

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2010-0656-AIR-E **TCEQ ID:** RN102579307 **CASE NO.:** 39565
RESPONDENT NAME: Exxon Mobil Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are six additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1284-AIR-E, 2009-1848-IHW-E, 2009-1944-AIR-E, 2009-2050-AIR-E, 2010-0448-AIR-E, and 2010-1036-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 November 29, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Audra Benoit, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8799; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Steven R. Cope, Refinery Manager, Exxon Mobil Corporation, 2800 Decker 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: December 21, 2009 and February 5, 2010</p> <p>Date of NOV/NOE Relating to this Case: April 15, 2010 and May 11, 2010 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failed to prevent unauthorized emissions during Incident No. 132322. Specifically, Incident No. 132322 occurred on November 20, 2009, in the Crude Light Ends Unit ("CLE") which resulted from high light ends content in the CLE feed causing an overpressure of the Debutanizer (T-727) and the Depropanizer (T-729) and the release of 11,839 pounds ("lbs") of propane, 18,728 lbs of i-butane, 28,030 lbs of n-butane, 10 lbs of pentane, 5 lbs of benzene, 2,719 lbs of sulfur dioxide ("SO₂"), 29 lbs of hydrogen sulfide ("H₂S"), 1,423 lbs of carbon monoxide ("CO") and 262 lbs of nitrogen oxides ("NO_x") into the atmosphere for five hours and 42 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition ("SC") 1].</p> <p>2) Failed to prevent unauthorized emissions during Incident No. 134509. Specifically, Incident No. 134509,</p>	<p>Total Assessed: \$80,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$40,000</p> <p>Total Paid to General Revenue: \$40,000</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 Orders Justification:</p> <p>Human health or the environment has been exposed to pollutants which exceed levels that are protective.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. In regard to Incident No. 132322, the Respondent trained personnel and implemented procedures to prevent overpressure of the Debutanizer (T-727) and Depropanizer (T-729) and to ensure against recurrence of high light ends content to the CLE on December 15, 2009; and</p> <p>b. In regard to Incident No. 134509, the Respondent replaced the open-ended corroded pipe with a capped pipe to prevent discharges and to protect equipment on January 21, 2010.</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>

<p>occurred on January 14, 2010, in the Gas Treating Unit which resulted from corrosion of piping that released 11,032 lbs of volatile organic compounds, 6,335 lbs of CO, 1,240 lbs of H₂S, 1,164 lbs of NO_x and 61,249 lbs of SO₂ into the atmosphere for 155 hours and 20 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, SC 1].</p>		
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Additional ID No(s): Air Permit No. HGo232Q

Attachment A
Docket Number: 2010-0656-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation

Payable Penalty Amount: Eighty Thousand Dollars (\$80,000)

SEP Amount: Forty Thousand Dollars (\$40,000)

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

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

DATES	Assigned	24-May-2010	Screening	24-May-2010	EPA Due	11-Jan-2011
	PCW	25-Aug-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.	39565	No. of Violations	2
Docket No.	2010-0656-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Audra Benoit
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes

Culpability Enhancement **Subtotal 4**

Notes

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

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$7	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$3,500	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Screening Date 24-May-2010

Docket No. 2010-0656-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39565

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Audra Benoit

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	26	130%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	17	425%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 697%

>> 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 26 same or similar Notices of Violations ("NOVs"), one dissimilar NOV, seven orders with a denial of liability and 17 orders without a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 697%

Screening Date 24-May-2010

Docket No. 2010-0656-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39565

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Audra Benoit

Violation Number 1

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

Violation Description Failed to prevent unauthorized emissions. Specifically, Incident No. 132322 occurred on November 20, 2009, in the Crude Light Ends Unit ("CLE") which resulted from high light ends content in the CLE feed causing an overpressure of the Debutanizer (T-727) and the Depropanizer (T-729) and the release of 11,839 pounds ("lbs") of propane, 18,728 lbs of i-butane, 28,030 lbs of n-butane, 10 lbs of pentane, 5 lbs of benzene, 2,719 lbs of sulfur dioxide ("SO2"), 29 lbs of hydrogen sulfide ("H2S"), 1,423 lbs of carbon monoxide ("CO") and 262 lbs of nitrogen oxides ("NOx") into the atmosphere for five hours and 42 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent	
	Release	Major	Moderate		Minor
	Actual	x			
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

