

Executive Summary – Enforcement Matter – Case No. 39924
EXXON MOBIL CORPORATION
RN102579307
Docket No. 2010-1036-AIR-E

Order Type:
Agreed Order

Findings Order Justification:
People or environmental receptors have been exposed to pollutants which exceed levels that are protective (both violations).

Media:
AIR

Small Business:
No

Location(s) Where Violation(s) Occurred:
2800 Decker Driv, Baytown, Harris County

Type of Operation:
petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions:	2011-0450-AIR-E
Past-Due Penalties:	None
Past-Due Fees:	None
Other:	None
Interested Third-Parties:	None

Texas Register Publication Date: September 16, 2011

Comments Received: None

Penalty Information

Total Penalty Assessed: \$40,000

Amount Deferred for Expedited Settlement: N/A

Amount Deferred for Financial Inability to Pay: N/A

Total Paid to General Revenue: \$20,000

Total Due to General Revenue: \$0

SEP Conditional Offset: \$20,000

Name of SEP: Houston-Galveston Area Emission Reduction Credit Organization Program

Compliance History Classifications:

Person/CN – Average

Site/RN – Average

Major Source: Yes

Statutory Limit Adjustment: \$275,600

Applicable Penalty Policy: September 2002

EXXON MOBIL CORPORATION**RN102579307****Docket No. 2010-1036-AIR-E*****Investigation Information***

Complaint Date(s): N/A
Date(s) of Investigation: January 29, 2010; May 20, 2010
Date(s) of NOV(s): See Compliance History – 18 same/similar NOVs
Date(s) of NOE(s): June 18, 2010, June 25, 2010

Violation Information

1. Failed to prevent unauthorized emissions (47,615 lbs of sulfur dioxide, 5,245 lbs of carbon monoxide, 336 lbs of propane, 107 lbs of propylene, 296 lbs of butane, 131 lbs of butene, and 1,704 lbs of unspecified volatile organic compounds ("VOCs") over a 54 hour and 59 minute period) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1].
2. Failed to prevent unauthorized emissions (3.6 lbs of VOCs, 32.6 lbs of carbon monoxide, 227.4 lbs of hydrogen sulfide, 6.4 lbs of nitrogen oxide, 2.3 lbs of carbon disulfide, 11.9 lbs of carbonyl sulfide, and 20,957.2 lbs of sulfur dioxide over a one hour and 23 minute period) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1].

Corrective Actions/Technical Requirements**Corrective Action(s) Completed:**

1. steamed out the transfer line between the CLE and Girbotol Unit to reduce corrosion blockage on January 1, 2010. By June 1, 2011, replaced 1700 feet of the carbon steel Jet Vent Gas line with stainless steel from Booster Station 4 to the Girbotol Unit (violation 1); and
2. implemented procedures for all process, technical, and mechanical employees emphasizing the clear ownership of planning and execution responsibility for electrical isolation to prevent power failure to the SCU on April 30, 2010 (violation 2).

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: December 22, 2010
Date Answer(s) Filed: January 12, 2011
SOAH Referral Date: February 22, 2011
Hearing Date(s):
Preliminary hearing: April 14, 2011
Evidentiary hearing: October 18, 2011
Settlement Date: August 25, 2011

Contact Information

TCEQ Attorneys: Jeffrey Huhn, Litigation Division, (512) 239-3400
Lena Roberts, Litigation Division, (512) 239-3400

TCEQ SEP Coordinator: Sharon Blue, Litigation Division, (512) 239-2223

TCEQ Enforcement Coordinator: Audra Benoit, Air Enforcement Section, (409) 899-8799

TCEQ Regional Contact: Manuel Bautista, Houston Regional Office, (713) 767-3678

Respondent: Sasha Easley, Exxon Mobil, 5000 BayWay Drive, CAB W-103, Baytown, TX 77520

Respondent's Attorney: Sherry L. Scott, P.O. Box 2180, 800 Bell Street, Houston, TX 77252

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Attachment A
Docket Number: 2010-1036-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Penalty Amount:	Forty Thousand Dollars (\$40,000)
SEP Offset Amount:	Twenty Thousand Dollars (\$20,000)
Type of SEP:	Contribution to a Pre-approved Third-Party Recipient
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO")
Project Name:	<i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	216 Houston-Galveston Air Quality Control Region (preference for 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 Respondent to contribute to a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to the Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") for the *Clean Cities/Clean Vehicles Program*. The contribution will be used in accordance with the Agreement concerning Supplemental Environmental Project Funds between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to provide reimbursement to school districts, area transit agencies, or local governments in the Houston-Galveston non-attainment area to retrofit or replace older school buses with current model year buses or cleaner technology and for the incremental cost of replacing local government fleet vehicles with newer lower-emission vehicles, which may include alternative-fueled vehicles.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The combination of new efficient engines, clean fuel technologies, and high-tech after-treatment devices reduces particulate emissions (PM), hydrocarbon emissions, volatile organic compounds (VOC), and nitrogen oxides (NO_x) emissions. Replacement of fleet vehicles and buses with lower emission technology vehicles will have an impact on NO_x and other emissions in this non-attainment area.

