257 01/18/2008 (612843)
258 01/18/2008 (614380)
259 01/18/2008 (615193)
260 01/28/2008 (616174)
261 01/30/2008 (616222)
262 02/07/2008 (614032)
263 02/08/2008 (611547)
264 02/13/2008 (613846)
265 02/27/2008 (617012)
266 02/28/2008 (617220)
267 03/05/2008 (611632)
268 03/07/2008 (616312)
269 03/09/2008 (609542)
270 03/14/2008 (639154)
271 03/21/2008 (639445)
272 03/24/2008 (639458)
273 04/02/2008 (637836)
274 04/04/2008 (613406)
275 04/04/2008 (638369)
276 04/17/2008 (646246)
277 04/24/2008 (653934)
278 04/25/2008 (613756)
279 04/30/2008 (654258)
280 05/07/2008 (646555)
281 05/08/2008 (613978)
282 05/09/2008 (598614)
283 05/13/2008 (439155)
284 05/19/2008 (670962)
285 05/22/2008 (670825)
286 05/27/2008 (679941)
287 06/15/2008 (433577)
288 06/16/2008 (398344)
289 06/17/2008 (683333)
290 06/19/2008 (683121)
291 06/26/2008 (683668)
292 06/27/2008 (671720)
293 07/18/2008 (686470)
294 07/22/2008 (531928)
295 07/22/2008 (685958)
296 08/07/2008 (684566)
297 09/24/2008 (701775)
298 10/16/2008 (687747)
299 10/29/2008 (687171)
300 10/30/2008 (685194)
301 10/31/2008 (703451)
302 11/03/2008 (686921)
303 11/10/2008 (706764)
304 11/21/2008 (706342)
305 11/21/2008 (706700)
306 12/22/2008 (709485)
307 01/09/2009 (709484)

308	01/15/2009	(721346)
309	04/09/2009	(740917)
310	04/14/2009	(740493)
311	04/17/2009	(741980)
312	04/21/2009	(743215)
313	04/22/2009	(735601)
314	04/29/2009	(737394)
315	04/30/2009	(739819)
316	05/05/2009	(743062)
317	05/05/2009	(743063)
318	05/13/2009	(725716)
319	05/14/2009	(744009)
320	06/04/2009	(743832)
321	06/23/2009	(744178)
322	06/23/2009	(744302)
323	06/23/2009	(744317)
324	06/23/2009	(744320)
325	06/23/2009	(744323)
326	06/23/2009	(744406)
327	07/01/2009	(742028)
328	07/01/2009	(746149)
329	07/15/2009	(738281)
330	07/17/2009	(745541)
331	07/24/2009	(743966)
332	07/27/2009	(747598)
333	07/30/2009	(763678)
334	08/03/2009	(764251)
335	08/06/2009	(741015)
336	08/06/2009	(741982)
337	08/10/2009	(759843)
338	08/10/2009	(763817)
339	08/10/2009	(764911)
340	08/20/2009	(721130)
341	08/20/2009	(766551)
342	08/21/2009	(726876)
343	09/02/2009	(746806)
344	09/02/2009	(767216)
345	09/02/2009	(767239)
346	09/15/2009	(766566)
347	09/15/2009	(767619)
348	09/23/2009	(776026)
349	09/28/2009	(760745)
350	09/28/2009	(777658)
351	09/29/2009	(761132)
352	10/05/2009	(759724)
353	10/26/2009	(779952)
354	10/30/2009	(764922)
355	10/30/2009	(766755)
356	11/03/2009	(780703)
357	11/12/2009	(782073)
358	11/18/2009	(761133)
359	11/24/2009	(780766)
360	12/02/2009	(783517)
361	12/08/2009	(775293)
362	12/18/2009	(766987)
363	01/08/2010	(766984)
364	01/08/2010	(780134)
365	01/12/2010	(779500)

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

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)

Description: 5C THC Chapter 382, SubChapter D 382.085(b)
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: 05/22/2008 (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: 04/22/2009 (735601)

Self Report? NO Classification: Moderate

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

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

Date: 08/20/2009 (721130)

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

Description: **Failure to meet closed purge requirements**

Self Report? NO Classification: Minor

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

Description: Failure to monitor ten valves in volatile organic compound (VOC), and hazardous air pollutants (HAP's) service.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA
Special Condition 30 OP

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

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

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

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

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

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

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

Description: Failure to operating degreaser with covers.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PA
Special Condition 30 OP
Special Condition1A OP

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

Description: Failure to submit quarterly report.
Self Report? NO **Classification:** Minor