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

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1 Number of violation days 1

mark only one with an x	daily	x
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$10,000

One daily event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$2,500

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

Notes The Respondent completed corrective action for this violation on December 15, 2009, prior to the April 15, 2010 NOE.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$77,200

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 39565
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
<small>No commas or \$</small>							

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)	\$1,500	20-Nov-2009	15-Dec-2009	0.07	\$5	n/a	\$5

Notes for DELAYED costs

Estimated costs to train personnel and implement procedures to prevent overpressure of the Debutanizer (T-727) and Depropanizer (T-729) and to ensure against recurrence of high light ends content to the Crude Light Ends Unit. The date required is the date of the emissions event. The final date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$5

Screening Date 24-May-2010

Docket No. 2010-0656-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39565

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator Audra Benoit

Violation Number 2

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

Violation Description

Failed to prevent unauthorized emissions. Specifically, Incident No. 134509, occurred on January 14, 2010, in the Gas Treating Unit which resulted from corrosion of piping that released 11,032 lbs of volatile organic compounds, 6,335 lbs of CO, 1,240 lbs of H2S, 1,164 lbs of NOx and 61,249 lbs of SO2 into the atmosphere for 155 hours and 20 minutes. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$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 has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 7

7 Number of violation days

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$70,000

Seven daily events are recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$17,500

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

Notes

The Respondent completed corrective actions for this violation on January 21, 2010, prior to the May 11, 2010 NOE.

Violation Subtotal \$52,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$540,400

This violation Final Assessed Penalty (adjusted for limits) \$70,000

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 39565
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
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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)	\$2,000	14-Jan-2010	21-Jan-2010	0.02	\$2	n/a	\$2

Notes for DELAYED costs

Estimated costs to replace open-ended corroded pipe with a capped pipe to prevent discharge and to protect equipment from the elements. The date required is the beginning date of the emissions event. The final date is the date of compliance.

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

\$2,000

TOTAL

\$2

Compliance History Report

Customer/Respondent/Owner-Operator:

CN600123939 Exxon Mobil Corporation

Classification: AVERAGE

Rating: 2.70

Regulated Entity:

RN102579307 EXXON MOBIL BAYTOWN FACILITY

Classification: AVERAGE

Site Rating: 5.73

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	REGISTRATION	22874
AIR NEW SOURCE PERMITS	REGISTRATION	23378
AIR NEW SOURCE PERMITS	REGISTRATION	24669
AIR NEW SOURCE PERMITS	REGISTRATION	26486
AIR NEW SOURCE PERMITS	REGISTRATION	26294
AIR NEW SOURCE PERMITS	REGISTRATION	27403
AIR NEW SOURCE PERMITS	REGISTRATION	26443
AIR NEW SOURCE PERMITS	REGISTRATION	30186
AIR NEW SOURCE PERMITS	REGISTRATION	31067
AIR NEW SOURCE PERMITS	REGISTRATION	31008
AIR NEW SOURCE PERMITS	REGISTRATION	31690
AIR NEW SOURCE PERMITS	REGISTRATION	31852
AIR NEW SOURCE PERMITS	REGISTRATION	31915
AIR NEW SOURCE PERMITS	REGISTRATION	34295
AIR NEW SOURCE PERMITS	REGISTRATION	33875
AIR NEW SOURCE PERMITS	REGISTRATION	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	REGISTRATION	38532
AIR NEW SOURCE PERMITS	REGISTRATION	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	REGISTRATION	40421
AIR NEW SOURCE PERMITS	REGISTRATION	38572
AIR NEW SOURCE PERMITS	REGISTRATION	42509
AIR NEW SOURCE PERMITS	REGISTRATION	43489
AIR NEW SOURCE PERMITS	REGISTRATION	43582
AIR NEW SOURCE PERMITS	REGISTRATION	44162
AIR NEW SOURCE PERMITS	REGISTRATION	47145
AIR NEW SOURCE PERMITS	REGISTRATION	47912
AIR NEW SOURCE PERMITS	REGISTRATION	49342
AIR NEW SOURCE PERMITS	REGISTRATION	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	REGISTRATION	11007
AIR NEW SOURCE PERMITS	REGISTRATION	10461

AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	REGISTRATION	11053
AIR NEW SOURCE PERMITS	REGISTRATION	11206
AIR NEW SOURCE PERMITS	REGISTRATION	11250
AIR NEW SOURCE PERMITS	REGISTRATION	11380
AIR NEW SOURCE PERMITS	REGISTRATION	11464
AIR NEW SOURCE PERMITS	REGISTRATION	11475
AIR NEW SOURCE PERMITS	REGISTRATION	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	REGISTRATION	11624
AIR NEW SOURCE PERMITS	REGISTRATION	11703
AIR NEW SOURCE PERMITS	REGISTRATION	11939
AIR NEW SOURCE PERMITS	REGISTRATION	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	REGISTRATION	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	REGISTRATION	12977
AIR NEW SOURCE PERMITS	REGISTRATION	12994
AIR NEW SOURCE PERMITS	REGISTRATION	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	REGISTRATION	50429
AIR NEW SOURCE PERMITS	REGISTRATION	53461
AIR NEW SOURCE PERMITS	REGISTRATION	52474
AIR NEW SOURCE PERMITS	REGISTRATION	55912
AIR NEW SOURCE PERMITS	REGISTRATION	54582
AIR NEW SOURCE PERMITS	REGISTRATION	54497
AIR NEW SOURCE PERMITS	REGISTRATION	71394
AIR NEW SOURCE PERMITS	REGISTRATION	50582
AIR NEW SOURCE PERMITS	REGISTRATION	54848
AIR NEW SOURCE PERMITS	REGISTRATION	53785

AIR NEW SOURCE PERMITS	REGISTRATION	55511
AIR NEW SOURCE PERMITS	REGISTRATION	72657
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
AIR NEW SOURCE PERMITS	REGISTRATION	90337

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

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 02, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 18, 2005 to May 18, 2010

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

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

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 09/01/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 08/07/2005

ADMINORDER 2003-1185-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate

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

Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 116, SubChapter G 116.715(a)

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

Description: Failure to submit a timely initial notification after discovery of a reportable emissions event.

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Moderate

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

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

Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT

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

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

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

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

Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT

Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

Effective Date: 05/25/2007

ADMINORDER 2006-1398-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Effective Date: 09/21/2007

ADMINORDER 2007-0077-AIR-E

Classification: Moderate

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

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

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

Effective Date: 01/12/2008

ADMINORDER 2007-0672-AIR-E

Classification: Moderate

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

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

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

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

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

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

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

Effective Date: 02/25/2008

ADMINORDER 2006-0498-AIR-E

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

Effective Date: 02/25/2008

ADMINORDER 2007-1403-AIR-E

Classification: Moderate

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

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

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

Effective Date: 03/08/2008

ADMINORDER 2007-1004-AIR-E

Classification: Moderate

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

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

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

Effective Date: 06/05/2008

ADMINORDER 2007-1637-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,160 pounds ("lbs") of volatile organic compounds, 182 lbs of hydrogen sulfide, 21 lbs of the Hazardous Air Pollutant ("HAP") benzene, 124 lbs of the HAP toluene, 54 lbs of the HAP xylene and 224 lbs of the HAP ethylbenzene from Tank 998 in Oil Movements Area 1 during an avoidable emissions event that began May 17, 2007 and lasted 126 hours.

Effective Date: 09/22/2008

ADMINORDER 2006-0875-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Effective Date: 10/06/2008

ADMINORDER 2008-0160-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Description: Failed to comply with a maximum allowable emission rate of 20 parts per million ("ppm") at 0% oxygen ("O2") for sulfur dioxide ("SO2"). Specifically, during a reference method stack test conducted on March 27, 2007, it was determined that SO2 emissions from Boiler 1 (EPN No. LXU2B1) were 96.83 ppm at 0% O2.