C. Minimum Expenditure

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

2. Performance Schedule

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

Edward Feisinger
Houston-Galveston AERCO
PO Box 22777
Houston, Texas 77277

3. Records and Reporting

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

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

4. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondent failed to complete the project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for

reimbursement of a SEP. Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

5. Publicity

Any public statements concerning this SEP made by or on behalf of 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

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

7. Other SEPs by TCEQ or Other Agencies

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

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Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	28-Jun-2010	Screening	8-Jul-2010	EPA Due	19-Mar-2011
	PCW	22-Jul-2011				

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

CASE INFORMATION			
Enf./Case ID No.	39924	No. of Violations	2
Docket No.	2010-1036-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Audra Benoit
		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	\$40,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	689.0% Enhancement	Subtotals 2, 3, & 7	\$275,600
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Notes	Penalty enhancement due to 18 same/similar NOVs, seven dissimilar NOVs, eight agreed orders with a denial of liability and 17 agreed orders without a denial of liability.
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Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$709	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$13,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$315,600
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$315,600
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$40,000
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes	No deferral is recommended for Findings Orders.
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PAYABLE PENALTY	\$40,000
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Screening Date 8-Jul-2010

Docket No. 2010-1036-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39924

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Audra Benoit

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	18	90%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	8	160%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	17	425%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<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) 689%

>> 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 18 same/similar NOVs, seven dissimilar NOVs, eight agreed orders with a denial of liability and 17 agreed orders without a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 689%

Screening Date 8-Jul-2010 **Docket No.** 2010-1036-AIR-E **PCW**
Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*
Case ID No. 39924 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN102579307
Media [Statute] Air
Enf. Coordinator Audra Benoit

Violation Number
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1
Violation Description Failed to prevent unauthorized emissions. Specifically, Incident No. 133845 occurred December 30, 2009 through January 1, 2010, in the Crude Light Ends Unit ("CLE") due to the transfer line being partially plugged by corrosion products between the CLE and the Girbotol Unit which resulted in the release of 47,615 pounds ("lbs") of sulfur dioxide ("SO2"), 5,245 lbs of carbon monoxide ("CO"), 336 lbs of propane, 107 lbs of propylene, 296 lbs of butane, 131 lbs of butene and 1,704 lbs of unspecified volatile organic compounds ("VOCs") into the atmosphere for 54 hours and 59 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.
Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="100%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Matrix Notes Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.
Adjustment

Adjustment

Violation Events

Number of Violation Events Number of violation days
 mark only one with an x
 daily
 weekly
 monthly
 quarterly
 semiannual
 annual
 single event
Violation Base Penalty

Three daily events are recommended.

Good Faith Efforts to Comply Reduction

	Before NOV	NOV to EDRP/Settlement
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

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

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**
This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 39924
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$10,000	30-Dec-2009	28-Dec-2010	0.99	\$33	\$663	\$696
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	30-Dec-2009	1-Jan-2010	0.01	\$0	\$1	\$1
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to steam out the transfer line to reduce corrosion blockage (\$1,500) and to replace the carbon steel line with a stainless steel line between the CLE and Girbotol Unit to prevent the recurrence of an emissions event (\$10,000). The date required is the date of the emissions event. The final date is the date immediate corrective actions were completed (January 1, 2010) and the date corrective actions are expected to be completed to ensure against recurrence of emissions (December 28, 2010).

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 \$11,500

TOTAL \$697

Screening Date 8-Jul-2010 **Docket No.** 2010-1036-AIR-E **PCW**
Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*
Case ID No. 39924 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN102579307
Media [Statute] Air
Enf. Coordinator Audra Benoit

Violation Number
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1
Violation Description Failed to prevent unauthorized emissions. Specifically, Incident No. 136526 occurred on March 2, 2010, in the Sulfur Conversion Unit ("SCU") No. 2 due to a power loss to multiple instruments on Claus D Train which resulted in the release of 3.6 lbs of VOCs, 32.6 lbs of CO, 227.4 lbs of H2S, 6.4 lbs of NOx, 2.3 lbs carbon disulfide, 11.9 lbs of carbonyl sulfide, and 20,957.2 lbs of SO2 for one hour and 23 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release		Harm			Percent
	Major	Minor	Major	Moderate	Minor	
	Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Matrix Notes Human health or the environment has been exposed to pollutants that exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text" value="x"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One daily event is recommended.

Good Faith Efforts to Comply Reduction

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

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

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 39924
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	2-Mar-2010	30-Apr-2010	0.16	\$12	n/a	\$12
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 implement procedures for emphasizing the clear ownership of planning and execution responsibility for electrical isolation to prevent power failure to the SCU. The date required is the date of the emissions event. The final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$12

Compliance History Report

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.70
Regulated Entity: RN102579307 EXXON MOBIL BAYTOWN FACILITY Classification: AVERAGE Site Rating: 5.73

