

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO. 2009-1944-AIR-E

RN102579307

CASE NO. 38788

RESPONDENT NAME: EXXON MOBIL CORPORATION

ORDER TYPE:		
<input type="checkbox"/> AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: refining and supply company</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints related to this enforcement action. There are two additional pending enforcement actions regarding this facility location (2010-0656-AIR-E; 2010-1036-AIR-E).</p> <p>INTERESTED PARTIES: No one other than the ED and Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired February 21, 2011. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Anna M. Treadwell, Litigation Division, MC 175, (512) 239-3400 Lena Roberts, Litigation Division, MC 175, (512) 239-3400 TCEQ Enforcement Coordinator: John Muennink, Air Enforcement Section, MC R-12, (713) 422-8970 TCEQ Regional Contact: Manuel Bautista, Houston Regional Office, MC R-12, (713) 767-3500 TCEQ SEP Coordinator: Sharon Blue, Litigation Division, MC 175, (512) 239-3400 Respondent: Gary Wilson, Refinery Manager, Exxon Mobil Corporation, P.O. Box 3950, Baytown, Texas 77522-3950 Respondent's Attorney: Matthew Paulson, Baker Botts LLP, 98 San Jacinto Boulevard, Suite 1500, Austin, Texas 78701</p>		

**RESPONDENT NAME: EXXON MOBIL CORPORATION
DOCKET NO. 2009-1944-AIR-E**

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaint(s): N/A</p> <p>Dates of Investigation: March 18, 2009 through April 1, 2009 May 18, 2009 through June 1, 2009 July 24, 2009 through August 11, 2009</p> <p>Dates of NOEs: August 6, 2009 August 6, 2009 October 30, 2009</p> <p>Background Facts: EDPRPs were filed on December 7, 2009, and April 16, 2010. Respondent filed an answer and the case was referred to SOAH. The Agreed Order was signed on December 21, 2010.</p> <p>Current Compliance Status: No outstanding technical requirements.</p> <p>AIR:</p> <ol style="list-style-type: none"> Failed to prevent unauthorized emissions. Specifically, 268,879 pounds ("lbs") of carbon monoxide ("CO"), 1,928 lbs of nitrogen oxide ("NO_x"), 943 lbs of ammonia ("NH₃"), 667 lbs of sulfur dioxide ("SO₂"), and 384 lbs of hydrogen cyanide ("HCN") were released during an avoidable emissions event (Incident No. 118545) that began on January 7, 2009, and lasted 34 hours [TEX. HEALTH & SAFETY CODE § 382.085(b); 30 TEX. ADMIN. CODE § 116.715(a); and Flexible Permit No. 18287, Special Condition (SC) No. 1]. Failed to prevent unauthorized emissions. Specifically, 61,369 lbs of CO, 3,978 lbs of SO₂, 503 lbs of particulate matter ("PM"), 216 lbs of NH₃, 88 lbs of HCN, and 15 lbs of NO_x were released during an avoidable emission event (Incident No. 123795) that began on May 4, 2009, and lasted 32 hours and 24 minutes [TEX. HEALTH & SAFETY CODE § 382.085(b); 30 TEX. ADMIN. CODE § 116.715(a); and Flexible Permit No. 18287, SC No. 1]. Failed to prevent unauthorized emissions. Specifically, 141 lbs of NH₃, 40,155 lbs of CO, 57 lbs of HCN, 103 lbs of SO₂, 1,964 lbs of NO_x, and 1,089 lbs of PM were released during an avoidable emissions event (Incident No. 125838) that began on June 21, 2009, and lasted 33 hours and 16 minutes with 20% opacity [TEX. HEALTH & SAFETY CODE § 382.085(b); 30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3); and 101.20(3), Flexible Permit Nos. 18287, and PSD-TX-730M4/PAL, SC No. 1]. 	<p>Total Assessed: \$60,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$30,000</p> <p>Total Paid to General Revenue: \$30,000</p> <p>Respondent paid \$30,000 of the administrative penalty. The remaining \$30,000 shall be contributed to a Supplemental Environmental Project ("SEP").</p> <p>Compliance History Classifications: <i>Person/CN – Average</i> <i>Site/RN – Average</i></p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: People or environmental receptors have been exposed to pollutants which exceed levels that are protective.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that Respondent replaced the motor on FD-520 on June 21, 2009, changed all the internal linkage parts to the fan FD-510 control, and added view ports to the shrouds in order to see the internal guide vane position for the Force-Draft Fans by November 24, 2009.</p> <p>Ordering Provisions:</p> <p>Respondent shall contribute to a SEP (<u>Barbers Hill ISD – Vehicle and Equipment Program – Houston-Galveston Airshed</u>)</p>

Attachment A
Docket Number: 2009-1944-AIR-E

Supplemental Environmental Project

The Respondent:	Exxon Mobil Corporation
Penalty Amount:	Sixty Thousand Dollars (\$60,000)
SEP Offset Amount:	Thirty Thousand Dollars (\$30,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Barbers Hill Independent School District
Project Name:	<i>Barbers Hill Vehicle and Equipment Program</i>
Location of SEP:	Harris County; 216 Houston-Galveston Airshed

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

1. Project Description

A. Project

Respondent shall contribute the SEP offset Amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** (Barbers Hill ISD) for the *Barbers Hill Vehicle and Equipment Program*. The contribution will be used in accordance with the Supplemental Environmental Project between Barbers Hill ISD and the Texas Commission on Environmental Quality (TCEQ). The Third-Party Recipient shall 1) retire current diesel-powered or gasoline-powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled or low-emission vehicles/equipment; 2) convert current vehicles and equipment to alternative-fueled vehicles/equipment; or 3) retrofit current gasoline-powered and diesel-powered vehicles and equipment to decrease emissions from those sources.

The SEP Offset Amount may only be used for: 1) incremental costs of purchase of alternative-fueled or lower-emission vehicles/equipment or retrofit of existing vehicles/equipment; 2) the incremental cost of purchase of alternative fuels versus regular gasoline or diesel fuels; or 3) other direct expenses authorized in advance and in writing by TCEQ.

Retirement of Vehicles: Any purchases of new vehicles or equipment shall comply with EPA verified and certified technology guidelines. Third-Party Recipient shall ensure that equipment and vehicles being retired are operational and that vehicles

have current registration stickers. The retired vehicles and equipment must not be resold for any use except scrap value. The Third-Party Recipient shall submit proof of registration, decommissioning, and scrapping for all retired vehicles and equipment.

Retrofits and Conversions. The Third-Party Recipient shall submit proof that all conversions or retrofits meet current EPA low-emission standards. When purchasing alternative-fueled vehicles or equipment, the Third-Party Recipient shall purchase only those types of equipment that use fuels that are available for purchase within 15 miles of its fleet operation area. Alternative-fueled technologies may include propane or electric-powered lawn mowers, propane-powered light duty vehicles and heavy equipment, and other technologies or alternative fuels as described below. The Third-Party Recipient may utilize any of the following fuel technologies if the fuel is available for purchase within 15 miles of its fleet operation area.

Alternative Fuels: Use of alternative fuels is limited to this list of fuels which are defined as alternative fuels by the Energy Policy Act of 1992 and are currently, or have been, commercially available for vehicles:

- Biodiesel (if used in an area not designated as ozone non-attainment or near non-attainment)
- Electricity
- Ethanol
- Hydrogen
- Methanol
- Natural Gas
- Propane

Other fuels that are currently under development may be approved for use at the discretion of the TCEQ staff.

The Third-Party Recipient certifies that it has no prior budgetary commitment to do this project and that it is not receiving duplicative funding to perform this project. The Third-Party Recipient agrees to disclose to TCEQ any additional sources of funding it receives to perform any portion of the projects described herein or for which it intends to utilize SEP Offset Amount. The Third-Party Recipient certifies that it shall not use the SEP Offset Amount to assist in complying with any governmental rule or regulation and that it is not required to perform this project under any existing rule or law.

