

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-1654-AIR-E **TCEQ ID:** RN102574803 **CASE NO.:** 40506
RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: ExxonMobil Chemical Baytown Chemical Plant, 5000 Bayway Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Petrochemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2010-0840-AIR-E and 2010-0027-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 21, 2011. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R12, (713) 767-3553; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Joe Blommaert, Plant Manager, Exxon Mobil Corporation, 5000 Bayway Drive, Baytown, Texas 77520 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 20, 2010</p> <p>Date of NOV/NOE Relating to this Case: September 22, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failed to prevent unauthorized emissions. Specifically, 2,065.18 pounds ("lbs") of sulfur dioxide, 1.49 lbs of carbonyl sulfide, 21.12 lbs of hydrogen sulfide, and 0.19 lb of volatile organic compounds were released from Flare Stack 28 due to the swap out of the G350 pump at the Air Products and Chemicals facility which is not affiliated with the Respondent, but Air Products and Chemicals shares Flare Stack 28 with the Respondent's Syngas Unit, resulting in a decrease of flow to the online pump when the offline pump was placed back in service (Incident No. 140499). The emissions event that occurred on June 2, 2010 lasted 15 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit Nos. 36476 and PSDTX996M1, Special Conditions No. 1].</p>	<p>Total Assessed: \$5,875</p> <p>Total Deferred: \$1,175 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$2,350</p> <p>Total Paid to General Revenue: \$2,350</p> <p>Compliance History Classification: Person/CN – Average Site/RN – Average</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on July 21, 2010, Air Products and Chemicals re-trained personnel on methods for placing pumps back in service in order to prevent a recurrence of emissions events due to the same cause as Incident No. 140499.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): HG0229F

Attachment A
Docket Number: 2010-1654-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation

Payable Penalty Amount: Four Thousand Seven Hundred Dollars (\$4,700)

SEP Amount: Two Thousand Three Hundred Fifty Dollars (\$2,350)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program

Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

Exxon Mobil Corporation
Agreed Order - Attachment A

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	27-Sep-2010	Screening	5-Oct-2010	EPA Due	18-Jun-2011
	PCW	13-Oct-2010				

RESPONDENT/FACILITY INFORMATION			
Respondent	Exxon Mobil Corporation		
Reg. Ent. Ref. No.	RN102574803		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	40506	No. of Violations	1
Docket No.	2010-1654-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Roshondra Lowe
		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	\$2,500
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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	160.0% Enhancement	Subtotals 2, 3, & 7	\$4,000

Notes: Enhancement for six NOVs with same/similar violations, 10 NOVs with dissimilar violations, three orders containing a denial, and two orders without denial.

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	\$625
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$23	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$3,500		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$5,875
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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	\$5,875
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$5,875
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,175
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$4,700
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Screening Date 5-Oct-2010

Docket No. 2010-1654-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 40506

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	6	30%
	Other written NOVs	10	20%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	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	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

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) 160%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for six NOVs with same/similar violations, 10 NOVs with dissimilar violations, three orders containing a denial, and two orders without denial.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 160%

Screening Date 5-Oct-2010

Docket No. 2010-1654-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 40506

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit Nos. 36476 and PSDTX996M1, Special Conditions No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, 2,065.18 pounds ("lbs") of sulfur dioxide, 1.49 lbs of carbonyl sulfide, 21.12 lbs of hydrogen sulfide, and 0.19 lb of volatile organic compounds were released from Flare Stack 28 due to the swap out of the G350 pump at the Air Products and Chemicals facility which is not affiliated with the Respondent, but Air Products and Chemicals shares Flare Stack 28 with the Respondent's Syngas Unit, resulting in a decrease of flow to the online pump when the offline pump was placed back in service (Incident No. 140499). The emissions event that occurred on June 2, 2010 lasted 15 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (25%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and Percent (0%).

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

Table for frequency: daily, weekly, monthly, quarterly (marked with x), semiannual, annual, single event.

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$625

Table for Good Faith Efforts: Extraordinary, Ordinary (marked with x), N/A (marked with x).

Notes Corrective actions were completed on July 21, 2010, prior to the September 22, 2010 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$5,875

This violation Final Assessed Penalty (adjusted for limits) \$5,875

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 40506
Req. Ent. Reference No. RN102574803
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,500	2-Jun-2010	21-Jul-2010	0.13	\$23	n/a	\$23

Notes for DELAYED costs

Estimated cost to train Air Products and Chemicals personnel on methods for placing pumps back in service in order to prevent a recurrence of emissions events due to the same cause as Incident No. 140499. The date required is the violation date. The final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,500

TOTAL

\$23

Compliance History Report

Customer/Respondent/Owner-Operator: CN600123939 Exxon Mobil Corporation Classification: AVERAGE Rating: 2.78
 Regulated Entity: RN102574803 EXXONMOBIL CHEMICAL BAYTOWN CHEMICAL PLANT Classification: AVERAGE Site Rating: 2.82

ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD980809909
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	33880
	AIR NEW SOURCE PERMITS	REGISTRATION	93543
	AIR NEW SOURCE PERMITS	REGISTRATION	92981
	AIR NEW SOURCE PERMITS	REGISTRATION	92108
	AIR NEW SOURCE PERMITS	REGISTRATION	92259
	AIR NEW SOURCE PERMITS	REGISTRATION	92729
	AIR NEW SOURCE PERMITS	REGISTRATION	92258
	AIR NEW SOURCE PERMITS	REGISTRATION	92913
	AIR NEW SOURCE PERMITS	REGISTRATION	92584
	AIR NEW SOURCE PERMITS	REGISTRATION	93327
	AIR NEW SOURCE PERMITS	REGISTRATION	91535
	AIR NEW SOURCE PERMITS	REGISTRATION	92838
	AIR NEW SOURCE PERMITS	REGISTRATION	92525
	AIR NEW SOURCE PERMITS	REGISTRATION	93119
	AIR NEW SOURCE PERMITS	REGISTRATION	93038
	AIR NEW SOURCE PERMITS	REGISTRATION	92952
	AIR NEW SOURCE PERMITS	REGISTRATION	92933
	AIR NEW SOURCE PERMITS	REGISTRATION	22764
	AIR NEW SOURCE PERMITS	REGISTRATION	22765
	AIR NEW SOURCE PERMITS	REGISTRATION	22766
	AIR NEW SOURCE PERMITS	REGISTRATION	23260
	AIR NEW SOURCE PERMITS	REGISTRATION	23448
	AIR NEW SOURCE PERMITS	REGISTRATION	23981
	AIR NEW SOURCE PERMITS	REGISTRATION	23989
	AIR NEW SOURCE PERMITS	REGISTRATION	25944
	AIR NEW SOURCE PERMITS	REGISTRATION	25071
	AIR NEW SOURCE PERMITS	REGISTRATION	25267
	AIR NEW SOURCE PERMITS	PERMIT	28441
	AIR NEW SOURCE PERMITS	REGISTRATION	26135
	AIR NEW SOURCE PERMITS	REGISTRATION	71881
	AIR NEW SOURCE PERMITS	REGISTRATION	31317
	AIR NEW SOURCE PERMITS	REGISTRATION	31854
	AIR NEW SOURCE PERMITS	REGISTRATION	32622

AIR NEW SOURCE PERMITS	REGISTRATION	32592
AIR NEW SOURCE PERMITS	REGISTRATION	33518
AIR NEW SOURCE PERMITS	REGISTRATION	34349
AIR NEW SOURCE PERMITS	REGISTRATION	34522
AIR NEW SOURCE PERMITS	REGISTRATION	34663
AIR NEW SOURCE PERMITS	REGISTRATION	34849
AIR NEW SOURCE PERMITS	REGISTRATION	35507
AIR NEW SOURCE PERMITS	PERMIT	36476
AIR NEW SOURCE PERMITS	REGISTRATION	36635
AIR NEW SOURCE PERMITS	REGISTRATION	36806
AIR NEW SOURCE PERMITS	REGISTRATION	38816
AIR NEW SOURCE PERMITS	REGISTRATION	39070
AIR NEW SOURCE PERMITS	REGISTRATION	39020
AIR NEW SOURCE PERMITS	REGISTRATION	38991
AIR NEW SOURCE PERMITS	REGISTRATION	38990
AIR NEW SOURCE PERMITS	REGISTRATION	39222
AIR NEW SOURCE PERMITS	REGISTRATION	39364
AIR NEW SOURCE PERMITS	REGISTRATION	39822
AIR NEW SOURCE PERMITS	REGISTRATION	39479
AIR NEW SOURCE PERMITS	REGISTRATION	39823
AIR NEW SOURCE PERMITS	REGISTRATION	39338
AIR NEW SOURCE PERMITS	REGISTRATION	40139
AIR NEW SOURCE PERMITS	REGISTRATION	40429
AIR NEW SOURCE PERMITS	REGISTRATION	40627
AIR NEW SOURCE PERMITS	REGISTRATION	41621
AIR NEW SOURCE PERMITS	REGISTRATION	41725
AIR NEW SOURCE PERMITS	REGISTRATION	43012
AIR NEW SOURCE PERMITS	REGISTRATION	43700
AIR NEW SOURCE PERMITS	REGISTRATION	43767
AIR NEW SOURCE PERMITS	REGISTRATION	43766
AIR NEW SOURCE PERMITS	REGISTRATION	44053
AIR NEW SOURCE PERMITS	REGISTRATION	44074
AIR NEW SOURCE PERMITS	REGISTRATION	44619
AIR NEW SOURCE PERMITS	REGISTRATION	45380
AIR NEW SOURCE PERMITS	REGISTRATION	45876
AIR NEW SOURCE PERMITS	REGISTRATION	46112
AIR NEW SOURCE PERMITS	REGISTRATION	46479