ID Number(s):			
	AIR NEW SOURCE PERMITS	REGISTRATION	92810
	AIR NEW SOURCE PERMITS	PERMIT	18287
	AIR NEW SOURCE PERMITS	REGISTRATION	22874
	AIR NEW SOURCE PERMITS	REGISTRATION	23378
	AIR NEW SOURCE PERMITS	REGISTRATION	24669
	AIR NEW SOURCE PERMITS	REGISTRATION	26486
	AIR NEW SOURCE PERMITS	REGISTRATION	26294
	AIR NEW SOURCE PERMITS	REGISTRATION	27403
	AIR NEW SOURCE PERMITS	REGISTRATION	26443
	AIR NEW SOURCE PERMITS	REGISTRATION	30186
	AIR NEW SOURCE PERMITS	REGISTRATION	31067
	AIR NEW SOURCE PERMITS	REGISTRATION	31008
	AIR NEW SOURCE PERMITS	REGISTRATION	31690
	AIR NEW SOURCE PERMITS	REGISTRATION	31852
	AIR NEW SOURCE PERMITS	REGISTRATION	31915
	AIR NEW SOURCE PERMITS	REGISTRATION	34295
	AIR NEW SOURCE PERMITS	REGISTRATION	33875
	AIR NEW SOURCE PERMITS	REGISTRATION	36536
	AIR NEW SOURCE PERMITS	PERMIT	36664
	AIR NEW SOURCE PERMITS	REGISTRATION	38532
	AIR NEW SOURCE PERMITS	REGISTRATION	39164
	AIR NEW SOURCE PERMITS	PERMIT	40394
	AIR NEW SOURCE PERMITS	REGISTRATION	40421
	AIR NEW SOURCE PERMITS	REGISTRATION	38572
	AIR NEW SOURCE PERMITS	REGISTRATION	42509
	AIR NEW SOURCE PERMITS	REGISTRATION	43489
	AIR NEW SOURCE PERMITS	REGISTRATION	43582
	AIR NEW SOURCE PERMITS	REGISTRATION	44162
	AIR NEW SOURCE PERMITS	REGISTRATION	47145
	AIR NEW SOURCE PERMITS	REGISTRATION	47912
	AIR NEW SOURCE PERMITS	REGISTRATION	49342
	AIR NEW SOURCE PERMITS	REGISTRATION	49893
	AIR NEW SOURCE PERMITS	PERMIT	50203
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
	AIR NEW SOURCE PERMITS	REGISTRATION	11007

AIR NEW SOURCE PERMITS	REGISTRATION	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	REGISTRATION	11053
AIR NEW SOURCE PERMITS	REGISTRATION	11206
AIR NEW SOURCE PERMITS	REGISTRATION	11250
AIR NEW SOURCE PERMITS	REGISTRATION	11380
AIR NEW SOURCE PERMITS	REGISTRATION	11464
AIR NEW SOURCE PERMITS	REGISTRATION	11475
AIR NEW SOURCE PERMITS	REGISTRATION	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	REGISTRATION	11624
AIR NEW SOURCE PERMITS	REGISTRATION	11703
AIR NEW SOURCE PERMITS	REGISTRATION	11939
AIR NEW SOURCE PERMITS	REGISTRATION	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	REGISTRATION	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	REGISTRATION	12977
AIR NEW SOURCE PERMITS	REGISTRATION	12994
AIR NEW SOURCE PERMITS	REGISTRATION	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	REGISTRATION	50429
AIR NEW SOURCE PERMITS	REGISTRATION	53461
AIR NEW SOURCE PERMITS	REGISTRATION	52474
AIR NEW SOURCE PERMITS	REGISTRATION	55912
AIR NEW SOURCE PERMITS	REGISTRATION	54582
AIR NEW SOURCE PERMITS	REGISTRATION	54497
AIR NEW SOURCE PERMITS	REGISTRATION	71394
AIR NEW SOURCE PERMITS	REGISTRATION	50582
AIR NEW SOURCE PERMITS	REGISTRATION	54848
AIR NEW SOURCE PERMITS	REGISTRATION	53785
AIR NEW SOURCE PERMITS	REGISTRATION	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578

AIR NEW SOURCE PERMITS	REGISTRATION	75186
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	EPA ID	PAL7
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: June 28, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 28, 2005 to June 28, 2010

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

Name: Audra Benoit Phone: (409) 899-8799

Site Compliance History Components

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

Components (Multimedia) for the Site:

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

- FIND-1** 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.
- FIND-2** 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.
- FIND-3** 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.
- FIND-4** 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.
- FIND-5** Effective Date: 05/25/2007 ADMINORDER 2006-1398-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: TCEQ Flexible Air Permit #18287, SC#1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

FIND-6

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

FIND-7

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

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.

FIND-8

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.

FIND-9

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.

FIND-10

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

Classification: Moderate

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

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

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

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

FIND-11

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.

1660-1

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.

1660-2

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.

FIND-12

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.

1660-3

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.

FIND-13

Effective Date: 01/30/2009 ADMINORDER 2008-0872-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

FIND-14

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.

1660-4

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.

1660-5

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.

1660-6

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

1660-7

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 (FCU3) 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.

FIND-15

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

FIND-16

Effective Date: 04/11/2010 ADMINORDER 2009-1221-IHW-E

Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.2(a)

Description: Failed to prevent the shipment of industrial hazardous waste to an unauthorized facility, as documented during an investigation conducted on March 20, 2009. Specifically, the Respondent shipped five 55-gallon containers of RCRA listed (K049) and characteristically hazardous waste (Benzene D018) to a nonhazardous waste landfill on December 17, 2008.