Classification: Moderate

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

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

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

Effective Date: 11/06/2008

ADMINORDER 2007-0463-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

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

Classification: Moderate

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

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

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

Effective Date: 12/04/2008

ADMINORDER 2008-0641-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,035 pounds ("lbs") of volatile organic compounds ("VOC"), 733 lbs of sulfur dioxide ("SO2"), 736 lbs of

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 01/30/2009

ADMINORDER 2008-0872-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 02/08/2009

ADMINORDER 2007-0214-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 07/09/2009

ADMINORDER 2008-1163-AIR-E

Classification: Moderate

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

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

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

Effective Date: 07/20/2009

ADMINORDER 2009-0132-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 09/21/2009

ADMINORDER 2009-0073-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 10/18/2009

ADMINORDER 2008-1727-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 03/08/2010

ADMINORDER 2009-1080-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 04/11/2010

ADMINORDER 2009-1221-IHW-E

Classification: Minor

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

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

Effective Date: 04/25/2010

ADMINORDER 2009-1677-AIR-E

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions.

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 05/26/2005 (333676)

2 06/09/2005 (394572)
3 06/13/2005 (395496)
4 06/23/2005 (395306)
5 06/30/2005 (396806)
6 07/12/2005 (399391)
7 07/13/2005 (399494)
8 08/02/2005 (402576)

9 08/02/2005 (402737)
10 08/02/2005 (402844)
11 08/02/2005 (402917)
12 08/03/2005 (401816)
13 08/08/2005 (399628)
14 08/08/2005 (402336)
15 08/09/2005 (403017)
16 08/09/2005 (403164)
17 08/09/2005 (403230)
18 08/09/2005 (403721)
19 08/09/2005 (404230)
20 08/09/2005 (404259)
21 08/09/2005 (404296)
22 08/15/2005 (405021)
23 08/16/2005 (404301)
24 08/16/2005 (404547)
25 08/19/2005 (404792)
26 08/23/2005 (405305)
27 08/24/2005 (399636)
28 08/24/2005 (399637)
29 08/29/2005 (405928)
30 08/31/2005 (418871)
31 09/01/2005 (399476)
32 09/28/2005 (431581)
33 09/28/2005 (432076)
34 10/17/2005 (434480)
35 11/03/2005 (431598)
36 11/22/2005 (433933)
37 11/22/2005 (435072)
38 11/22/2005 (438130)
39 12/20/2005 (267563)
40 12/21/2005 (434204)
41 12/21/2005 (435335)
42 12/30/2005 (435909)
43 12/30/2005 (435916)
44 01/17/2006 (273538)
45 01/17/2006 (450474)
46 02/06/2006 (450733)
47 02/21/2006 (452651)
48 02/28/2006 (456441)
49 03/24/2006 (459648)
50 04/04/2006 (461224)
51 04/20/2006 (461537)
52 04/26/2006 (338552)
53 04/27/2006 (461574)
54 04/28/2006 (463895)
55 05/02/2006 (460481)
56 05/03/2006 (463377)
57 05/04/2006 (462741)
58 05/08/2006 (457378)

59	05/16/2006	(462451)
60	05/16/2006	(465569)
61	05/17/2006	(457374)
62	05/22/2006	(466175)
63	05/25/2006	(431599)
64	05/30/2006	(479710)
65	05/30/2006	(479729)
66	05/30/2006	(479780)
67	05/30/2006	(479785)
68	05/30/2006	(479791)
69	05/30/2006	(479817)
70	05/31/2006	(344766)
71	05/31/2006	(462401)
72	05/31/2006	(463588)
73	06/02/2006	(454646)
74	06/02/2006	(460480)
75	06/02/2006	(464665)
76	06/14/2006	(466357)
77	06/19/2006	(481233)
78	06/19/2006	(481262)
79	06/26/2006	(481569)
80	06/29/2006	(480981)
81	06/30/2006	(481533)
82	07/07/2006	(483457)
83	07/07/2006	(483683)
84	07/07/2006	(484811)
85	07/20/2006	(484814)
86	07/31/2006	(484463)
87	07/31/2006	(489107)
88	08/03/2006	(489455)
89	08/09/2006	(484809)
90	08/18/2006	(487811)
91	08/31/2006	(465761)
92	08/31/2006	(489776)
93	09/01/2006	(509264)
94	09/01/2006	(510727)
95	09/01/2006	(510733)
96	09/05/2006	(489701)
97	09/05/2006	(489770)
98	09/25/2006	(497145)
99	09/29/2006	(489710)
100	10/18/2006	(513741)
101	10/26/2006	(517328)
102	10/30/2006	(516968)
103	11/15/2006	(514799)
104	11/15/2006	(518447)
105	11/30/2006	(457899)
106	11/30/2006	(531626)
107	12/08/2006	(532394)
108	12/13/2006	(519183)
109	12/21/2006	(393692)
110	01/08/2007	(533556)
111	01/09/2007	(535937)
112	01/11/2007	(534949)
113	01/12/2007	(481287)
114	01/23/2007	(536577)
115	01/29/2007	(449587)
116	01/31/2007	(517160)