AIR NEW SOURCE PERMITS	REGISTRATION	46575
AIR NEW SOURCE PERMITS	REGISTRATION	48743
AIR NEW SOURCE PERMITS	REGISTRATION	48824
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0229F
AIR NEW SOURCE PERMITS	PERMIT	4600
AIR NEW SOURCE PERMITS	PERMIT	5259
AIR NEW SOURCE PERMITS	PERMIT	5792
AIR NEW SOURCE PERMITS	PERMIT	7743
AIR NEW SOURCE PERMITS	PERMIT	8388
AIR NEW SOURCE PERMITS	PERMIT	8586
AIR NEW SOURCE PERMITS	PERMIT	8942
AIR NEW SOURCE PERMITS	PERMIT	9571
AIR NEW SOURCE PERMITS	PERMIT	9674
AIR NEW SOURCE PERMITS	REGISTRATION	11241
AIR NEW SOURCE PERMITS	PERMIT	11551
AIR NEW SOURCE PERMITS	REGISTRATION	13009
AIR NEW SOURCE PERMITS	REGISTRATION	13015
AIR NEW SOURCE PERMITS	REGISTRATION	14744
AIR NEW SOURCE PERMITS	REGISTRATION	14948
AIR NEW SOURCE PERMITS	REGISTRATION	14949
AIR NEW SOURCE PERMITS	REGISTRATION	15786
AIR NEW SOURCE PERMITS	PERMIT	20211
AIR NEW SOURCE PERMITS	REGISTRATION	22750
AIR NEW SOURCE PERMITS	REGISTRATION	51963
AIR NEW SOURCE PERMITS	REGISTRATION	53913
AIR NEW SOURCE PERMITS	REGISTRATION	53831
AIR NEW SOURCE PERMITS	REGISTRATION	53782
AIR NEW SOURCE PERMITS	REGISTRATION	55061L001
AIR NEW SOURCE PERMITS	REGISTRATION	75776
AIR NEW SOURCE PERMITS	REGISTRATION	76179
AIR NEW SOURCE PERMITS	REGISTRATION	76270
AIR NEW SOURCE PERMITS	REGISTRATION	55626
AIR NEW SOURCE PERMITS	REGISTRATION	75416
AIR NEW SOURCE PERMITS	REGISTRATION	76317
AIR NEW SOURCE PERMITS	REGISTRATION	55900
AIR NEW SOURCE PERMITS	REGISTRATION	75671
AIR NEW SOURCE PERMITS	AFS NUM	4820100014
AIR NEW SOURCE PERMITS	REGISTRATION	70245
AIR NEW SOURCE PERMITS	REGISTRATION	70244

AIR NEW SOURCE PERMITS	REGISTRATION	70359
AIR NEW SOURCE PERMITS	REGISTRATION	70174
AIR NEW SOURCE PERMITS	REGISTRATION	71466
AIR NEW SOURCE PERMITS	REGISTRATION	50943
AIR NEW SOURCE PERMITS	REGISTRATION	72234
AIR NEW SOURCE PERMITS	REGISTRATION	50641
AIR NEW SOURCE PERMITS	REGISTRATION	52582
AIR NEW SOURCE PERMITS	REGISTRATION	52815
AIR NEW SOURCE PERMITS	REGISTRATION	53222
AIR NEW SOURCE PERMITS	REGISTRATION	71653
AIR NEW SOURCE PERMITS	REGISTRATION	52572
AIR NEW SOURCE PERMITS	REGISTRATION	52417
AIR NEW SOURCE PERMITS	REGISTRATION	72845
AIR NEW SOURCE PERMITS	REGISTRATION	51028
AIR NEW SOURCE PERMITS	REGISTRATION	54715
AIR NEW SOURCE PERMITS	REGISTRATION	72451
AIR NEW SOURCE PERMITS	REGISTRATION	73021
AIR NEW SOURCE PERMITS	REGISTRATION	72553
AIR NEW SOURCE PERMITS	REGISTRATION	73031
AIR NEW SOURCE PERMITS	REGISTRATION	52624
AIR NEW SOURCE PERMITS	REGISTRATION	50951
AIR NEW SOURCE PERMITS	REGISTRATION	50952
AIR NEW SOURCE PERMITS	REGISTRATION	72514
AIR NEW SOURCE PERMITS	REGISTRATION	74086
AIR NEW SOURCE PERMITS	REGISTRATION	74542
AIR NEW SOURCE PERMITS	REGISTRATION	75147
AIR NEW SOURCE PERMITS	REGISTRATION	75248
AIR NEW SOURCE PERMITS	REGISTRATION	76515
AIR NEW SOURCE PERMITS	EPA ID	PSDTX996
AIR NEW SOURCE PERMITS	EPA ID	PSDTX996M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX997
AIR NEW SOURCE PERMITS	REGISTRATION	77577
AIR NEW SOURCE PERMITS	REGISTRATION	78052
AIR NEW SOURCE PERMITS	REGISTRATION	77847
AIR NEW SOURCE PERMITS	REGISTRATION	78572
AIR NEW SOURCE PERMITS	REGISTRATION	78883
AIR NEW SOURCE PERMITS	REGISTRATION	79205