FIND-17

Effective Date: 04/25/2010 ADMINORDER 2009-1677-AIR-E

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

Rqmt Prov: Permit Nos. 18287 and PSD-TX-730M4/PAL ORDER

Description: Failed to prevent unauthorized emissions.

1660-8

Effective Date: 06/04/2010 ADMINORDER 2009-1539-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
5C THSC Chapter 382 382.085(b)

Description: Failed to limit carbon monoxide concentrations to 400 parts per million by volume at 3% oxygen (3.0 grains per horsepower hour) for unit id nos. LXU1B5, FCCU3F103, FXKWHB301, HF3F2, HF4F402, HF4F403 and SEP12ICE12 on seven occasions during the November 22, 2007 through November 21, 2008 reporting period.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1A OP
Special Condition 30 OP
Special Condition 32 PA

Description: Failed to conduct stack testing. Specifically, Furnace FCCU3F103 was down during the initial stack testing period and was not tested. The furnace ran intermittently for a total of approximately 5,769 hours from February 1, 2006 through July 25, 2008.

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 8,238 pounds ("lbs") of volatile organic compounds, 4,345 lbs of carbon monoxide, 3,978 lbs of sulfur dioxide, 824 lbs of hydrogen sulfide and 233 lbs of nitrogen oxide from the Hydrocracking and Flexicoker ("FXK") Units during an avoidable emissions event that began April 24, 2009 and lasted seven hours and nine minutes. The event was the result of a drop in reactor feed steam atomization pressure in the FXK Unit

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	06/30/2005	(396806)
2	07/12/2005	(399391)
3	07/13/2005	(399494)
4	08/02/2005	(402576)
5	08/02/2005	(402737)
6	08/02/2005	(402844)
7	08/02/2005	(402917)
8	08/03/2005	(401816)
9	08/08/2005	(399628)
10	08/08/2005	(402336)
11	08/09/2005	(403017)

12	08/09/2005	(403164)
13	08/09/2005	(403230)
14	08/09/2005	(403721)
15	08/09/2005	(404230)
16	08/09/2005	(404259)
17	08/09/2005	(404296)
18	08/15/2005	(405021)
19	08/16/2005	(404301)
20	08/16/2005	(404547)
21	08/19/2005	(404792)
22	08/23/2005	(405305)
23	08/24/2005	(399636)
24	08/24/2005	(399637)
25	08/29/2005	(405928)
26	08/31/2005	(418871)
27	09/01/2005	(399476)
28	09/28/2005	(431581)
29	09/28/2005	(432076)
30	10/17/2005	(434480)
31	11/03/2005	(431598)
32	11/22/2005	(433933)
33	11/22/2005	(435072)
34	11/22/2005	(438130)
35	12/20/2005	(267563)
36	12/21/2005	(434204)
37	12/21/2005	(435335)
38	12/30/2005	(435909)
39	12/30/2005	(435916)
40	01/17/2006	(273538)
41	01/17/2006	(450474)
42	02/06/2006	(450733)
43	02/21/2006	(452651)
44	02/28/2006	(456441)
45	03/24/2006	(459648)
46	04/04/2006	(461224)
47	04/20/2006	(461537)
48	04/26/2006	(338552)
49	04/27/2006	(461574)
50	04/28/2006	(463895)
51	05/02/2006	(460481)
52	05/03/2006	(463377)
53	05/04/2006	(462741)
54	05/08/2006	(457378)
55	05/16/2006	(462451)
56	05/16/2006	(465569)
57	05/17/2006	(457374)
58	05/22/2006	(466175)
59	05/25/2006	(431599)
60	05/30/2006	(479710)
61	05/30/2006	(479729)
62	05/30/2006	(479780)
63	05/30/2006	(479785)
64	05/30/2006	(479791)
65	05/30/2006	(479817)
66	05/31/2006	(344766)
67	05/31/2006	(462401)
68	05/31/2006	(463588)
69	06/02/2006	(454646)
70	06/02/2006	(460480)

71	06/02/2006	(464665)
72	06/14/2006	(466357)
73	06/19/2006	(481233)
74	06/19/2006	(481262)
75	06/26/2006	(481569)
76	06/29/2006	(480981)
77	06/30/2006	(481533)
78	07/07/2006	(483457)
79	07/07/2006	(483683)
80	07/07/2006	(484811)
81	07/20/2006	(484814)
82	07/31/2006	(484463)
83	07/31/2006	(489107)
84	08/03/2006	(489455)
85	08/09/2006	(484809)
86	08/18/2006	(487811)
87	08/31/2006	(465761)
88	08/31/2006	(489776)
89	09/01/2006	(509264)
90	09/01/2006	(510727)
91	09/01/2006	(510733)
92	09/05/2006	(489701)
93	09/05/2006	(489770)
94	09/25/2006	(497145)
95	09/29/2006	(489710)
96	10/18/2006	(513741)
97	10/26/2006	(517328)
98	10/30/2006	(516968)
99	11/15/2006	(514799)
100	11/15/2006	(518447)
101	11/30/2006	(457899)
102	11/30/2006	(531626)
103	12/08/2006	(532394)
104	12/13/2006	(519183)
105	12/21/2006	(393692)
106	01/08/2007	(533556)
107	01/09/2007	(535937)
108	01/11/2007	(534949)
109	01/12/2007	(481287)
110	01/23/2007	(536577)
111	01/29/2007	(449587)
112	01/31/2007	(517160)
113	01/31/2007	(538653)
114	02/02/2007	(462413)
115	02/05/2007	(457903)
116	02/06/2007	(539165)
117	02/08/2007	(539319)
118	02/09/2007	(440421)
119	02/09/2007	(449579)
120	02/09/2007	(484815)
121	02/15/2007	(457902)
122	02/15/2007	(535801)
123	02/27/2007	(515654)
124	02/28/2007	(481875)
125	03/08/2007	(449583)
126	03/23/2007	(489664)
127	03/23/2007	(490037)
128	03/26/2007	(541019)
129	03/26/2007	(541089)