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

B. Environmental Benefit

Replacement of gasoline and diesel powered lawnmowers, heavy equipment, and vehicles with lower-emission items will reduce air pollution emissions of particulate matter (PM), volatile organic carbon (VOC) compounds, nitrogen oxides (NOx), and other pollutants associated with the combustion of fuel that would have been generated by the older replaced item. Use of alternative fuels combined with energy efficiency modifications results in a direct reduction in the amount of emissions that contribute to air pollution in this state.

C. Minimum Expenditure

The 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, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Barbers Hill ISD
Attention: John Johnson
Carl R. Griffith & Associates
2901 Turtle Creek Drive, Suite 101
Port Arthur, TX 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The 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, TX 78711-3087

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	10-Aug-2009	Screening	12-Aug-2009	EPA Due	
	PCW	17-Dec-2010				

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.	38788	No. of Violations	2
Docket No.	2009-1944-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Muennink
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$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	820.0% Enhancement	Subtotals 2, 3, & 7	\$328,000
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Notes: Enhancement due to 28 NOVs with same or similar violations, five NOVs for unrelated violations, seven Agreed Orders issued with a denial of liability, 20 Agreed Orders issued without a denial of liability and one Court Order with a denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$266
 Approx. Cost of Compliance \$5,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$368,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$368,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$40,000
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$40,000
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Screening Date 12-Aug-2009	Docket No. 2009-1944-AIR-E	PCW
Respondent Exxon Mobil Corporation		Policy Revision 2 (September 2002)
Case ID No. 38788		PCW Revision October 30, 2008
Reg. Ent. Reference No. RN102579307		
Media [Statute] Air		
Enf. Coordinator John Muennink		

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action <i>(number of NOV's meeting criteria)</i>	28	140%
	Other written NOV's	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	20	500%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events <i>(number of events)</i>	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were submitted)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 820%

>> **Repeat Violator (Subtotal 3)**

No	Adjustment Percentage (Subtotal 3) 0%
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>> **Compliance History Person Classification (Subtotal 7)**

Average Performer	Adjustment Percentage (Subtotal 7) 0%
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>> **Compliance History Summary**

Compliance History Notes	Enhancement due to 28 NOV's with same or similar violations, five NOV's for unrelated violations, seven Agreed Orders issued with a denial of liability, 20 Agreed Orders issued without a denial of liability and one Court Order with a denial of liability.
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Total Adjustment Percentage (Subtotals 2, 3, & 7) 820%

Screening Date	12-Aug-2009	Docket No.	2009-1944-AIR-E	PCW	
Respondent	Exxon Mobil Corporation			<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	38788			<i>PCW Revision October 30, 2008</i>	
Reg. Ent. Reference No.	RN102579307				
Media [Statute]	Air				
Enf. Coordinator	John Muennink				
Violation Number	1				
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1				
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, the Respondent released 268,879 pounds ("lbs") of carbon monoxide ("CO"), 1,928 lbs of nitrogen oxide ("NOx"), 943 lbs of ammonia ("NH3"), 667 lbs of sulfur dioxide ("SO2") and 384 lbs of hydrogen cyanide ("HCN") from Fluid Catalytic Cracking Unit 3 ("FCCU3") during an avoidable emissions event (Incident No. 118545) that began January 7, 2009 and lasted 34 hours. Forced-Draft Fan 510 ("FD-510") and Boiler A were shut down for maintenance. FD-510 supplies air to Boilers A and B. Once FD-510 was shut down for maintenance, Boiler B shut down due to lack of air flow. This caused an increase in demand and load on Boiler C. FD-500B then shut down due to faulty wiring on the motor, leading to the shut down of Boiler C. Since this emissions event could have been avoided by better design and operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.</p>				
	Base Penalty			\$10,000	
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major	Moderate	Minor	
	Actual	x			Percent 100%
	Potential				
>>Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0%
Matrix Notes	Human health or the environment have been exposed to a significant amount of pollutants that exceed levels protective of human health or environmental receptors. The Houston-Galveston-Brazoria County non-attainment area has been exposed to an estimated 136 tons of criteria air pollutants.				
	Adjustment			\$0	
				\$10,000	
Violation Events					
	Number of Violation Events	2	2	Number of violation days	
	daily	x			
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event				
<i>mark only one with an x</i>				Violation Base Penalty \$20,000	
	Two daily events are recommended based on the emissions event that occurred on January 7 through 8, 2009.				
Good Faith Efforts to Comply					
	0.0% Reduction			\$0	
		Before NOV	NOV to EDRP/Settlement Offer		
	Extraordinary				
	Ordinary				
	N/A	x	(mark with x)		
Notes	The Respondent does not meet the good faith criteria for this violation.				
	Violation Subtotal			\$20,000	
Economic Benefit (EB) for this violation					
Statutory Limit Test					
	Estimated EB Amount	\$266	Violation Final Penalty Total	\$184,000	
	This violation Final Assessed Penalty (adjusted for limits)			\$20,000	

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38788
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	7-Jan-2009	31-Jan-2010	1.07	\$266	n/a	\$266

Notes for DELAYED costs
 Estimated expense to ensure proper design and operation of the forced-draft fan motors associated to Boilers A, B and C. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures are estimated to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$5,000

TOTAL \$266

Screening Date 12-Aug-2009	Docket No. 2009-1944-AIR-E	PCW
Respondent Exxon Mobil Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 38788		<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No. RN102579307		
Media [Statute] Air		
Enf. Coordinator John Muennink		
Violation Number 2		
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Flexible Permit No. 18287, Special Condition No. 1	
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, the Respondent released 61,369 lbs of CO, 3,978 lbs of SO2, 503 lbs of particulate matter, 216 lbs of NH3, 88 lbs of HCN and 15 lbs of NOx from FCCU3 during an avoidable emissions event (Incident No. 123795) that began May 4, 2009 and lasted 32 hours and 24 minutes. FD-510 was shut down for maintenance. The air flow in FD-520 was increased so Boiler A would not shut down. Due to a broken internal mechanical linkage in FD-510 that still allowed air to pass through FD-510, FD-520 could not produce enough air flow, and Boiler A shut down. Since this emissions event could have been avoided by better design and operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.</p>	
	Base Penalty	\$10,000
>> Environmental, Property and Human Health Matrix		
OR	Release	Harm
		Major Moderate Minor
	Actual	x
	Potential	
		Percent 100%
>>Programmatic Matrix		
	Falsification	Major Moderate Minor
		Percent 0%
Matrix Notes	Human health or the environment have been exposed to a significant amount of pollutants that exceed levels protective of human health or environmental receptors. The Houston-Galveston-Brazoria County non-attainment area has been exposed to an estimated 33 tons of criteria air pollutants.	
	Adjustment	\$0
		\$10,000
Violation Events		
	Number of Violation Events	2 2 Number of violation days
<i>mark only one with an x</i>	daily	x
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	
		Violation Base Penalty \$20,000
	Two daily events are recommended based on the emissions event that occurred on May 4 through 5, 2009.	
Good Faith Efforts to Comply		
	0.0% Reduction	\$0
	Before NOV NOV to EDRP/Settlement Offer	
Extraordinary		
Ordinary		
N/A	x (mark with x)	
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$20,000
Economic Benefit (EB) for this violation		
Statutory Limit Test		
Estimated EB Amount	\$0	Violation Final Penalty Total \$184,000
	This violation Final Assessed Penalty (adjusted for limits) \$20,000	

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 38788
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to ensure proper design and operation of the forced-draft fan motors associated to Boilers A, B and C included in the Economic Benefit for Violation No. 1.