AIR NEW SOURCE PERMITS	REGISTRATION	79626
AIR NEW SOURCE PERMITS	REGISTRATION	80253
AIR NEW SOURCE PERMITS	REGISTRATION	80371
AIR NEW SOURCE PERMITS	REGISTRATION	80172
AIR NEW SOURCE PERMITS	REGISTRATION	79993
AIR NEW SOURCE PERMITS	REGISTRATION	79994
AIR NEW SOURCE PERMITS	REGISTRATION	80411
AIR NEW SOURCE PERMITS	REGISTRATION	80920
AIR NEW SOURCE PERMITS	REGISTRATION	80935
AIR NEW SOURCE PERMITS	REGISTRATION	80715
AIR NEW SOURCE PERMITS	REGISTRATION	81059
AIR NEW SOURCE PERMITS	REGISTRATION	80783
AIR NEW SOURCE PERMITS	REGISTRATION	81081
AIR NEW SOURCE PERMITS	REGISTRATION	81590
AIR NEW SOURCE PERMITS	REGISTRATION	81497
AIR NEW SOURCE PERMITS	REGISTRATION	81575
AIR NEW SOURCE PERMITS	REGISTRATION	81907
AIR NEW SOURCE PERMITS	REGISTRATION	81908
AIR NEW SOURCE PERMITS	REGISTRATION	82149
AIR NEW SOURCE PERMITS	REGISTRATION	82320
AIR NEW SOURCE PERMITS	REGISTRATION	82312
AIR NEW SOURCE PERMITS	REGISTRATION	82415
AIR NEW SOURCE PERMITS	REGISTRATION	85739
AIR NEW SOURCE PERMITS	REGISTRATION	85623
AIR NEW SOURCE PERMITS	REGISTRATION	84579
AIR NEW SOURCE PERMITS	REGISTRATION	87386
AIR NEW SOURCE PERMITS	REGISTRATION	84383
AIR NEW SOURCE PERMITS	REGISTRATION	90539
AIR NEW SOURCE PERMITS	REGISTRATION	84706
AIR NEW SOURCE PERMITS	REGISTRATION	90673
AIR NEW SOURCE PERMITS	REGISTRATION	85794
AIR NEW SOURCE PERMITS	REGISTRATION	91146
AIR NEW SOURCE PERMITS	REGISTRATION	82504
AIR NEW SOURCE PERMITS	REGISTRATION	83400
AIR NEW SOURCE PERMITS	REGISTRATION	85646
AIR NEW SOURCE PERMITS	REGISTRATION	82657
AIR NEW SOURCE PERMITS	REGISTRATION	85129
AIR NEW SOURCE PERMITS	REGISTRATION	86433

AIR NEW SOURCE PERMITS	REGISTRATION	87597
AIR NEW SOURCE PERMITS	REGISTRATION	87877
AIR NEW SOURCE PERMITS	REGISTRATION	86556
AIR NEW SOURCE PERMITS	EPA ID	PAL16
AIR NEW SOURCE PERMITS	REGISTRATION	83906
AIR NEW SOURCE PERMITS	REGISTRATION	82983
AIR NEW SOURCE PERMITS	REGISTRATION	82762
AIR NEW SOURCE PERMITS	REGISTRATION	85512
AIR NEW SOURCE PERMITS	REGISTRATION	85744
AIR NEW SOURCE PERMITS	REGISTRATION	91349
AIR NEW SOURCE PERMITS	REGISTRATION	91463
AIR NEW SOURCE PERMITS	REGISTRATION	91533
AIR NEW SOURCE PERMITS	REGISTRATION	91443
AIR NEW SOURCE PERMITS	REGISTRATION	91464
AIR OPERATING PERMITS	PERMIT	2269
AIR OPERATING PERMITS	PERMIT	1278
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0229F
AIR OPERATING PERMITS	PERMIT	2270
WASTEWATER	PERMIT	WQ0001215000
WASTEWATER	EPA ID	TX0007013
STORMWATER	PERMIT	TXR05N668
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	33880
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0229F

Location: 5000 BAYWAY DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 29, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 29, 2005 to September 29, 2010

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

Name: Roshondra Lowe Phone: (713) 767-3553

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? Yes
Mobil Chemical Company Inc.
3. If Yes, who is the current owner/operator?
 - OWNOPR
 - OWN Exxon Mobil Corporation
 - OWNOPR
 - OWN Exxon Baytown Chemical Plant

OWNOPR Exxon Mobil Corporation

4. If Yes, who was/were the prior owner(s)/operator(s)?

OWNOPR Exxon Mobil Corporation

5. When did the change(s) in owner or operator occur?

11/16/2006

OWNOPR Exxon Mobil Corporation

6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 01/26/2006

ADMINORDER 2005-0290-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 28441, S.C. No. 1 PERMIT

Description: Failure to obtain regulatory authority or to meet the requirements of 30 Tex. Admin. Code § 101.211 (relating to Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements) for emissions from the Toluene Disproportionation Unit that occurred from February 2 to February 15, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #36476 and PSD-TX-996, G.C. #8 PERMIT

Description: Failed to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Synthetic Gas Unit that occurred on January 11, 2004 (Incident No. 33143).