117 01/31/2007 (538653)
118 02/02/2007 (462413)
119 02/05/2007 (457903)
120 02/06/2007 (539165)
121 02/08/2007 (539319)
122 02/09/2007 (440421)
123 02/09/2007 (449579)
124 02/09/2007 (484815)
125 02/15/2007 (457902)
126 02/15/2007 (535801)

127 02/27/2007 (515654)
128 02/28/2007 (481875)
129 03/08/2007 (449583)
130 03/23/2007 (489664)
131 03/23/2007 (490037)
132 03/26/2007 (541019)
133 03/26/2007 (541089)
134 03/26/2007 (541133)
135 03/27/2007 (534342)
136 03/28/2007 (555118)
137 03/30/2007 (535817)
138 03/30/2007 (541407)
139 04/04/2007 (511045)
140 04/05/2007 (536574)
141 04/05/2007 (543125)
142 04/12/2007 (535873)
143 04/19/2007 (537203)
144 04/19/2007 (538065)
145 04/20/2007 (536593)
146 04/20/2007 (539663)
147 04/20/2007 (556917)
148 04/24/2007 (536941)
149 04/24/2007 (537438)
150 04/27/2007 (556005)
151 04/30/2007 (542577)
152 05/01/2007 (539681)
153 05/03/2007 (554208)
154 05/04/2007 (535563)
155 05/08/2007 (489678)
156 05/08/2007 (535299)
157 05/08/2007 (535352)
158 05/08/2007 (541040)
159 05/08/2007 (558748)
160 05/09/2007 (457383)
161 05/09/2007 (535078)
162 05/09/2007 (535565)
163 05/11/2007 (536591)
164 05/16/2007 (539675)
165 05/16/2007 (558902)
166 05/17/2007 (490200)
167 05/30/2007 (560387)
168 05/31/2007 (538802)
169 05/31/2007 (540430)
170 05/31/2007 (561882)
171 06/05/2007 (562903)
172 06/15/2007 (560235)
173 06/15/2007 (561789)
174 06/27/2007 (559236)

175 06/27/2007 (559573)
176 06/27/2007 (559574)
177 06/27/2007 (563272)
178 07/03/2007 (555858)
179 07/05/2007 (564964)
180 07/06/2007 (562588)
181 07/10/2007 (567169)
182 07/11/2007 (541738)
183 07/11/2007 (543749)
184 07/16/2007 (561456)
185 07/23/2007 (568005)

186 07/30/2007 (563075)
187 08/03/2007 (564720)
188 08/06/2007 (570695)
189 08/09/2007 (571423)
190 08/10/2007 (560522)
191 08/10/2007 (563117)
192 08/13/2007 (563757)
193 08/22/2007 (568350)
194 08/24/2007 (570712)
195 08/29/2007 (572924)
196 09/07/2007 (593545)
197 09/19/2007 (570275)
198 09/19/2007 (570278)
199 09/19/2007 (572771)
200 09/20/2007 (570276)
201 09/26/2007 (593611)
202 09/28/2007 (564900)
203 09/28/2007 (565019)
204 09/28/2007 (565214)
205 10/01/2007 (595471)
206 10/02/2007 (563996)
207 10/02/2007 (564053)
208 10/02/2007 (564057)
209 10/02/2007 (564825)
210 10/02/2007 (566406)
211 10/03/2007 (574482)
212 10/04/2007 (565775)
213 10/10/2007 (566719)
214 10/10/2007 (567038)
215 10/11/2007 (566557)
216 10/12/2007 (572311)
217 10/16/2007 (597893)
218 10/19/2007 (596209)
219 10/25/2007 (571458)
220 10/25/2007 (572951)
221 10/25/2007 (573665)
222 11/02/2007 (573789)
223 11/02/2007 (598325)
224 11/02/2007 (598327)
225 11/08/2007 (597351)
226 11/19/2007 (569267)
227 11/19/2007 (593935)
228 11/20/2007 (608861)
229 11/27/2007 (568601)
230 12/04/2007 (599936)
231 12/07/2007 (593717)
232 12/07/2007 (594582)