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 \$0

TOTAL \$0

Compliance History Report

Customer/Respondent/Owner-Operator:
 Regulated Entity:
 ID Number(s):

CN600123939 Exxon Mobil Corporation
 RN102579307 EXXON MOBIL BAYTOWN FACILITY

Classification: AVERAGE
 Classification: AVERAGE

Rating: 2.62
 Site Rating: 5.04

AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	PERMIT	19301
AIR NEW SOURCE PERMITS	PERMIT	22874
AIR NEW SOURCE PERMITS	PERMIT	23378
AIR NEW SOURCE PERMITS	PERMIT	24669
AIR NEW SOURCE PERMITS	PERMIT	26486
AIR NEW SOURCE PERMITS	PERMIT	26294
AIR NEW SOURCE PERMITS	PERMIT	27403
AIR NEW SOURCE PERMITS	PERMIT	26443
AIR NEW SOURCE PERMITS	PERMIT	30186
AIR NEW SOURCE PERMITS	PERMIT	31067
AIR NEW SOURCE PERMITS	PERMIT	31008
AIR NEW SOURCE PERMITS	PERMIT	31690
AIR NEW SOURCE PERMITS	PERMIT	31852
AIR NEW SOURCE PERMITS	PERMIT	31915
AIR NEW SOURCE PERMITS	PERMIT	34295
AIR NEW SOURCE PERMITS	PERMIT	33875
AIR NEW SOURCE PERMITS	PERMIT	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	PERMIT	38532
AIR NEW SOURCE PERMITS	PERMIT	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	PERMIT	40421
AIR NEW SOURCE PERMITS	PERMIT	38572
AIR NEW SOURCE PERMITS	PERMIT	42509
AIR NEW SOURCE PERMITS	PERMIT	43489
AIR NEW SOURCE PERMITS	PERMIT	43582
AIR NEW SOURCE PERMITS	PERMIT	44162
AIR NEW SOURCE PERMITS	PERMIT	47145
AIR NEW SOURCE PERMITS	PERMIT	47912
AIR NEW SOURCE PERMITS	PERMIT	49342
AIR NEW SOURCE PERMITS	PERMIT	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	PERMIT	11007
AIR NEW SOURCE PERMITS	PERMIT	1632
AIR NEW SOURCE PERMITS	PERMIT	2007
AIR NEW SOURCE PERMITS	PERMIT	2073
AIR NEW SOURCE PERMITS	PERMIT	2185
AIR NEW SOURCE PERMITS	PERMIT	2665
AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	PERMIT	2979
AIR NEW SOURCE PERMITS	PERMIT	9556
AIR NEW SOURCE PERMITS	PERMIT	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	PERMIT	11053
AIR NEW SOURCE PERMITS	PERMIT	11206
AIR NEW SOURCE PERMITS	PERMIT	11250
AIR NEW SOURCE PERMITS	PERMIT	11380
AIR NEW SOURCE PERMITS	PERMIT	11464
AIR NEW SOURCE PERMITS	PERMIT	11475
AIR NEW SOURCE PERMITS	PERMIT	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	PERMIT	11624
AIR NEW SOURCE PERMITS	PERMIT	11703
AIR NEW SOURCE PERMITS	PERMIT	11939
AIR NEW SOURCE PERMITS	PERMIT	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	PERMIT	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	PERMIT	12977
AIR NEW SOURCE PERMITS	PERMIT	12994
AIR NEW SOURCE PERMITS	PERMIT	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
AIR NEW SOURCE PERMITS	PERMIT	54582
AIR NEW SOURCE PERMITS	PERMIT	54497
AIR NEW SOURCE PERMITS	PERMIT	71394
AIR NEW SOURCE PERMITS	PERMIT	50582
AIR NEW SOURCE PERMITS	PERMIT	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511

AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	85745
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111

Location: 2800 DECKER DR, BAYTOWN, TX, 77520
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: August 10, 2009
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 10, 2004 to August 10, 2009
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History:
Name: John Muennink Phone: (361) 825-3423

Site Compliance History Components

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

Components (Multimedia) for the Site:

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

- 1660-1 Effective Date: 03/03/2005 ADMINORDER 2004-0296-AIR-E
Classification: Major
Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Operated FINs LS243RP1, LS243RP2 & LS244RP3 during the 2002 without first obtaining allowances for the emissions
- findings-1 Effective Date: 03/11/2005 ADMINORDER 2002-1243-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an upset.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.
- findings-2 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.
- findings-3 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.
- findings-4 Effective Date: 04/29/2006 ADMINORDER 2005-0993-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

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

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

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

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

1660-2 Effective Date: 06/15/2006 ADMINORDER 2005-1792-AIR-E

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

findings-5 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.

findings-6 Effective Date: 09/21/2006 ADMINORDER 2006-0233-AIR-E

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

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

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

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

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

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

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

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

findings-7 Effective Date: 10/02/2006 ADMINORDER 2006-0365-AIR-E

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

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

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

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

findings-8

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

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

Court order
w/denial

Effective Date: 03/01/2007

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Rqmt Prov: General Condition 15 PERMIT

Special Condition 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Classification: Moderate

Citation: 30 TAC Chapter 327 327.3(e)

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

Classification: Moderate

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

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

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

findings-9

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

findings-10

Effective Date: 06/29/2007 ADMINORDER 2006-1196-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition Nos. 1 and 36A PERMIT

Description: Failed to keep hydrogen sulfide blend gas concentrations 3-hour average below 160 parts per million ("ppm") resulting in the unauthorized emissions of 12,051 pounds ("lbs") of sulfur dioxide, 1,080.6 lbs of nitrogen oxides and 512.5 lbs of carbon monoxide.

findings-11

Effective Date: 08/23/2007 ADMINORDER 2006-2043-AIR-E

Classification: Moderate

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

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

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

Description: Failed to prevent unauthorized emissions. Sepcifically, 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes.

Classification: Minor

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

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

Description: Failed to identify the permit number on the final report for the November 16, 2004 emissions event.

findings-12

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

findings-13

Effective Date: 01/12/2008 ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

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

findings-14

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.

findings-15

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 alsted 16 hours and 27 minutes.

findings-16

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.

findings-17

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.

1660-3

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.

1660-4

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.

findings-18

Effective Date: 11/06/2008 ADMINORDER 2007-0463-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

and 47 minutes.

Classification: Moderate

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

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

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

Effective Date: 12/04/2008

ADMINORDER 2008-0641-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 01/30/2009

ADMINORDER 2008-0872-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 02/08/2009

ADMINORDER 2007-0214-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

1660-5

findings-19

findings-20

1660-6 Description: Failed to prevent unauthorized emissions.
 Effective Date: 07/09/2009 ADMINORDER 2008-1163-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: TCEQ Flexible Air Permit #18287, SC#1 PA
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 19,492 pounds ("lbs") of sulfur dioxide, 1,764 lbs of carbon monoxide, 1,154 lbs of volatile organic compounds, 324 lbs of nitrogen oxide and 211 lbs of hydrogen sulfide from Booster Station 4 during an avoidable emissions event that began March 8, 2008 and lasted 67 hours and 54 minutes.

1660-7 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.