Classification: Minor

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

Description: Failure to identify in the final record of an emissions event the total quantities of emissions, the preconstruction authorization number or rule citation of the standard permit, permit by rule, or rule governing the facility involved in the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the final record of all scheduled maintenance, startup, and shutdown activities with unauthorized emissions, the common name and the agency-established emission point number where the unauthorized emissions were released.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the final record of all scheduled maintenance, startup, and shutdown activities with unauthorized emissions, the compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the final record of all scheduled maintenance, startup, and shutdown activities with unauthorized emissions, the preconstruction authorization, rule citation of the standard permit, permit by rule, or rule governing the facility.

Effective Date: 06/26/2006

ADMINORDER 2005-2066-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 unauthorized emissions of 1,380 lbs of isobutylene from a pipeline leak during an emissions event that occurred June 9, 2005, and lasted for one hour and 25 minutes.

Effective Date: 11/03/2006

ADMINORDER 2006-0393-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: TCEQ Air Permit No. 28441, SC No. 1 OP
TCEQ Flexible Air Permit No. 20211, SC01 PERMIT

Description: Failed to prevent the unauthorized emissions of 476 lbs of toluene, 78,842 lbs of VOCs, 669 lbs carbon monoxide, 20,545 lbs of hydrogen chloride, 2,624 lbs of isobutylene, 46 lbs of isoprene, 581 lbs of methyl chloride, 10 lbs of nitrogen dioxide, 93 lbs of nitrogen oxide and exceeded permit limits.

Effective Date: 03/23/2009

ADMINORDER 2007-0372-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 4600, Special Condition 3A PERMIT
O-1278, Special Condition 17 OP
O-1278, Special Condition 1A OP

Description: Failed to maintain the minimum net heating value of 300 Btu/scf in the gas stream to Flare 24 for a total of 2,114 hours from February 1 through October 26, 2006.

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 63.151(j)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20211, Special Condition 3-5 PERMIT
O-1278, Special Condition 17 OP
O-1278, Special Condition 1A OP

Description: Failed to submit an updated Notification of Compliance Status ("NOCS") for Steam Stripper T-150 within 180 days after the change in the established operating range was made.

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 63.146(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20211, Special Condition 3-5 PERMIT
O-1278, Special Condition 17 OP
O-1278, Special Condition 1A OP

Description: Failed to report excursions which occurred on the column overhead temperature of the BHU T-150 Steam Stripper in periodic reports dated December 15, 2004 and February 25, 2006.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.146(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-1278, Special Condition 1A OP

Description: Failed to maintain complete records of semiannual visual inspections of individual drain systems. Specifically, records of the visual inspections of the Naptha Rerun Unit ("NRU") E-89 Drain System for the period of the second quarter of 2005 through the third quarter of 2006 were not complete.

Effective Date: 08/23/2009

ADMINORDER 2007-1985-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: Permit No. 20211, Spec Condicion No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from the Butyl Plant of Plant 2 during an emissions event that began May 14, 2007 and lasted 102 hours releasing 132,538 lbs of the HAP hydrogen

chloride, 3,768 lbs of the HAP methyl chloride, 1,133 lbs of CO, 222 lbs of the HRVOC isobutylene, and 163 lbs of NOx. This event was determined to be an excessive emissions event.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	09/29/2005	(418496)
2	10/18/2005	(468650)
3	11/18/2005	(468651)
4	12/06/2005	(433144)
5	12/19/2005	(468652)
6	01/09/2006	(438877)
7	01/18/2006	(438989)
8	01/19/2006	(468653)
9	02/07/2006	(453648)
10	02/09/2006	(439534)
11	02/15/2006	(453850)
12	02/15/2006	(468647)
13	02/21/2006	(454990)
14	02/22/2006	(455173)
15	02/25/2006	(456950)
16	02/28/2006	(456677)
17	02/28/2006	(457050)
18	02/28/2006	(457172)
19	03/06/2006	(435485)
20	03/22/2006	(468648)
21	03/27/2006	(343627)
22	04/17/2006	(468649)
23	05/12/2006	(498348)
24	05/17/2006	(463204)
25	05/22/2006	(464928)
26	05/26/2006	(460229)
27	05/26/2006	(460306)
28	05/26/2006	(460325)
29	05/26/2006	(460356)
30	05/30/2006	(459582)
31	05/30/2006	(460373)
32	06/19/2006	(498349)
33	07/10/2006	(498350)
34	07/18/2006	(486292)
35	07/24/2006	(481390)
36	07/26/2006	(487408)
37	07/28/2006	(487074)
38	08/03/2006	(460018)
39	08/03/2006	(460424)
40	08/04/2006	(401283)
41	08/22/2006	(520361)
42	08/25/2006	(489290)
43	09/21/2006	(520362)
44	09/22/2006	(513663)
45	10/23/2006	(575603)
46	11/08/2006	(513515)
47	11/14/2006	(519445)
48	11/15/2006	(575604)
49	11/21/2006	(531318)
50	12/19/2006	(519109)