233	12/12/2007	(593931)
234	12/17/2007	(611653)
235	12/20/2007	(599324)
236	12/20/2007	(599344)
237	12/20/2007	(599350)
238	12/20/2007	(599754)
239	12/21/2007	(599347)
240	12/21/2007	(599624)
241	01/04/2008	(610570)
242	01/07/2008	(613467)
243	01/18/2008	(612843)
244	01/18/2008	(614380)

245	01/18/2008	(615193)
246	01/28/2008	(616174)
247	01/30/2008	(616222)
248	02/07/2008	(614032)
249	02/08/2008	(611547)
250	02/13/2008	(613846)
251	02/27/2008	(617012)
252	02/28/2008	(617220)
253	03/05/2008	(611632)
254	03/07/2008	(616312)
255	03/09/2008	(609542)
256	03/14/2008	(639154)
257	03/21/2008	(639445)
258	03/24/2008	(639458)
259	04/02/2008	(637836)
260	04/04/2008	(613406)
261	04/04/2008	(638369)
262	04/17/2008	(646246)
263	04/24/2008	(653934)
264	04/25/2008	(613756)
265	04/30/2008	(654258)
266	05/07/2008	(646555)
267	05/08/2008	(613978)
268	05/09/2008	(598614)
269	05/13/2008	(439155)
270	05/19/2008	(670962)
271	05/22/2008	(670825)
272	05/27/2008	(679941)
273	06/15/2008	(433577)
274	06/16/2008	(398344)
275	06/17/2008	(683333)
276	06/19/2008	(683121)
277	06/26/2008	(683668)
278	06/27/2008	(671720)
279	07/18/2008	(686470)
280	07/22/2008	(531928)
281	07/22/2008	(685958)
282	08/07/2008	(684566)
283	09/24/2008	(701775)
284	10/16/2008	(687747)
285	10/29/2008	(687171)
286	10/30/2008	(685194)
287	10/31/2008	(703451)
288	11/03/2008	(686921)
289	11/10/2008	(706764)
290	11/21/2008	(706342)

291 11/21/2008 (706700)
292 12/22/2008 (709485)
293 01/09/2009 (709484)
294 01/15/2009 (721346)
295 04/09/2009 (740917)
296 04/14/2009 (740493)
297 04/17/2009 (741980)
298 04/21/2009 (743215)
299 04/22/2009 (735601)
300 04/29/2009 (737394)
301 04/30/2009 (739819)
302 05/05/2009 (743062)
303 05/05/2009 (743063)

304 05/13/2009 (725716)
305 05/14/2009 (744009)
306 06/04/2009 (743832)
307 06/23/2009 (744178)
308 06/23/2009 (744302)
309 06/23/2009 (744317)
310 06/23/2009 (744320)
311 06/23/2009 (744323)
312 06/23/2009 (744406)
313 07/01/2009 (742028)
314 07/01/2009 (746149)
315 07/15/2009 (738281)
316 07/17/2009 (745541)
317 07/24/2009 (743966)
318 07/27/2009 (747598)
319 07/30/2009 (763678)
320 08/03/2009 (764251)
321 08/06/2009 (741015)
322 08/06/2009 (741982)
323 08/10/2009 (759843)
324 08/10/2009 (763817)
325 08/10/2009 (764911)
326 08/20/2009 (721130)
327 08/20/2009 (766551)
328 08/21/2009 (726876)
329 09/02/2009 (746806)
330 09/02/2009 (767216)
331 09/02/2009 (767239)
332 09/15/2009 (766566)
333 09/15/2009 (767619)
334 09/23/2009 (776026)
335 09/28/2009 (760745)
336 09/28/2009 (777658)
337 09/29/2009 (761132)
338 10/05/2009 (759724)
339 10/26/2009 (779952)
340 10/30/2009 (764922)
341 10/30/2009 (766755)
342 11/03/2009 (780703)
343 11/12/2009 (782073)
344 11/18/2009 (761133)
345 11/24/2009 (780766)
346 12/02/2009 (783517)
347 12/08/2009 (775293)
348 12/18/2009 (766987)