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 08/12/2004 (287978)
- 2 08/28/2004 (268055)
- 3 08/28/2004 (268992)
- 4 08/30/2004 (268034)
- 5 08/31/2004 (268738)
- 6 08/31/2004 (268748)
- 7 08/31/2004 (268764)
- 8 09/01/2004 (283208)
- 9 09/01/2004 (290226)
- 10 09/01/2004 (290594)
- 11 09/01/2004 (291353)
- 12 09/01/2004 (292073)
- 13 09/01/2004 (292083)
- 14 09/24/2004 (270454)
- 15 10/11/2004 (335357)
- 16 10/26/2004 (292710)
- 17 10/27/2004 (333600)
- 18 11/03/2004 (338702)
- 19 11/05/2004 (334294)
- 20 11/08/2004 (335879)
- 21 11/08/2004 (337651)
- 22 11/08/2004 (340024)
- 23 11/08/2004 (340028)
- 24 11/09/2004 (339020)
- 25 11/09/2004 (339949)
- 26 11/09/2004 (340023)
- 27 11/11/2004 (340075)
- 28 11/11/2004 (340145)
- 29 11/12/2004 (335883)
- 30 11/12/2004 (340365)
- 31 11/12/2004 (340615)
- 32 11/17/2004 (340163)
- 33 11/17/2004 (340565)
- 34 11/22/2004 (267703)
- 35 11/22/2004 (337719)

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49	12/14/2004	(342432)
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64	12/28/2004	(269717)
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67	12/28/2004	(334936)
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69	12/28/2004	(338557)
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72	12/28/2004	(343607)
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449 11/21/2008 (706342)
 450 11/21/2008 (706700)
 451 11/24/2008 (617767)
 452 11/24/2008 (617773)
 453 12/22/2008 (709485)
 454 01/09/2009 (709484)
 455 01/15/2009 (721346)
 456 01/26/2009 (724624)
 457 02/02/2009 (723307)
 458 02/12/2009 (726982)
 459 03/18/2009 (519302)
 460 04/09/2009 (740917)
 461 04/14/2009 (740493)
 462 04/17/2009 (741980)
 463 04/21/2009 (743215)
 464 04/22/2009 (735601)
 465 04/29/2009 (737394)
 466 04/30/2009 (739819)
 467 05/04/2009 (657157)
 468 05/04/2009 (741500)
 469 05/05/2009 (743062)
 470 05/05/2009 (743063)
 471 05/13/2009 (725716)
 472 05/14/2009 (744009)
 473 06/04/2009 (743832)
 474 06/23/2009 (744062)
 475 06/23/2009 (744174)
 476 06/23/2009 (744178)
 477 06/23/2009 (744302)
 478 06/23/2009 (744317)
 479 06/23/2009 (744320)
 480 06/23/2009 (744323)
 481 06/23/2009 (744406)
 482 07/01/2009 (742028)
 483 07/01/2009 (746149)
 484 07/15/2009 (738281)
 485 07/17/2009 (745541)
 486 07/17/2009 (749850)
 487 07/24/2009 (743966)
 488 07/27/2009 (747598)
 489 07/30/2009 (763678)
 490 08/03/2009 (764251)
 491 08/05/2009 (760783)
 492 08/06/2009 (741015)
 493 08/06/2009 (741982)
 494 08/10/2009 (759843)
 495 08/10/2009 (763817)
 496 08/10/2009 (764911)

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

Ss1	Date: 08/28/2004 (268055) Self Report? NO Citation: 18287 PERMIT 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)	Classification: Moderate
Ss2	Description: Exceeded VOC permit limit. Date: 08/28/2004 (268992) Self Report? NO Citation: 18287 PERMIT 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)	Classification: Moderate

Ss3 Description: Failed to prevent unauthorized emissions during an emissions event.
Date: 11/10/2004 (339949)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flex Permit 18287, SC 1 PERMIT

Ss4 Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.
Date: 11/30/2004 (340185)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flex Permit 18287, SC 1 PERMIT

Ss5 Description: Failure to prevent unauthorized emissions of 687 lbs SO2.
Date: 12/21/2004 (334796)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT

ss6 Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.
Date: 12/22/2004 (339607)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT

ss7 Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.
Date: 12/28/2004 (338518)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT

ss8 Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.
Date: 12/28/2004 (341978)
Self Report? NO Classification: Moderate
Citation: 18287, SC 1 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Ss9 Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.
Date: 12/29/2004 (341979)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flexible Permit 18287, SC 1 PERMIT

ss10 Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.
Date: 12/30/2004 (268990)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT

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

ss11 Date: 12/31/2004 (267843)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Special Condition 1 PERMIT
 Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.

ss12 Date: 12/31/2004 (341980)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Permit 18287, SC 1 PERMIT
 Description: Failure to prevent emissions of 4035 lbs of SO2.

Ss13 Date: 01/24/2005 (342494)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 Permit 18287 Special Condition 54E PA
 Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).

Ss14 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.

Ss15 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.

Ss16 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.

Nr1 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.

nr2 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.

Nr3 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.

Ss17 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)

Ss18 Description: EM failed to prevent this emissions event.
Date: 10/18/2006 (513741)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

Nr4 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)

Ss19 Description: Exxon failed to submit a CAP in a timely manner.
Date: 01/08/2007 (533556)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

ss20 Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.
Date: 02/13/2007 (539319)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA

nr5 Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.
Date: 04/04/2007 (511045)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
No. 18287/Special Condition No. 45E. PERMIT

ss21 Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.
Date: 05/01/2007 (539681)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
No.18287/PSD-TX-703 SC 1 PA
No.18287/PSD-TX-703 SC14B PA

Ss22 Description: Failed to maintain the pilot flame on all flares.
Date: 05/01/2008 (595539)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 14 OP
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 36A PERMIT

Description: Failure to comply with the 160 ppm H2S in fuel gas limit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
Permit 18287, Special Condition 24 PERMIT

Description: Failure to comply with 20 PPM SO2 limit on the SCU F-529 furnace.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 34E PERMIT
 Description: Failure to cap or plug 148 open-ended valves/lines.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 34F PERMIT
 Description: Failure to include 47 valves in the LDAR Program.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(3)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 Description: Submittal of an incomplete Semi-Annual Equipment Leaks Report.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11C PERMIT
 Description: Operating a Safety Valve without a Rupture Disc.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11A PERMIT
 Description: Failure to prevent VOC emissions from Safety Valves.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 1F OP
 Description: Failure to comply with the 500 PPM CO limit of 40 CFR 60, Subpart UUU.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 11A OP
 FOP O-01229, ST&C 1A OP
 Description: Failure to comply with the 400 PPM CO limit of 30 TAC 117.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 3 PERMIT
 Description: Failure to comply with Nox limits.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP

Description: Failure to include NOX Sources in the NOX-MECT program.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP

Description: Failure to register trace H2S emissions.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.219(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP

Description: Failure to submit a stack test notification 15 days prior to testing.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

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

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

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

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

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

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

	Description:	Failure to submit two PI-7 forms.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 5C THSC Chapter 382 382.085(b) FOP O-01229, ST&C 1A OP FOP O-01229, ST&C 30 OP Permit 18287, Special Condition 11B PERMIT	
	Description:	Failure to operate flares with a lit pilot light.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C) 30 TAC Chapter 115, SubChapter H 115.764(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01229, ST&C 10A OP FOP O-01229, ST&C 1A OP	
	Description:	Failure to perform annual HRVOC Flow Meter Calibrations.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01229, ST&C 10A OP FOP O-01229, ST&C 1A OP	
	Description:	Failure to perform HRVOC Manual Sampling.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01229, ST&C 30 OP Permit 18287, Special Condition 51A PERMIT	
	Description:	Failure to perform daily Ammonium Polysulfide visual inspections.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(C)(viii) 5C THSC Chapter 382 382.085(b) FOP O-01229, ST&C 1A OP FOP O-01229, ST&C 21C OP	
	Description:	Failure to update the Refinery SSMP within 45 days of the date an unforeseen SSM event occurs.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THSC Chapter 382 382.085(b) FOP O-01229 General Terms & Conditions OP	
ss23	Description:	Failure to submit the deviation report, dated June 21, 2007, within 30 days of the end of the reporting period.	
	Date:	05/22/2008 (670825)	
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THSC Chapter 382 382.085(b) TCEQ Flexible Air Permit #18287, SC#1 PA	
	Description:	failed to prevent a Waste Heat Boiler (E-701) feed water leak due to previous startups and shutdowns resulting in the shutdown of two Tail Gas Clean Up Units (TGCU-A & TGCU-C).	
Ss24	Date:	10/31/2008 (703451)	
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THSC Chapter 382 382.085(b) TCEQ Flexible Air Permit #18287, SC#1 PA	
	Description:	Failure to prevent solid sulfur pluggage in the condenser seal leg causing carryover of sulfur into the tail gas unit resulting in the unauthorized release of 1,457.3 pounds of carbonyl sulfide, 55.2 pounds of carbon disulfide, and 21.6 pounds of this emissions event was 63 hours.	
ss25	Date:	11/21/2008 (706342)	
	Self Report?	NO	Classification: Moderate

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

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

ss26 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.