51	12/19/2006	(575605)
52	12/29/2006	(518842)
53	01/23/2007	(575606)
54	02/05/2007	(536251)
55	02/12/2007	(536241)
56	02/13/2007	(531168)
57	02/14/2007	(511758)
58	02/16/2007	(531660)
59	02/20/2007	(575597)
60	02/22/2007	(512453)
61	03/01/2007	(497174)
62	03/13/2007	(575598)
63	04/16/2007	(575599)
64	04/20/2007	(536951)
65	05/08/2007	(538162)
66	05/16/2007	(575600)
67	05/17/2007	(536829)
68	06/12/2007	(575601)
69	06/15/2007	(556061)
70	07/20/2007	(575602)
71	07/25/2007	(562457)
72	07/25/2007	(562496)
73	07/25/2007	(562510)
74	07/25/2007	(562512)
75	07/25/2007	(563025)
76	07/25/2007	(563719)
77	07/27/2007	(563671)
78	08/06/2007	(570453)
79	08/20/2007	(607583)
80	08/21/2007	(561094)
81	08/28/2007	(571090)
82	08/30/2007	(574141)
83	09/11/2007	(572874)
84	09/19/2007	(607584)
85	09/26/2007	(573125)
86	10/01/2007	(595377)
87	10/02/2007	(565218)
88	10/02/2007	(565503)
89	10/02/2007	(565567)
90	10/04/2007	(566444)
91	10/04/2007	(572926)
92	10/09/2007	(571500)
93	10/10/2007	(566468)
94	10/10/2007	(566561)
95	10/10/2007	(566600)
96	10/10/2007	(566622)
97	10/10/2007	(566698)
98	10/10/2007	(566759)
99	10/10/2007	(566837)
100	10/10/2007	(566906)
101	10/11/2007	(566932)
102	10/11/2007	(566971)
103	10/12/2007	(619632)
104	10/15/2007	(572730)
105	10/25/2007	(573559)
106	10/25/2007	(574351)
107	10/26/2007	(573710)
108	10/26/2007	(574344)
109	11/15/2007	(619633)

110	11/16/2007	(596801)
111	11/19/2007	(594809)
112	11/19/2007	(595285)
113	11/19/2007	(595343)
114	11/19/2007	(595370)
115	11/19/2007	(595409)
116	11/19/2007	(595413)
117	11/27/2007	(568535)
118	12/18/2007	(619634)
119	12/20/2007	(612527)
120	01/11/2008	(672160)
121	01/24/2008	(610172)
122	02/15/2008	(612448)
123	02/19/2008	(672158)
124	03/12/2008	(616407)
125	03/18/2008	(672159)
126	04/22/2008	(690066)
127	05/05/2008	(559251)
128	05/06/2008	(618940)
129	05/19/2008	(690067)
130	06/16/2008	(710850)
131	07/22/2008	(710851)
132	08/01/2008	(686713)
133	08/04/2008	(685453)
134	08/14/2008	(710852)
135	08/27/2008	(699536)
136	09/22/2008	(710853)
137	10/21/2008	(727562)
138	10/31/2008	(689605)
139	11/17/2008	(727563)
140	12/08/2008	(682541)
141	12/09/2008	(727564)
142	12/18/2008	(708039)
143	01/16/2009	(750376)
144	02/19/2009	(750375)
145	03/20/2009	(768437)
146	04/09/2009	(740671)
147	04/17/2009	(768438)
148	05/04/2009	(724809)
149	06/04/2009	(736059)
150	06/25/2009	(743469)
151	07/09/2009	(741024)
152	07/16/2009	(761961)
153	07/24/2009	(703354)
154	08/28/2009	(746127)
155	08/31/2009	(804915)
156	09/17/2009	(766108)
157	09/17/2009	(804916)
158	10/09/2009	(778452)
159	10/20/2009	(804917)
160	11/06/2009	(767427)
161	11/19/2009	(804918)
162	12/14/2009	(804919)
163	12/16/2009	(767531)
164	12/17/2009	(785400)
165	01/20/2010	(804920)
166	02/05/2010	(788941)
167	02/18/2010	(804914)
168	03/16/2010	(830977)

169 04/16/2010 (830978)
170 05/04/2010 (788730)
171 05/14/2010 (830979)
172 05/21/2010 (802515)
173 06/18/2010 (846299)
174 08/25/2010 (767436)
175 08/26/2010 (767567)
176 09/22/2010 (844148)

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

Date: 09/30/2005 (418496)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 5710, General Condition #8 PERMIT
Description: **Failure to prevent unauthorized emissions due to inadvertent use of a leaking pipeline.**