349 01/08/2010 (766984)
350 01/08/2010 (780134)
351 01/12/2010 (779500)
352 02/18/2010 (766985)
353 02/25/2010 (785566)
354 03/01/2010 (792396)
355 03/04/2010 (793709)
356 03/16/2010 (792951)
357 03/19/2010 (789337)
358 03/22/2010 (795883)
359 03/24/2010 (796134)
360 03/31/2010 (797498)
361 04/12/2010 (797291)
362 04/15/2010 (786630)

363 04/15/2010 (789325)
364 04/15/2010 (794475)
365 04/15/2010 (795834)
366 04/19/2010 (794953)
367 04/26/2010 (796939)
368 04/27/2010 (798192)
369 04/29/2010 (789472)
370 05/03/2010 (798417)
371 05/07/2010 (795545)
372 05/07/2010 (801526)
373 05/10/2010 (801638)
374 05/11/2010 (794560)
375 05/12/2010 (759117)
376 05/12/2010 (802094)

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

Date: 08/19/2005 (404792)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: failed to identify self heating waste material which caused a fire in a roll off bin.

Date: 04/26/2006 (461574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Permit #18287, SC #1 PERMIT
Description: ExxonMobil failed to provide lean MEA while pressurizing Tower 381.

Date: 05/15/2006 (462451)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Permit No. 44533, GC #8 PERMIT
Description: Exxon failed to submit a completed final report.

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

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

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

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

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

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

Date: 01/08/2007 (533556) CN600123939
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 TCEQ Flexible Air Permit #18287, SC#1 PA
 Description: failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.

Date: 02/13/2007 (539319) CN600123939
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 TCEQ AIR FLEXIBLE PERMIT #18287, SC#1 PA
 Description: ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.

Date: 04/04/2007 (511045) CN600123939
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 No. 18287/Special Condition No. 45E. PERMIT
 Description: The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation issued and resolved.

Date: 05/01/2007 (539681)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

5C THC Chapter 382, SubChapter A 382.085(b)
No.18287/PSD-TX-703 SC 1 PA
No.18287/PSD-TX-703 SC14B PA

Description: Failed to maintain the pilot flame on all flares.

Date: 05/22/2008 (670825) CN600123939
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

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

Date: 10/31/2008 (703451) CN600123939
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Air Permit #18287, SC#1 PA

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

Date: 11/21/2008 (706342) CN600123939
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Air Flexible Permit No. 18287, SC#1 PA

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

Date: 01/09/2009 (709484)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THSC Chapter 382 382.085(b)
Description: Failure to present an affirmative defense in regard to the avoidability of Excess Opacity Event No. 113088.

Date: 04/22/2009 (735601)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions, specifically the RE failed to prevent a level indicator malfunction.

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

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

Self Report? NO **Classification:** Minor

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

Description: Failure to meet closed purge requirements

Self Report? NO **Classification:** Minor

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

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

Self Report? NO **Classification:** Minor

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

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

Self Report? NO **Classification:** Moderate

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

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

Self Report? NO **Classification:** Minor

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

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

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14D PA

Special Condition 30 OP

Description: Failure to notify Administrator of Tank inspection.

Self Report? NO **Classification:** Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143(d)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to Monitor Steam Strippers, ID#PRORTTT071G, PRORTTT081G.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)(2)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain fuel usage record.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to make degreasers operating requirements visible

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
5C THSC Chapter 382 382.085(b)

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

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

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

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

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

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

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

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

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

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

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

Description: Failure to limit ammonia emissions.