130	03/26/2007	(541133)
131	03/27/2007	(534342)
132	03/28/2007	(555118)
133	03/30/2007	(535817)
134	03/30/2007	(541407)
135	04/04/2007	(511045)
136	04/05/2007	(536574)
137	04/05/2007	(543125)
138	04/12/2007	(535873)
139	04/19/2007	(537203)
140	04/19/2007	(538065)
141	04/20/2007	(536593)
142	04/20/2007	(539663)
143	04/20/2007	(556917)
144	04/24/2007	(536941)
145	04/24/2007	(537438)
146	04/27/2007	(556005)
147	04/30/2007	(542577)
148	05/01/2007	(539681)
149	05/03/2007	(554208)
150	05/04/2007	(535563)
151	05/08/2007	(489678)
152	05/08/2007	(535299)
153	05/08/2007	(535352)
154	05/08/2007	(541040)
155	05/08/2007	(558748)
156	05/09/2007	(457383)
157	05/09/2007	(535078)
158	05/09/2007	(535565)
159	05/11/2007	(536591)
160	05/16/2007	(539675)
161	05/16/2007	(558902)
162	05/17/2007	(490200)
163	05/30/2007	(560387)
164	05/31/2007	(538802)
165	05/31/2007	(540430)
166	05/31/2007	(561882)
167	06/05/2007	(562903)
168	06/15/2007	(560235)
169	06/15/2007	(561789)
170	06/27/2007	(559236)
171	06/27/2007	(559573)
172	06/27/2007	(559574)
173	06/27/2007	(563272)
174	07/03/2007	(555858)
175	07/05/2007	(564964)
176	07/06/2007	(562588)
177	07/10/2007	(567169)
178	07/11/2007	(541738)
179	07/11/2007	(543749)
180	07/16/2007	(561456)
181	07/23/2007	(568005)
182	07/30/2007	(563075)
183	08/03/2007	(564720)
184	08/06/2007	(570695)
185	08/09/2007	(571423)
186	08/10/2007	(560522)
187	08/10/2007	(563117)
188	08/13/2007	(563757)

189	08/22/2007	(568350)
190	08/24/2007	(570712)
191	08/29/2007	(572924)
192	09/07/2007	(593545)
193	09/19/2007	(570275)
194	09/19/2007	(570278)
195	09/19/2007	(572771)
196	09/20/2007	(570276)
197	09/26/2007	(593611)
198	09/28/2007	(564900)
199	09/28/2007	(565019)
200	09/28/2007	(565214)
201	10/01/2007	(595471)
202	10/02/2007	(563996)
203	10/02/2007	(564053)
204	10/02/2007	(564057)
205	10/02/2007	(564825)
206	10/02/2007	(566406)
207	10/03/2007	(574482)
208	10/04/2007	(565775)
209	10/10/2007	(566719)
210	10/10/2007	(567038)
211	10/11/2007	(566557)
212	10/12/2007	(572311)
213	10/16/2007	(597893)
214	10/19/2007	(596209)
215	10/25/2007	(571458)
216	10/25/2007	(572951)
217	10/25/2007	(573665)
218	11/02/2007	(573789)
219	11/02/2007	(598325)
220	11/02/2007	(598327)
221	11/08/2007	(597351)
222	11/19/2007	(569267)
223	11/19/2007	(593935)
224	11/20/2007	(608861)
225	11/27/2007	(568601)
226	12/04/2007	(599936)
227	12/07/2007	(593717)
228	12/07/2007	(594582)
229	12/12/2007	(593931)
230	12/17/2007	(611653)
231	12/20/2007	(599324)
232	12/20/2007	(599344)
233	12/20/2007	(599350)
234	12/20/2007	(599754)
235	12/21/2007	(599347)
236	12/21/2007	(599624)
237	01/04/2008	(610570)
238	01/07/2008	(613467)
239	01/18/2008	(612843)
240	01/18/2008	(614380)
241	01/18/2008	(615193)
242	01/28/2008	(616174)
243	01/30/2008	(616222)
244	02/07/2008	(614032)
245	02/08/2008	(611547)
246	02/13/2008	(613846)
247	02/27/2008	(617012)