Ss27 Date: 02/02/2009 (723307)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit 18287, Special Condition 23(B)(1) PERMIT

Description: Hydroformer 3 Furnace 3 failed a NOx RATA.

Ss28 Date: 04/22/2009 (735601)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

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

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	2-Nov-2009	Screening	2-Dec-2009	EPA Due	N/A
	PCW	17-Dec-2010				

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.	38788	No. of Violations	1
Docket No.	2009-1944-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Muennink
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$20,000
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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	873.0% Enhancement	Subtotals 2, 3, & 7	\$174,600
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Notes: Penalty enhancement due to 28 NOVs issued for same or similar violations, 9 NOVs issued for unrelated violations, eight Agreed Orders issued with a denial of liability, 21 Agreed Orders issued without a denial of liability and one Court Order with a denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$26
 Approx. Cost of Compliance \$500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$194,600
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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:

Final Penalty Amount	\$194,600
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$20,000
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$20,000
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Screening Date 2-Dec-2009

Docket No. 2009-1944-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 38788

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	28	140%
	Other written NOVs	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	8	160%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	21	525%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 873%

>> **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 28 NOVs issued for same or similar violations, 9 NOVs issued for unrelated violations, eight Agreed Orders issued with a denial of liability, 21 Agreed Orders issued without a denial of liability and one Court Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 873%

Screening Date 2-Dec-2009 **Docket No.** 2009-1944-AIR-E **PCW**
Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*
Case ID No. 38788 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN102579307
Media [Statute] Air
Enf. Coordinator John Muennink

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

Violation Description
 Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 141 pounds ("lbs") of ammonia, 40,155 lbs of carbon monoxide ("CO"), 57 lbs of hydrogen cyanide, 103 lbs of sulfur dioxide, 1,964 lbs of nitrogen oxides ("NOx"), and 1,089 lbs of particulate matter were released from the Fluid Catalytic Cracking Unit 3 Bypass Stack and Wet Gas Scrubber, emission point number ("EPN") FCCU3WGS, during an emissions event (Incident No. 125838) that began on June 21, 2009 and lasted 33 hours and 16 minutes. Since this event could have been avoided by better maintenance practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	x			100%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

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

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$20,000

Two daily events are recommended for the two days over which the release occurred.

Good Faith Efforts to Comply Reduction

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

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

Violation Subtotal \$20,000

Economic Benefit (EB) for this violation **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. 38788
Req. 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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	21-Jun-2009	1-Jul-2010	1.03	\$26	n/a	\$26

Notes for DELAYED costs Estimated cost to implement measures designed to ensure the FD-520 motor is properly repaired before putting it in service. The date required is the date of the release and the final date is the date corrective actions are projected to be completed.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 \$500

TOTAL \$26

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600123939	Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.80
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 7.78
ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT		18287
	AIR NEW SOURCE PERMITS	PERMIT		19301
	AIR NEW SOURCE PERMITS	PERMIT		22874
	AIR NEW SOURCE PERMITS	PERMIT		23378
	AIR NEW SOURCE PERMITS	PERMIT		24669
	AIR NEW SOURCE PERMITS	PERMIT		26486
	AIR NEW SOURCE PERMITS	PERMIT		26294
	AIR NEW SOURCE PERMITS	PERMIT		27403
	AIR NEW SOURCE PERMITS	PERMIT		26443
	AIR NEW SOURCE PERMITS	PERMIT		30186
	AIR NEW SOURCE PERMITS	PERMIT		31067
	AIR NEW SOURCE PERMITS	PERMIT		31008
	AIR NEW SOURCE PERMITS	PERMIT		31690
	AIR NEW SOURCE PERMITS	PERMIT		31852
	AIR NEW SOURCE PERMITS	PERMIT		31915
	AIR NEW SOURCE PERMITS	PERMIT		34295
	AIR NEW SOURCE PERMITS	PERMIT		33875
	AIR NEW SOURCE PERMITS	PERMIT		36536
	AIR NEW SOURCE PERMITS	PERMIT		36664
	AIR NEW SOURCE PERMITS	PERMIT		38532
	AIR NEW SOURCE PERMITS	PERMIT		39164
	AIR NEW SOURCE PERMITS	PERMIT		40394
	AIR NEW SOURCE PERMITS	PERMIT		40421
	AIR NEW SOURCE PERMITS	PERMIT		38572
	AIR NEW SOURCE PERMITS	PERMIT		42509
	AIR NEW SOURCE PERMITS	PERMIT		43489
	AIR NEW SOURCE PERMITS	PERMIT		43582
	AIR NEW SOURCE PERMITS	PERMIT		44162
	AIR NEW SOURCE PERMITS	PERMIT		47145
	AIR NEW SOURCE PERMITS	PERMIT		47912
	AIR NEW SOURCE PERMITS	PERMIT		49342
	AIR NEW SOURCE PERMITS	PERMIT		49893
	AIR NEW SOURCE PERMITS	PERMIT		50203
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		HG0232Q
	AIR NEW SOURCE PERMITS	PERMIT		11007
	AIR NEW SOURCE PERMITS	PERMIT		1632
	AIR NEW SOURCE PERMITS	PERMIT		2007
	AIR NEW SOURCE PERMITS	PERMIT		2073
	AIR NEW SOURCE PERMITS	PERMIT		2185
	AIR NEW SOURCE PERMITS	PERMIT		2665
	AIR NEW SOURCE PERMITS	PERMIT		2977
	AIR NEW SOURCE PERMITS	PERMIT		2979
	AIR NEW SOURCE PERMITS	PERMIT		9556
	AIR NEW SOURCE PERMITS	PERMIT		10461
	AIR NEW SOURCE PERMITS	PERMIT		10550
	AIR NEW SOURCE PERMITS	PERMIT		11053
	AIR NEW SOURCE PERMITS	PERMIT		11206
	AIR NEW SOURCE PERMITS	PERMIT		11250
	AIR NEW SOURCE PERMITS	PERMIT		11380
	AIR NEW SOURCE PERMITS	PERMIT		11464
	AIR NEW SOURCE PERMITS	PERMIT		11475
	AIR NEW SOURCE PERMITS	PERMIT		11483
	AIR NEW SOURCE PERMITS	PERMIT		11555
	AIR NEW SOURCE PERMITS	PERMIT		11624
	AIR NEW SOURCE PERMITS	PERMIT		11703
	AIR NEW SOURCE PERMITS	PERMIT		11939
	AIR NEW SOURCE PERMITS	PERMIT		12226
	AIR NEW SOURCE PERMITS	PERMIT		12380
	AIR NEW SOURCE PERMITS	PERMIT		12628
	AIR NEW SOURCE PERMITS	PERMIT		12968
	AIR NEW SOURCE PERMITS	PERMIT		12977
	AIR NEW SOURCE PERMITS	PERMIT		12994
	AIR NEW SOURCE PERMITS	PERMIT		51246
	AIR NEW SOURCE PERMITS	REGISTRATION		55381
	AIR NEW SOURCE PERMITS	REGISTRATION		76269
	AIR NEW SOURCE PERMITS	REGISTRATION		76221
	AIR NEW SOURCE PERMITS	REGISTRATION		75420
	AIR NEW SOURCE PERMITS	AFS NUM		4820100027
	AIR NEW SOURCE PERMITS	PERMIT		PSDTX730M2
	AIR NEW SOURCE PERMITS	REGISTRATION		71553
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX975
	AIR NEW SOURCE PERMITS	REGISTRATION		71614
	AIR NEW SOURCE PERMITS	PERMIT		50429
	AIR NEW SOURCE PERMITS	PERMIT		53461
	AIR NEW SOURCE PERMITS	PERMIT		52474
	AIR NEW SOURCE PERMITS	PERMIT		55912
	AIR NEW SOURCE PERMITS	PERMIT		54582
	AIR NEW SOURCE PERMITS	PERMIT		54497
	AIR NEW SOURCE PERMITS	PERMIT		71394
	AIR NEW SOURCE PERMITS	PERMIT		50582
	AIR NEW SOURCE PERMITS	PERMIT		54848
	AIR NEW SOURCE PERMITS	PERMIT		53785
	AIR NEW SOURCE PERMITS	PERMIT		P975

AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	85745
AIR NEW SOURCE PERMITS	REGISTRATION	83386
AIR NEW SOURCE PERMITS	REGISTRATION	83201
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0232Q

Location: 2800 DECKER DR, BAYTOWN, TX, 77520
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: October 06, 2009
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: October 06, 2004 to October 06, 2009
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History:
Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

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

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- 1660-1 Effective Date: 03/03/2005 ADMINORDER 2004-0296-AIR-E
Classification: Major
Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Operated FINs LS243RP1, LS243RP2 & LS244RP3 during the 2002 without first obtaining allowances for the emissions
- findings-1 Effective Date: 03/11/2005 ADMINORDER 2002-1243-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an upset.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.
- findings-2 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.
- findings-3 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.
- findings-4 Effective Date: 04/29/2006 ADMINORDER 2005-0993-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions PERMIT

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

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

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

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

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

1660-2 Effective Date: 06/15/2006 ADMINORDER 2005-1792-AIR-E

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

Rqmt Prov: 18287 Special Condition 1 PERMIT

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

findings-5 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.

findings-6 Effective Date: 09/21/2006 ADMINORDER 2006-0233-AIR-E

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

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

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

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

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

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

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

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

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

findings-7 Effective Date: 10/02/2006 ADMINORDER 2006-0365-AIR-E

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

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

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

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

findings-8

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

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

Court order
w/denial

Effective Date: 03/01/2007

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715

Rqmt Prov: General Condition 15 PERMIT

Special Condition 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Classification: Moderate

Citation: 30 TAC Chapter 327 327.3(e)

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

Classification: Moderate

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

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

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

findings-9

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

findings-10

Effective Date: 06/29/2007 ADMINORDER 2006-1196-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition Nos. 1 and 36A PERMIT

Description: Failed to keep hydrogen sulfide blend gas concentrations 3-hour average below 160 parts per million ("ppm") resulting in the unauthorized emissions of 12,051 pounds ("lbs") of sulfur dioxide, 1,080.6 lbs of nitrogen oxides and 512.5 lbs of carbon monoxide.

findings-11

Effective Date: 08/23/2007 ADMINORDER 2006-2043-AIR-E

Classification: Moderate

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

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

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

Description: Failed to prevent unauthorized emissions. Sepcifically, 99,307 pounds ("lbs") of volatile organic compounds and 199 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes.

Classification: Minor

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

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

Description: Failed to identify the permit number on the final report for the November 16, 2004 emissions event.

findings-12

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

findings-13

Effective Date: 01/12/2008 ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

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

findings-14

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.

findings-15

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 alsted 16 hours and 27 minutes.

findings-16

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.

findings-17

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.

1660-3

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.

1660-4

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.

findings-18

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.

1660-5

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 ("NO_x") 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 NO_x 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.

findings-19

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

findings-20

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

1660-6

Description: Failed to prevent unauthorized emissions.
Effective Date: 07/09/2009 ADMINORDER 2008-1163-AIR-E

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

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

1660-7

Effective Date: 07/20/2009 ADMINORDER 2009-0132-AIR-E

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

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

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Effective Date: 08/23/2009 ADMINORDER 2007-1985-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

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

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

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

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

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

Rqmt Prov: 18287 PERMIT

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

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

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

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

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 18287 SC 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: TCEQ Air Flexible Permit #18287 PA

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Air Flexible Permit No. 18287 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions from Booster Station 4 of Plant No. 1 during an avoidable emissions event that began on January 17, 2007 and lasted 27 hours and 11 minutes,

releasing 23,812 lbs of SO₂, 4,509 lbs of CO, 258 lbs of H₂S, 829 lbs of NO_x, and 1,291 lbs of VOC.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: No. 18287, Special Condition 1 PERMIT

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

Classification: Moderate

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

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

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

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

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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

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

N/A

C. Chronic excessive emissions events.

N/A

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

- 1 10/11/2004 (335357)
- 2 10/18/2004 (352255)
- 3 10/26/2004 (292710)
- 4 10/27/2004 (333600)
- 5 11/03/2004 (338702)
- 6 11/05/2004 (334294)
- 7 11/08/2004 (335879)
- 8 11/08/2004 (337651)
- 9 11/08/2004 (340024)
- 10 11/08/2004 (340028)
- 11 11/09/2004 (339020)
- 12 11/09/2004 (339949)
- 13 11/09/2004 (340023)
- 14 11/11/2004 (340075)
- 15 11/11/2004 (340145)
- 16 11/12/2004 (335883)
- 17 11/12/2004 (340365)
- 18 11/12/2004 (340615)

19	11/15/2004	(352256)
20	11/17/2004	(340163)
21	11/17/2004	(340565)
22	11/22/2004	(267703)
23	11/22/2004	(337719)
24	11/22/2004	(339656)
25	11/22/2004	(340575)
26	11/22/2004	(340689)
27	11/23/2004	(340185)
28	11/29/2004	(340829)
29	12/05/2004	(269620)
30	12/09/2004	(341224)
31	12/13/2004	(267690)
32	12/13/2004	(267765)
33	12/13/2004	(268246)
34	12/13/2004	(342441)
35	12/13/2004	(342452)
36	12/14/2004	(342152)
37	12/14/2004	(342432)
38	12/14/2004	(342708)
39	12/16/2004	(342682)
40	12/20/2004	(338518)
41	12/20/2004	(381909)
42	12/21/2004	(341978)
43	12/22/2004	(268731)
44	12/22/2004	(278243)
45	12/22/2004	(339607)
46	12/22/2004	(340759)
47	12/22/2004	(342051)
48	12/27/2004	(341022)
49	12/28/2004	(267530)
50	12/28/2004	(268918)
51	12/28/2004	(268990)
52	12/28/2004	(268993)
53	12/28/2004	(269717)
54	12/28/2004	(272677)
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59	12/28/2004	(341014)
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61	12/28/2004	(343607)
62	12/29/2004	(278295)
63	12/29/2004	(341979)
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65	12/31/2004	(267843)
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71	01/06/2005	(344763)
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74	01/10/2005	(339231)
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76	01/12/2005	(267368)
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87	02/21/2005	(337401)
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554	09/29/2009	(761132)
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E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

- S/S - 1** **Date: 11/10/2004** **(339949)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flex Permit 18287, SC 1 PERMIT
Description: Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.
- S/S - 2** **Date: 11/30/2004** **(340185)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flex Permit 18287, SC 1 PERMIT
Description: Failure to prevent unauthorized emissions of 687 lbs SO₂.
- S/S - 3** **Date: 12/21/2004** **(334796)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.
- S/S - 4** **Date: 12/22/2004** **(339607)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.
- S/S - 5** **Date: 12/28/2004** **(338518)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.
- S/S - 6** **Date: 12/28/2004** **(341978)**
Self Report? NO Classification: Moderate
Citation: 18287, SC 1 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.
- S/S - 7** **Date: 12/29/2004** **(341979)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Flexible Permit 18287, SC 1 PERMIT
Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.
- S/S - 8** **Date: 12/30/2004** **(268990)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.

NS - 4 **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.

S/S 15 **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.

S/S - 16 **Date: 10/18/2006 (513741)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA
Description: Exxon Mobil failed to prevent a break on the instrument air line.

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

S/S - 17 **Date: 01/08/2007 (533556)**
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA
Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

NS - 6 **Date: 01/29/2007 (532949)** **CN602700304**
Self Report? NO Classification: Minor
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.

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

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

Self Report? NO Classification: Moderate
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.