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

Description: Failure to meet final calculation and recordkeeping deadlines.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 30 OP
 Special Condition 8 PA

Description: Failure to prevent non-fugitive emissions from a safety valve. (Category B18)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PA
 Special Condition 30 OP

Description: Failure to maintain flare net heating value. (Category B18)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 23B(2) PA
 Special Condition 30 OP

Description: Failure to Conduct Quarterly Cylinder Gas Audits.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.644(e)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to operate incinerator with the minimum operating parameter.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to reduce emissions of organic HAP's.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to sample HRVOC Analyzer
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to limit ammonia emissions.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to maintain fuel flow meter.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to maintain quarterly engine tests report.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

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

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

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

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

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

Date: 09/15/2009 (767619)

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

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

Date: 09/17/2009 (763625)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

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

Date: 01/07/2010 (780134)

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

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

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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

AGREED ORDER DOCKET NO. 2010-0007-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on August 7, 2009, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 12,598 pounds ("lbs") of volatile organic compounds ("VOCs"), 123 lbs of hydrogen sulfide ("H₂S"), 13,832 lbs of sulfur dioxide ("SO₂"), 90 lbs of hydrogen cyanide, 221 lbs of ammonia, 70,537 lbs of carbon monoxide ("CO"), 1,689 lbs of nitrogen oxides ("NO_x"), and 558 lbs of particulate matter were released from the Hydrocracking Unit 1, Fluid Catalytic Cracking Unit 3, Sulfur Conversion Unit, Lube Hydrofining Unit 1, and Blend Gas-Fired Sources Flares 3 through 6, 11, 14 through 17, and 20 during an emissions event due to the Dock Line 50 ("DL-50") not being equipped with an appropriate pressure relief device, resulting in overpressure and fire (Incident No. 127838) that began on August 6, 2009 and lasted 25 hours and 17 minutes.
4. During an investigation on July 22, 2009, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 52,228 lbs of VOCs, 113 lbs of H₂S, 310 lbs of carbonyl sulfide, 2,505 lbs of SO₂, 5,147 lbs of CO, and 1,184 lbs of NO_x were released as a result of the Cooling Tower 80 system malfunction during an excessive emissions event (Incident No. 126041) that began on June 24, 2009 and lasted 39 hours and 50 minutes.
5. During an investigation on November 17, 2009, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,944 lbs of CO, 9,397 lbs of VOCs, 733 lbs of H₂S, 456 lbs of SO₂, and 359 lbs of NO_x were released from the HCU1 during an emissions event due to a deterioration of an O-ring on the centrifuge of Compressor C-701 (Incident No. 130563) that began on October 9, 2009, and lasted 6 hours.
6. The Respondent received notices of the violations on December 21, 2009, January 8 and 14, 2010.
7. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By October 31, 2009, permanently removed approximately 4,500 feet from DL-50 from service and added computer control system enhancements to protect the remaining in-service sections of DL-50 in order to prevent recurrence of a same or similar event (Incident 127838);
 - b. Added filters to the periodic maintenance checklist for pumps P-251A and B on July 31, 2009 and submitted a Corrective Action Plan ("CAP") to the TCEQ on March 3, 2010 (Incident 126041);
 - c. Installed a weep hole on the C-701 centrifuge suction line to ensure that the lube oil reservoir cannot be drained in event of a centrifuge malfunction on January 13, 2010 (Incident 130563); and

- d. Implemented a procedure to increase the frequency to change out the C701 centrifuge O-ring bimonthly. This action is designed to prevent reoccurrence of O-ring failure and was completed on February 24, 2010 (Incident 130563).

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE CH. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to 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 ("SC") No. 1. Since this event could have been avoided by better design and operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, SC No. 1. This event was determined to be an excessive emissions event.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit No. 18287, SC No. 1. Since this event could have been avoided by better maintenance and operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of Fifty Thousand Dollars (\$50,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Twenty-Five Thousand Dollars (\$25,000) of the administrative penalty. Twenty-Five Thousand Dollars (\$25,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Fifty Thousand Dollars (\$50,000) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all

the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2010-0007-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 6 above, Twenty-Five Thousand Dollars (\$25,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
 - a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP for Incident No. 126041 within 15 days after the date of such requests, or by other deadline specified in writing;
 - b. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
 - c. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provision Nos. 3.a. and 3.b. as described below.

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

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

10. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdien
For the Executive Director

6/18/2010
Date

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

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

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

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

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

Steven R. Cope
Signature

05/07/10
Date

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

REFINERY MANAGER
Title

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