248	02/28/2008	(617220)
249	03/05/2008	(611632)
250	03/07/2008	(616312)
251	03/09/2008	(609542)
252	03/14/2008	(639154)
253	03/21/2008	(639445)
254	03/24/2008	(639458)
255	04/02/2008	(637836)
256	04/04/2008	(613406)
257	04/04/2008	(638369)
258	04/17/2008	(646246)
259	04/24/2008	(653934)
260	04/25/2008	(613756)
261	04/30/2008	(654258)
262	05/07/2008	(646555)
263	05/08/2008	(613978)
264	05/09/2008	(598614)
265	05/13/2008	(439155)
266	05/19/2008	(670962)
267	05/22/2008	(670825)
268	05/27/2008	(679941)
269	06/15/2008	(433577)
270	06/16/2008	(398344)
271	06/17/2008	(683333)
272	06/19/2008	(683121)
273	06/26/2008	(683668)
274	06/27/2008	(671720)
275	07/18/2008	(686470)
276	07/22/2008	(531928)
277	07/22/2008	(685958)
278	08/07/2008	(684566)
279	09/24/2008	(701775)
280	10/16/2008	(687747)
281	10/29/2008	(687171)
282	10/30/2008	(685194)
283	10/31/2008	(703451)
284	11/03/2008	(686921)
285	11/10/2008	(706764)
286	11/21/2008	(706342)
287	11/21/2008	(706700)
288	12/22/2008	(709485)
289	01/09/2009	(709484)
290	01/15/2009	(721346)
291	04/09/2009	(740917)
292	04/14/2009	(740493)
293	04/17/2009	(741980)
294	04/21/2009	(743215)
295	04/22/2009	(735601)
296	04/29/2009	(737394)
297	04/30/2009	(739819)
298	05/05/2009	(743062)
299	05/05/2009	(743063)
300	05/13/2009	(725716)
301	05/14/2009	(744009)
302	06/04/2009	(743832)
303	06/23/2009	(744178)
304	06/23/2009	(744302)
305	06/23/2009	(744317)
306	06/23/2009	(744320)

307	06/23/2009	(744323)
308	06/23/2009	(744406)
309	07/01/2009	(742028)
310	07/01/2009	(746149)
311	07/15/2009	(738281)
312	07/17/2009	(745541)
313	07/24/2009	(743966)
314	07/27/2009	(747598)
315	07/30/2009	(763678)
316	08/03/2009	(764251)
317	08/06/2009	(741015)
318	08/06/2009	(741982)
319	08/10/2009	(759843)
320	08/10/2009	(763817)
321	08/10/2009	(764911)
322	08/20/2009	(721130)
323	08/20/2009	(766551)
324	08/21/2009	(726876)
325	09/02/2009	(746806)
326	09/02/2009	(767216)
327	09/02/2009	(767239)
328	09/15/2009	(766566)
329	09/15/2009	(767619)
330	09/23/2009	(776026)
331	09/28/2009	(760745)
332	09/28/2009	(777658)
333	09/29/2009	(761132)
334	10/05/2009	(759724)
335	10/26/2009	(779952)
336	10/30/2009	(764922)
337	10/30/2009	(766755)
338	11/03/2009	(780703)
339	11/12/2009	(782073)
340	11/18/2009	(761133)
341	11/24/2009	(780766)
342	12/02/2009	(783517)
343	12/08/2009	(775293)
344	12/18/2009	(766987)
345	01/08/2010	(766984)
346	01/08/2010	(780134)
347	01/12/2010	(779500)
348	02/18/2010	(766985)
349	02/25/2010	(785566)
350	03/01/2010	(792396)
351	03/04/2010	(793709)
352	03/16/2010	(792951)
353	03/19/2010	(789337)
354	03/22/2010	(795883)
355	03/24/2010	(796134)
356	03/31/2010	(797498)
357	04/12/2010	(797291)
358	04/15/2010	(786630)
359	04/15/2010	(789325)
360	04/15/2010	(794475)
361	04/15/2010	(795834)
362	04/19/2010	(794953)
363	04/26/2010	(796939)
364	04/27/2010	(798192)
365	04/29/2010	(789472)

366 05/03/2010 (798417)
 367 05/07/2010 (795545)
 368 05/07/2010 (801526)
 369 05/10/2010 (801638)
 370 05/11/2010 (794560)
 371 05/12/2010 (759117)
 372 05/12/2010 (802094)
 373 05/26/2010 (802425)
 374 05/26/2010 (802523)
 375 05/28/2010 (803299)
 376 06/16/2010 (825587)
 377 06/16/2010 (826290)
 378 06/18/2010 (789340)
 379 06/18/2010 (825258)
 380 06/22/2010 (825040)
 381 06/23/2010 (799407)
 382 06/25/2010 (797576)
 383 06/25/2010 (799411)
 384 06/28/2010 (826639)

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

- SS-1** 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.
- SS-2** 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.
- SS-3** 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.
- NS-1** 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.
- NS-2** 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.
- NS-3** 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.
- SS-4** Date: 08/31/2006 (489776)
 Self Report? NO Classification: Moderate
 Citation: 18287 PERMIT
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
Description: EM failed to prevent this emissions event.
- SS-5** Date: 10/18/2006 (513741) CN600123939
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 TCEQ Flexible Air Permit #18287, SC#1 PA