Self Report? NO Classification: Minor
Citation: 00592-000 PERMIT
30 TAC Chapter 319, SubChapter A 319.7(a)
Description: Failure to properly record the time of sample collection, as required.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
Description: Failure to properly complete the 10/06 discharge monitoring report (DMR).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)
30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.

Self Report? NO Classification: Moderate
Citation: 00592-000 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)
TWC Chapter 26 26.121(a)(1)

TWC Chapter 26 26.121(a)(2)
TWC Chapter 26 26.121(a)(3)
TWC Chapter 26 26.121(b)
TWC Chapter 26 26.121(c)
TWC Chapter 26 26.121(d)
TWC Chapter 26 26.121(e)

- S/S - 18**
Description: Failure to prevent the unauthorized discharge of domestic sewage.
Date: 02/13/2007 (539319)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA
- NS - 7**
Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.
Date: 04/04/2007 (511045)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
No. 18287/Special Condition No. 45E. PERMIT
- S/S - 19**
Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.
Date: 05/01/2007 (539681)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
No.18287/PSD-TX-703 SC 1 PA
No.18287/PSD-TX-703 SC14B PA
- S/S 20**
Description: Failed to maintain the pilot flame on all flares.
Date: 05/01/2008 (595539)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 14 OP
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 36A PERMIT
- Description: Failure to comply with the 160 ppm H2S in fuel gas limit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
Permit 18287, Special Condition 24 PERMIT
- Description: Failure to comply with 20 PPM SO2 limit on the SCU F-529 furnace.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 34E PERMIT
- Description: Failure to cap or plug 148 open-ended valves/lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 34F PERMIT

Description: Failure to include 47 valves in the LDAR Program.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(3)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP

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

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

Description: Failure to prevent VOC emissions from Safety Valves.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP
FOP O-01229, ST&C 1F OP

Description: Failure to comply with the 500 PPM CO limit of 40 CFR 60, Subpart UUU.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 11A OP
FOP O-01229, ST&C 1A OP

Description: Failure to comply with the 400 PPM CO limit of 30 TAC 117.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 30 OP
Permit 18287, Special Condition 3 PERMIT

Description: Failure to comply with Nox limits.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP

Description: Failure to include NOX Sources in the NOX-MECT program.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 30 OP

Description: Failure to register trace H2S emissions.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 1A OP

Description: Failure to submit a stack test notification 15 days prior to testing.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Description: Failure to submit a Construction Progress Report and Start-Up Notification Report within the required timeframes.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.4(a)
 40 CFR Part 60, Subpart QQQ 60.698(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 16 OP
 FOP O-01229, ST&C 1A OP

Description: Failure to submit a copy of the NSPS QQQ Semi-Annual Report to EPA Region 6.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 18D PERMIT

Description: Failure to submit the Tank 0347 Seal Inspection Report within the required timeframe.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(C)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP

Description: Failure to include all SSM events in the Periodic Report dated February 28, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.132(e)(3)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.340(a)
 5C THSC Chapter 382 382.085(b)

Description: Failure to assign Title V & 40 CFR 61, Subpart FF applicability to equipment in wastewater service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11A PERMIT

Description: Failure to operate flares with a net heating value of 300Btu/scf.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 30 OP

Description: Failure to submit two PI-7 forms.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01229, ST&C 1A OP
 FOP O-01229, ST&C 30 OP
 Permit 18287, Special Condition 11B PERMIT

Description: Failure to operate flares with a lit pilot light.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)
 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

FOP O-01229, ST&C 10A OP
FOP O-01229, ST&C 1A OP
Description: Failure to perform annual HRVOC Flow Meter Calibrations.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01229, ST&C 10A OP
FOP O-01229, ST&C 1A OP

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

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

Description: Failure to perform daily Ammonium Polysulfide visual inspections.
Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

S/S 21 **Date: 05/22/2008 (670825)**

Self Report? NO Classification: Moderate

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

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

S/S 22 **Date: 10/31/2008 (703451)**

Self Report? NO Classification: Moderate

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

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

S/S 23 **Date: 11/21/2008 (706342)**

Self Report? NO Classification: Moderate

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

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

S/S 24 **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)

SS25
 Description: Failure to present an affirmative defense in regard to the avoidability of Excess Opacity Event No. 113088.
Date: 02/02/2009 (723307)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit 18287, Special Condition 23(B)(1) PERMIT

S/S - 26
 Description: Hydroformer 3 Furnace 3 failed a NOx RATA.
Date: 04/22/2009 (735601)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT

NS - 8
 Description: Failure to prevent unauthorized emissions, specifically the RE failed to prevent a level indicator malfunction.
Date: 08/10/2009 (763878) CN602700304
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Other Requirements, No. 13, p. 15 PERMIT

S/S 27
 Description: Failure to provide notification for the application and discharge of Aquashade.
 Self Report? NO Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 2D TWC Chapter 26, SubChapter A 26.121(a)(3)
 2D TWC Chapter 26, SubChapter A 26.121(b)
 2D TWC Chapter 26, SubChapter A 26.121(c)
 2D TWC Chapter 26, SubChapter A 26.121(d)
 2D TWC Chapter 26, SubChapter A 26.121(e)
 30 TAC Chapter 305, SubChapter F 305.125(4)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 TWC Chapter 26 26.121
 TWC Chapter 26 26.121(a)(2)

S/S 27
 Description: Failure to prevent unauthorized discharges from the collection system.
Date: 08/20/2009 (721130)
 Self Report? NO Classification: Minor
 Citation: 18287 and PSD-TX-730M4/PAL, SC 34E PA
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 O-01229, Special Condition 30 OP

Description: Failure to cap open- ended lines containing volatile organic compounds (VOC), and hazardous air pollutants (HAPs). CATEGORY C 10.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(b)
 5C THSC Chapter 382 382.085(b)

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

Description: Failure to monitor ten valves in volatile organic compound (VOC), and hazardous air pollutants (HAP's) service.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

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

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

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

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

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

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

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

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

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

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

Description: Failure to meet final calculation and recordkeeping deadlines.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
 Special Condition 30 OP
 Special Condition 8 PA

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

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

Description: Failure to Conduct Quarterly Cylinder Gas Audits.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.644(e)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

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

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

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

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

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

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

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

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

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

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

S/S - 28

Description: Failure to limit hydrogen sulfide (H2S) content in fuel gas.
Date: 09/15/2009 (767619)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THSC Chapter 382 382.085(a)

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

NS - 9

Date: 09/17/2009 (763625)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

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

- F. Environmental audits.
N/A
 - G. Type of environmental management systems (EMSs).
N/A
 - H. Voluntary on-site compliance assessment dates.
N/A
 - I. Participation in a voluntary pollution reduction program.
N/A
 - J. Early compliance.
N/A
- Sites Outside of Texas
N/A

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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. 2009-1944-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 Matthew Paulson of the law firm Baker Botts L.L.P., 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 refining and supply company 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 a record review conducted on March 18, 2009, through April 1, 2009, a TCEQ Houston Regional Office investigator documented that Respondent failed to prevent unauthorized emissions. Specifically, Respondent released 268,879 pounds ("lbs") of carbon monoxide ("CO"), 1,928 lbs of nitrogen oxide ("NO_x"), 943 lbs of ammonia ("NH₃"), 667 lbs of sulfur dioxide ("SO₂"), and 384 lbs of hydrogen cyanide ("HCN") from Fluid Catalytic Cracking Unit 3 ("FCCU3") during an avoidable emissions event (Incident No. 118545) that began on January 7, 2009, and lasted 34 hours. Forced-

Draft Fan 510 ("FD-510") and Boiler A were shut down for maintenance and to perform a New Source Review project. FD-510 supplies air to Boilers A and B. Once FD-510 was shut down for maintenance, Boiler B shut down due to lack of air flow. This caused an increase in demand and load on Boiler C. Forced-Draft Fan 500B then shut down due to faulty wiring on the motor, leading to the shut down of Boiler C. The TCEQ determined that this emission event could have been avoided by better design and operational practices.