Self Report? NO Classification: Minor

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

Description: Failure to maintain fuel flow meter.

Self Report? NO Classification: Minor

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

Description: Failure to maintain quarterly engine tests report.

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

Description: Failure to demonstrate continuous compliance with emissions limitation.

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Date: 09/15/2009 (767619)

Self Report? NO Classification: Moderate

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

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

Date: 09/17/2009 (763625)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

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

Date: 01/07/2010 (780134)

Self Report? NO Classification: Moderate

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

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

Date: 03/15/2010 (792951)

Self Report? NO

Classification: Moderate

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

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

Date: 03/23/2010 (789337)

CN600123939

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
5C THSC Chapter 382 382.085(b)

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

Date: 04/15/2010 (789325)

CN600123939

Self Report? NO

Classification: Moderate

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

Description: Failure to prevent the pluggage of the level taps on the second stage Knockout Drum of Wet Gas Compressor J-102, resulting in the high level interlock trip and the the flaring of wet gas.

Date: 04/27/2010 (798192)

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 resulting from a hole in E-5 tower inlet nozzle.

Date: 05/03/2010 (798417)

CN600123939

Self Report? NO

Classification: Major

Citation: 10.A./Appendix A1.1 ORDER
2A TWC Chapter 7, SubChapter A 7.101

Description: Monitoring well maintenance

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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

AGREED ORDER DOCKET NO. 2010-0656-AIR-E

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

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

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

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

I. FINDINGS OF FACT

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

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on December 21, 2009, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, Incident 132322 occurred on November 20, 2009, in the Crude Light Ends Unit ("CLE") which resulted from high light ends content in the CLE feed causing an overpressure of the Debutanizer (T-727) and the Depropanizer (T-729) and the release of 11,839 pounds ("lbs") of propane, 18,728 lbs of i-butane, 28,030 lbs of n-butane, 10 lbs pentane, 5 lbs benzene, 2,719 lbs sulfur dioxide ("SO₂"), 29 lbs of hydrogen sulfide ("H₂S"), 1,423 lbs carbon monoxide ("CO"), and 262 lbs of nitrogen oxides ("NO_x") into the atmosphere for five hours and 42 minutes.
4. During an investigation on February 5, 2010, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, Incident No. 134509, occurred on January 14, 2010, in the Gas Treating Unit which resulted from corrosion of piping that released 11,032 lbs of volatile organic compounds, 6,335 lbs of CO, 1,240 lbs of H₂S, 1,164 lbs of NO_x, and 61,249 lbs of SO₂ into the atmosphere for 155 hours and 20 minutes.
5. The Respondent received notices of the violations on April 20, 2010 and May 16, 2010.
6. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. In regard to Incident No. 132322, the Respondent trained personnel and implemented procedures to prevent overpressure of the Debutanizer (T-727) and Depropanizer (T-729) and to ensure against recurrence of high light ends content to the CLE Unit on December 15, 2009; and
 - b. In regard to Incident No. 134509, the Respondent replaced the open-ended corroded pipe with a capped pipe to prevent discharges and to protect equipment on January 21, 2010.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions during Incident No. 132322, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, Special Condition ("SC") 1. Since the emissions event could have been avoided through better operational and/or maintenance practices, the

demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions during Incident No. 134509, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Air Permit No. 18287 and PSD-TX-730M4/PAL, SC 1. Since the emissions event could have been avoided through better operational and/or maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of Eighty Thousand Dollars (\$80,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Forty Thousand Dollars (\$40,000) of the administrative penalty. Forty Thousand Dollars (\$40,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Eighty Thousand Dollars (\$80,000) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2010-0656-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 the SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5 above, Forty Thousand Dollars (\$40,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.
8. 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.
9. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed

Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.

10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

1/31/2011
Date

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

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

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

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

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

Signature

DEC. 16, 2010
Date

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

REFINERY MANAGER
Title

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

Attachment A
Docket Number: 2010-0656-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Exxon Mobil Corporation
Payable Penalty Amount: Eighty Thousand Dollars (\$80,000)
SEP Amount: Forty Thousand Dollars (\$40,000)
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

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.