NS-4 **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)

SS-6 **Description:** **Exxon failed to submit a CAP in a timely manner.**
Date: 01/08/2007 (533556) **CN600123939**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

SS-7 **Description:** **failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.**
Date: 02/13/2007 (539319) **CN600123939**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA

NS-5 **Description:** **ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.**
Date: 04/04/2007 (511045) **CN600123939**
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
No. 18287/Special Condition No. 45E. PERMIT

NS-6 **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.**
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

SS-8 **Description:** **Failed to maintain the pilot flame on all flares.**
Date: 05/22/2008 (670825) **CN600123939**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

SS-9 **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

SS-10 **Description:** **Failure to prevent solid sulfur pluggage in the condenser seal leg causing carryover of sulfur into the tail gas unit resulting in the unauthorized release of 1,457.3 pounds of carbonyl sulfide, 55.2 pounds of carbon disulfide, and 21.6 pounds of hydrogen sulfide. The duration of this emissions event was 63 hours.**
Date: 11/21/2008 (706342) **CN600123939**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Air Flexible Permit No. 18287, SC#1 PA

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

SS-11 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.

SS-12 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.

SS-13 Date: 08/20/2009 (721130)
Self Report? NO Classification: Minor
Citation: 18287 and PSD-TX-730M4/PAL, SC 34E PA
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-01229, Special Condition 30 OP

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

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to meet closed purge requirements

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

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

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

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

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

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

Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(g)
5C THSC Chapter 382 382.085(b)

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

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
5C THSC Chapter 382 382.085(b)

Special Condition 14D PA
 Special Condition 30 OP
 Description: Failure to notify Administrator of Tank inspection.
 Self Report? NO Classification: Moderate
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143(d)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

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

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

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

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

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

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

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

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

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

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

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

Description: Failure to operate incinerator with the minimum operating parameter.

Self Report? NO Classification: Moderate

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

Description: Failure to reduce emissions of organic HAP's.

Self Report? NO Classification: Minor

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

Description: Failure to sample HRVOC Analyzer

Self Report? NO Classification: Moderate

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

Description: Failure to limit ammonia emissions.

Self Report? NO Classification: Minor

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

Description: Failure to maintain fuel flow meter.

Self Report? NO Classification: Minor

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

Description: Failure to maintain quarterly engine tests report.

Self Report? NO Classification: Minor

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

Description: Failure to conduct quarterly engine tests. (Category B1)

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to demonstrate continuous compliance with emissions limitation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

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)

SS-15 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) CN600123939

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.**

SS-16 Date: 01/07/2010 (780134) CN600123939

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

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

SS-17 Date: 03/15/2010 (792951)

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: **ExxonMobil failed to prevent the formation of solid hydrates within a pipe in cold weather which resulted in unauthorized emissions including 582.46 pounds of sulfur dioxide.**

SS-18 Date: 03/23/2010 (789337)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: **The RE failed to prevent a fire in the sulfur export tank, TK-667, resulting in 50% opacity from a tank vent for a duration of 15 minutes.**

NS-7 Date: 05/03/2010 (798417)

Self Report? NO Classification: Major
Citation: 10.A./Appendix A1.1 ORDER
2A TWC Chapter 7, SubChapter A 7.101

Description: Monitoring well maintenance

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

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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. 2010-1036-AIR-E

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

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, Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement 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 Respondent.

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

FINDINGS OF FACT

1. Respondent owns and operates a petroleum refinery located at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant"). The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During an investigation conducted on January 29, 2010, a TCEQ Houston Regional Office investigator documented that Respondent failed to prevent unauthorized emissions. Specifically, Incident No. 133845 occurred December 30, 2009 through January 1, 2010, in the Crude Light Ends Unit ("CLE") due to the transfer line being partially plugged by corrosion products between the CLE and the Girbotol Unit which resulted in the release of 47,615 pounds ("lbs") of sulfur dioxide ("SO₂"), 5,245 lbs of carbon monoxide ("CO"), 336 lbs of propane, 107 lbs of propylene, 296 lbs of butane, 131 lbs of butene, and 1,704 lbs of unspecified volatile organic compounds

("VOCs") into the atmosphere for 54 hours and 59 minutes. The TCEQ determined that this emission event could have been avoided by better operational and/or maintenance practices.