Date: 03/06/2006 (435485)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Permit #20211, Special Condition 1 PERMIT
Description: **Failure to prevent the release of unauthorized emissions.**

Date: 07/21/2006 (487074)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Permit #4600, SC #1 PERMIT
Description: **Exxon failed to prevent water from coming in contact with the solenoid coils resulting in unauthorized emissions.**

Date: 07/24/2006 (481390)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Effluent Limitations, No. 1 PERMIT
Description: Failure to maintain compliance with the permitted effluent limits for oil and grease (O&G), Total Organic Carbon (TOC), and pH at Outfall 001.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Other Requirements, No. 5, p. 14 PERMIT
Description: Failure to conduct the additional effluent testing for Outfalls 001 and 003.

Date: 07/31/2006 (520361) CN600123939
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/24/2006 (489290)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Exxon failed to submit a CAP in a timely manner.

Date: 02/16/2007 (531660) CN600123939
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: **Failure to prevent VOC emissions from two leaking plugs**

Date: 06/27/2007 (397722) CN600123939
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to maintain a seal on ten plugs installed on the end of open ended lines at the Paraxylene Adsorption Unit.

Date: 07/31/2007 (607583) CN600123939
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2008 (727562)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/16/2009 (761961)
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
2D TWC Chapter 26, SubChapter A 26.121(a)(1)
2D TWC Chapter 26, SubChapter A 26.121(a)(3)
2D TWC Chapter 26, SubChapter A 26.121(b)
2D TWC Chapter 26, SubChapter A 26.121(c)
2D TWC Chapter 26, SubChapter A 26.121(d)
2D TWC Chapter 26, SubChapter A 26.121(e)
30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121
TWC Chapter 26 26.121(a)(2)
Description: Failure to prevent unauthorized discharges from the collection system.

Date: 07/24/2009 (703354)
Self Report? NO Classification: Moderate
Citation: 20211, Special Condition 3-5 PA
20211, Special Condition 4E PA
28441, Special Condition 8E PA
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
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 H 63.167(a)(1)
5710, Special Condition 8E PA
5C THSC Chapter 382 382.085(b)
8942, Special Condition 6E PA
9571, Special Condition 6E PA
9674, Special Condition 8E PA
O-01278, Special Condition 14 OP
Description: Failure to cap/plug open-ended lines. (Category C 10)

Self Report? NO Classification: Minor
Citation: 20211, Special Condition 3-5 PA
20211, Special Condition 4F PA
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1006(b)(3)
5C THSC Chapter 382 382.085(b)
O-1278, Special Condition 14 OP

Description: Failure to monitor one hundred and eighteen valves in HAPs service in the ground water wells area. (Category C, 1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP
Special Condition 3-6B PA

Description: Failure to install valve rupture discs (Tag ID #LP0102A, L0102B). (Category C, 7)

Self Report? NO Classification: Minor

Citation: 20211, Special Condition 3-5 PA
20211, Special Condition 4G PA
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
O-01278, Special Condition 14 OP

Description: Failure to monitor four pumps in HAPs service. (Category C, 1).

Self Report? NO Classification: Minor

Citation: 20211, Special Condition 2-3 PA
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1008(b)
5C THSC Chapter 382 382.085(b)
O-1278, Special Condition 14 OP

Description: Failure to monitor connectors. (Category C, 1)

Self Report? NO Classification: Moderate

Citation: 20211, Special Condition 3-5 PA
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1003(a)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to include 394 connectors, and 118 valves in HAPs service in the fugitive monitoring program. (Category C, 1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to perform continuous emission monitoring system (CEMS) automatic calibration validation on furnaces. (Category C, 1)

Self Report? NO Classification: Moderate

Citation: 28441, Special Condition 3 PA
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.119(c)(2)(ix)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to maintain required pole wiper. (Category C, 4)

Self Report? NO Classification: Moderate

Citation: 20211, Special Condition 3-5 PA
20211, Special Condition 3-7B PA
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to maintain an internal floating roof. (Category B, 14)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
4600, Special Condition 5A PA
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to sample cooling towers with approved method. (Category C, 1)

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(1)

5C THSC Chapter 382 382.085(b)
Description: Failure to sample cooling tower according to HON requirements. (Category C, 1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to perform required quarterly engine testing for the first quarter of 2008,
Unit ID# CT17EP9. (Category C, 1)
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 63, SubChapter C, PT 63, SubPT ZZZZ 63.6640(a)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to maintain catalyst inlet temperature engine (EP1, EP6, and EP9).
Self Report? NO Classification: Minor
Citation: 20211, Special Condition 3-5 PA
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)
O-01278, Special Condition 14 OP

Description: Failure to give notification of the inspection and refilling of Tank 3109 (AXU Feed
Tank).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Description: The failure to notify the Administrator of the refilling of Tank 3109 (AXU Feed
Tank) prior to the March 20, 2008 tank inspection was not reported as a
deviation.