3. During a record review conducted on May 18, 2009, through June 1, 2009, a TCEQ Houston Regional Office investigator documented that Respondent failed to prevent unauthorized emissions. Specifically, Respondent released 61,369 lbs of CO, 3,978 lbs of SO₂, 503 lbs of particulate matter ("PM"), 216 lbs of NH₃, 88 lbs of HCN, and 15 lbs of NO_x from FCCU3 during an avoidable emission event (Incident No. 123795) that began on May 4, 2009, and lasted 32 hours and 24 minutes. FD-510 was shut down for maintenance. The air flow in Forced-Draft Fan 520 ("FD-520") was increased so Boiler A would not shut down. Due to a broken internal mechanical linkage in FD-510 that still allowed air to pass through FD-510, FD-520 could not produce enough air flow, and Boiler A shut down. The TCEQ determined that this emission event could have been avoided by better design and operational practices.
4. During a record review conducted on July 24, 2009, through August 11, 2009, a TCEQ Houston Regional Office investigator documented that Respondent failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 141 lbs of NH₃, 40,155 lbs of CO, 57 lbs of HCN, 103 lbs of SO₂, 1,964 lbs of NO_x, and 1,089 lbs of PM were released from the FCCU3 Bypass Stack and Wet Gas Scrubber during an avoidable emissions event (Incident No. 125838) that began on June 21, 2009, and lasted 33 hours and 16 minutes with 20% opacity coming from the FD-520 Motor. The TCEQ determined that this emission event could have been avoided by better maintenance practices.
5. Respondent received notice of the violations alleged in Findings of Fact Nos. 2 and 3 on or about August 11, 2009. Respondent received notice of the violation alleged in Finding of Fact No. 4 on or about November 5, 2009.
6. The Executive Director recognizes that Respondent replaced the motor on FD-520 on June 21, 2009, changed all the internal linkage parts to the fan FD-510 control, and added view ports to the shrouds in order to see the internal guide vane position for the Force-Draft Fans by November 24, 2009 (Finding of Fact Nos. 2, 3, and 4).

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 violated TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE § 116.715(a), and Flexible Permit No. 18287, Special Condition ("SC") No. 1, by failing to prevent unauthorized emissions. Since this emission event could have been avoided by better design and operational practices, Respondent is precluded from asserting any affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

3. As evidenced by Finding of Fact No. 3, Respondent violated TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE § 116.715(a), and Flexible Permit No. 18287, SC No. 1, by failing to prevent unauthorized emissions. Since this emission event could have been avoided by better design and operational practices, Respondent is precluded from asserting any affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Finding of Fact No. 4, Respondent violated TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3), Flexible Permit No. 18287 and PSD-TX-730M4/PAL, SC No. 1, by failing to prevent unauthorized emissions. Since this emission event could have been avoided by better maintenance practices, Respondent is precluded from asserting any affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. 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.
6. An administrative penalty in the amount of sixty thousand dollars (\$60,000.00) 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. Respondent paid thirty thousand dollars (\$30,000.00) of the administrative penalty. Pursuant to TEX. WATER CODE § 7.067, thirty thousand dollars (\$30,000.00) 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.

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. 6, 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. 6, above. The amount of thirty thousand dollars (\$30,000.00) 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. Checks shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2009-1284-AIR-E" to:

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

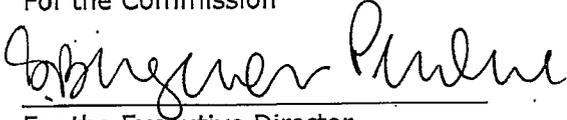
3. All relief not expressly granted in this Agreed Order is denied.
4. The duties and provisions imposed by this Agreed Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations 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



11/31/2011

Date

For the Executive Director

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

12-21-10

Date

William G. Sint for Steve Gope

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

Refinery Manager
Title

Attachment A
Docket Number: 2009-1944-AIR-E

Supplemental Environmental Project

The Respondent:	Exxon Mobil Corporation
Penalty Amount:	Sixty Thousand Dollars (\$60,000)
SEP Offset Amount:	Thirty Thousand Dollars (\$30,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Barbers Hill Independent School District
Project Name:	<i>Barbers Hill Vehicle and Equipment Program</i>
Location of SEP:	Harris County; 216 Houston-Galveston Airshed

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

1. Project Description

A. Project

Respondent shall contribute the SEP offset Amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** (Barbers Hill ISD) for the *Barbers Hill Vehicle and Equipment Program*. The contribution will be used in accordance with the Supplemental Environmental Project between Barbers Hill ISD and the Texas Commission on Environmental Quality (TCEQ). The Third-Party Recipient shall 1) retire current diesel-powered or gasoline-powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled or low-emission vehicles/equipment; 2) convert current vehicles and equipment to alternative-fueled vehicles/equipment; or 3) retrofit current gasoline-powered and diesel-powered vehicles and equipment to decrease emissions from those sources.

The SEP Offset Amount may only be used for: 1) incremental costs of purchase of alternative-fueled or lower-emission vehicles/equipment or retrofit of existing vehicles/equipment; 2) the incremental cost of purchase of alternative fuels versus regular gasoline or diesel fuels; or 3) other direct expenses authorized in advance and in writing by TCEQ.

Retirement of Vehicles: Any purchases of new vehicles or equipment shall comply with EPA verified and certified technology guidelines. Third-Party Recipient shall ensure that equipment and vehicles being retired are operational and that vehicles

have current registration stickers. The retired vehicles and equipment must not be resold for any use except scrap value. The Third-Party Recipient shall submit proof of registration, decommissioning, and scrapping for all retired vehicles and equipment.

Retrofits and Conversions. The Third-Party Recipient shall submit proof that all conversions or retrofits meet current EPA low-emission standards. When purchasing alternative-fueled vehicles or equipment, the Third-Party Recipient shall purchase only those types of equipment that use fuels that are available for purchase within 15 miles of its fleet operation area. Alternative-fueled technologies may include propane or electric-powered lawn mowers, propane-powered light duty vehicles and heavy equipment, and other technologies or alternative fuels as described below. The Third-Party Recipient may utilize any of the following fuel technologies if the fuel is available for purchase within 15 miles of its fleet operation area.

Alternative Fuels: Use of alternative fuels is limited to this list of fuels which are defined as alternative fuels by the Energy Policy Act of 1992 and are currently, or have been, commercially available for vehicles:

- Biodiesel (if used in an area not designated as ozone non-attainment or near non-attainment)
- Electricity
- Ethanol
- Hydrogen
- Methanol
- Natural Gas
- Propane

Other fuels that are currently under development may be approved for use at the discretion of the TCEQ staff.

The Third-Party Recipient certifies that it has no prior budgetary commitment to do this project and that it is not receiving duplicative funding to perform this project. The Third-Party Recipient agrees to disclose to TCEQ any additional sources of funding it receives to perform any portion of the projects described herein or for which it intends to utilize SEP Offset Amount. The Third-Party Recipient certifies that it shall not use the SEP Offset Amount to assist in complying with any governmental rule or regulation and that it is not required to perform this project under any existing rule or law.

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

B. Environmental Benefit

Replacement of gasoline and diesel powered lawnmowers, heavy equipment, and vehicles with lower-emission items will reduce air pollution emissions of particulate matter (PM), volatile organic carbon (VOC) compounds, nitrogen oxides (NOx), and other pollutants associated with the combustion of fuel that would have been generated by the older replaced item. Use of alternative fuels combined with energy efficiency modifications results in a direct reduction in the amount of emissions that contribute to air pollution in this state.

C. Minimum Expenditure

The 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, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Barbers Hill ISD
Attention: John Johnson
Carl R. Griffith & Associates
2901 Turtle Creek Drive, Suite 101
Port Arthur, TX 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The 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, TX 78711-3087

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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