3. During an investigation conducted on May 20, 2010, a TCEQ Houston Regional Office investigator documented that Respondent failed to prevent unauthorized emissions. Specifically, Incident No. 136526 occurred on March 2, 2010, in the Sulfur Conversion Unit ("SCU") No. 2 due to a power loss to multiple instruments on Claus D Train which resulted in the release of 3.6 lbs of VOCs, 32.6 lbs of CO, 227.4 lbs of hydrogen sulfide, 6.4 lbs of nitrogen oxide, 2.3 lbs of carbon disulfide, 11.9 lbs of carbonyl sulfide, and 20,957.2 lbs of SO₂ for one hour and 23 minutes. The TCEQ determined that this emission event could have been avoided by better operational and/or maintenance practices.
4. Respondent received notice of the violations alleged in Finding of Fact No. 2 on or about June 23, 2010. Respondent received notice of the violation alleged in Finding of Fact No. 3 on or about June 30, 2010.
5. The Executive Director recognizes that Respondent implemented the following corrective measures at the Plant:
 - a. In response to Incident No. 133845, steamed out the transfer line between the CLE and Girbotol Unit to reduce corrosion blockage on January 1, 2010. By June 1, 2011, replaced 1700 feet of the carbon steel Jet Vent Gas line with stainless steel from Booster Station 4 to the Girbotol Unit; and
 - b. In response to Incident No. 136526, implemented procedures for all process, technical, and mechanical employees emphasizing the clear ownership of planning and execution responsibility for electrical isolation to prevent power failure to the SCU on April 30, 2010.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 2, Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1. Since the TCEQ determined that the emission event could have been avoided by better operational and/or maintenance practices, Respondent is prevented from asserting any affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Finding of Fact No. 3, Respondent failed to prevent prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition No. 1. Since the TCEQ determined that the emission event could have been avoided by better operational and/or maintenance practices, Respondent is prevented from asserting any affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of forty thousand dollars (\$40,000.00) 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. Pursuant to TEX. WATER CODE § 7.067, twenty thousand dollars (\$20,000.00) of the administrative penalty shall be conditionally offset by Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment A" - incorporated herein by reference). Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed by this Agreed Order shall be discharged upon full compliance with all the terms and conditions of this Agreed Order, which includes timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

If Respondent fails to timely and satisfactorily comply with any requirement contained in this Agreed Order, including the payment schedule, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the conditionally offset portion of the administrative penalty shall become immediately due and payable without demand or notice. The acceleration of any remaining balance constitutes the failure by Respondent to timely and satisfactorily comply with all the terms of this Agreed Order, and the Executive Director may require Respondent to pay all or part of the conditionally offset administrative penalty.

Respondent paid twenty thousand dollars (\$20,000.00) of the administrative penalty.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty as set forth in Conclusion of Law No. 5, above, for violations of state statutes and rules of the TCEQ. The payment of this administrative penalty and Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the matters set forth by this Agreed Order in this action. The Commission shall not be constrained in any manner from considering or requiring corrective actions or penalties for violations which are not raised here.
2. Respondent shall implement and complete a SEP as set forth in Conclusion of Law No. 5, above. The amount of twenty thousand dollars (\$20,000.00) of the assessed administrative penalty is conditionally offset based on the condition that Respondent implement and complete a SEP pursuant to the terms and conditions contained in the SEP Agreement, as defined in Attachment A. Respondent's obligation to pay the conditionally offset portion of the assessed administrative penalty shall be discharged upon full, final, and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director. Administrative penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

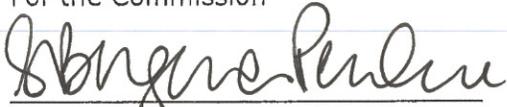
3. All relief not expressly granted in this Agreed Order is denied.
4. The duties and provisions imposed by this Agreed Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If 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, Respondent's failure to comply is not a violation of this Agreed Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until 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, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that 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 may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission" "owner" "person" "writing" and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand delivery of this Agreed Order to Respondent, or three days after the date on which the Commission mails notice of this Agreed Order to Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/29/2011

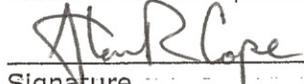
Date

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

I also understand that failure to comply with the Ordering Provisions 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;
- 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, I understand that any falsification of any compliance documents may result in criminal prosecution.



Signature

STEVEN R. COPE

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

08/25/11

Date

REFINERY MANAGER

Title

Attachment A
Docket Number: 2010-1036-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Penalty Amount:	Forty Thousand Dollars (\$40,000)
SEP Offset Amount:	Twenty Thousand Dollars (\$20,000)
Type of SEP:	Contribution to a Pre-approved Third-Party Recipient
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO")
Project Name:	<i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	216 Houston-Galveston Air Quality Control Region (preference for 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 Respondent to contribute to a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to the Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") for the *Clean Cities/Clean Vehicles Program*. The contribution will be used in accordance with the Agreement concerning Supplemental Environmental Project Funds between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to provide reimbursement to school districts, area transit agencies, or local governments in the Houston-Galveston non-attainment area to retrofit or replace older school buses with current model year buses or cleaner technology and for the incremental cost of replacing local government fleet vehicles with newer lower-emission vehicles, which may include alternative-fueled vehicles.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The combination of new efficient engines, clean fuel technologies, and high-tech after-treatment devices reduces particulate emissions (PM), hydrocarbon emissions, volatile organic compounds (VOC), and nitrogen oxides (NO_x) emissions. Replacement of fleet vehicles and buses with lower emission technology vehicles will have an impact on NO_x and other emissions in this non-attainment area.

C. Minimum Expenditure

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

2. Performance Schedule

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

Edward Feisinger
Houston-Galveston AERCO
PO Box 22777
Houston, Texas 77277

3. Records and Reporting

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

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

4. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondent failed to complete the project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for

reimbursement of a SEP. Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

5. Publicity

Any public statements concerning this SEP made by or on behalf of 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

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

7. Other SEPs by TCEQ or Other Agencies

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