Date: 09/17/2009 (766108)

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

Description: ExxonMobil failed to close an upstream block valve during a reactor purge which
resulted in propylene being released into the atmosphere.

Date: 12/16/2009 (767531)

CN600123939

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
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)
5C THSC Chapter 382 382.085(b)
Special Condition #3E PERMIT
Special Terms and Condition #1A OP

Description: Failure to seal nine (9) open-ended lines (OELs) found during the compliance
period. (Category C10 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Condition #2F OP

Description: Failure to include the emissions summary page along with the initial notification
for a reportable emissions event. (Category C3 violation)

Date: 08/25/2010 (767567)

CN600123939

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)
5C THSC Chapter 382 382.085(b)

Special Condition 1A OP
 Special Condition 1G(iv) OP
 Special Condition No. 0-4 PA
 Description: Failure to cap/plug open-ended lines. Category C 10.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(3)
 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 60.112b(a)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1-3 PA
 Special Condition 1-6 PA
 Special Condition 1A OP
 Description: Failure to maintain a vapor recovery system used as a control device on a stationary tank.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1-16A PA
 Special Condition 1-16B PA
 Special Condition 1A OP
 Description: Failure to maintain a regenerative thermal oxidizer (RGTO) minimum operating temperature and control efficiency.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(B)(i)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to determine opacity.
 Date: 08/30/2010 (767436)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 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 H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 4E PERMIT
 Special Condition 5E PERMIT
 Special Condition 8E PERMIT
 Special Conditions 1A and 17 OP
 Description: Failure to prevent open-ended lines within the Olefins and Aromatics Units (Category C10).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(9)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP
 Description: Failure to provide notice 30 days in advance for a seal gap inspection of Tank 1123 (Category B3).
 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 Kb 60.115b(b)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3-7(D) PERMIT
 Special Conditions 1A and 17 OP
 Description: Failure to provide a post-inspection report within 60 days for Tank 1123 (Category B3).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to correct CEMS auto validation error within 24 hrs. for furnace F102V (Category C1).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to maintain CO emissions below 3 g/hp-hr for engine EP-9 (EN02CT17) (Category B18).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 5C THSC Chapter 382 382.085(b)

Description: Failure to sample HRVOCs within the required timeframe after analyzer FS24 failure (Category C1).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 2F OP

Description: Failure to create a final record of an emission event within 14 days of the end of the event for SGUJ1106 (Category C3).

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXON MOBIL CORPORATION
RN102574803**

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

**AGREED ORDER
DOCKET NO. 2010-1654-AIR-E**

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a petrochemical manufacturing plant at 5000 Bayway Drive in Baytown, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about September 27, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Five Thousand Eight Hundred Seventy-Five Dollars (\$5,875) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Three Hundred Fifty Dollars (\$2,350) of the administrative penalty and One Thousand One Hundred Seventy-Five Dollars (\$1,175) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Two Thousand Three Hundred Fifty Dollars (\$2,350) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on July 21, 2010, Air Products and Chemicals re-trained personnel on methods for placing pumps back in service in order to prevent a recurrence of emissions events due to the same cause as Incident No. 140499.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit Nos. 36476 and PSDTX996M1, Special Conditions No. 1, as documented during an investigation conducted on July 20, 2010. Specifically, 2,065.18 pounds ("lbs") of sulfur dioxide, 1.49 lbs of carbonyl sulfide, 21.12 lbs of hydrogen sulfide, and 0.19 lb of volatile organic compounds were released from Flare Stack 28 due to the swap out of the G350 pump at the Air Products and Chemicals facility which is not affiliated with the Respondent, but Air Products and Chemicals shares Flare Stack 28 with the Respondent's Syngas Unit, resulting in a decrease of flow to the online pump when the offline pump was placed back in service (Incident No. 140499). The emissions event that occurred on June 2, 2010 lasted 15 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2010-1654-AIR-E" to:

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

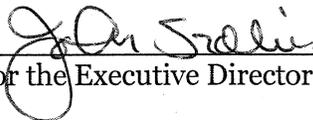
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Two Thousand Three Hundred Fifty Dollars (\$2,350) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provision of the SEP agreement.
3. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a

- violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
 5. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
 7. This Agreed Order may be executed in 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.
 8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

2/23/2011

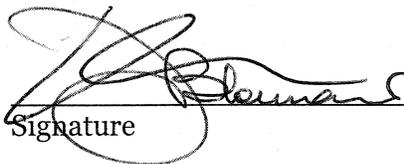
Date

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

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

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

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



Signature

11 Jan 2011

Date

F. Y. Blommaert

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

Exxon Mobil Chemical Baytown

Title Plant Manager

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

Attachment A
Docket Number: 2010-1654-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation

Payable Penalty Amount: Four Thousand Seven Hundred Dollars (\$4,700)

SEP Amount: Two Thousand Three Hundred Fifty Dollars (\$2,350)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program

Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

Exxon Mobil Corporation
Agreed Order - Attachment A

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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