Executive Summary – Enforcement Matter – Case No. 49889
Exxon Mobil Corporation
RN102574803
Docket No. 2015-0039-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
ExxonMobil Chemical Baytown Chemical Plant, 5000 Bayway Drive, Baytown, Harris County
Type of Operation:
Chemical processing plant
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: January 29, 2016
Comments Received: No

Penalty Information

Total Penalty Assessed: $105,529
Amount Deferred for Expedited Settlement: $21,105
Amount Deferred for Financial Inability to Pay: $0
Total Paid to General Revenue: $42,212
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $42,212
Name of SEP: Houston-Galveston Area Council-AERCO (Third-Party Pre-Approved)
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: Yes
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: September 2002 and April 2014

Executive Summary – Enforcement Matter – Case No. 49889
Exxon Mobil Corporation
RN102574803
Docket No. 2015-0039-AIR-E

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: September 17, 2014 through October 21, 2014 and January 5, 2015 through January 14, 2015
Date(s) of NOE(s): November 18, 2014 and February 6, 2015

Violation Information

1. Failed to include all applicable Highly Reactive Volatile Organic Compound ("HRVOC") sources, Emission Point Numbers ("EPNs") FS09, NRUFG, PFUFG, TDUFG, PAUFG, NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, in the HRVOC Emissions Cap and Trade Annual Compliance Report, Form ECT-1H, for the 2009, 2010, 2011, and 2012 control periods [30 TEX. ADMIN. CODE §§ 101.400(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O1278, Special Terms and Conditions ("STC") No. 1.A].

2. Failed to conduct testing. Specifically, 14 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, were not tested to establish the maximum potential HRVOC hourly emissions data [30 TEX. ADMIN. CODE §§ 115.725(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(i)].

3. Failed to install and operate a monitoring system for Flare Stack 9, EPN FS09, in HRVOC service. Specifically, the Respondent did not install an on-line analyzer monitor on Flare Stack 9 as required [30 TEX. ADMIN. CODE §§ 115.725(d) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(iii)].

4. Failed to meet applicable HRVOC monitoring requirements for four fugitive emission sources. Specifically, EPNs NRUFG, PFUFG, TDUFG, and PAUFG were not identified, tagged, and monitored as potential HRVOC sources in the Leak Detection and Repair database [30 TEX. ADMIN. CODE §§ 115.781(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(v)].

5. Failed to report all instances of deviations. Specifically, the deviation reports for the reporting periods from October 1, 2009 through March 31, 2010, April 1, 2010 through September 30, 2010, October 1, 2010 through March 31, 2011, April 1, 2011 through September 30, 2011, October 1, 2011 through March 31, 2012, April 1, 2012 through September 30, 2012, and October 1, 2012 through March 31, 2013 did not include deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emissions sources and failing to include 15 vent sources and

four fugitive emission sources in the Form ECT-1H [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, General Terms and Conditions].

6. Failed to conduct testing. Specifically, 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, were not tested to establish the maximum potential HRVOC hourly emissions data [30 TEX. ADMIN. CODE §§ 115.725(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2270, STC Nos. 1.A. and 1.E.(i)].

7. Failed to timely submit a revision application for a FOP. Specifically, the Respondent did not timely submit a revision application to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270 [30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to report all instances of deviations. Specifically, the deviation reports for the reporting periods from April 1, 2013 through September 30, 2013 and October 1, 2013 through December 3, 2013 did not include a deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2270, General Terms and Conditions].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

a. On May 31, 2013, submitted a revision application for FOP No. O2269 to include the authorization to operate the emergency engine, EPN BAPPEGEN1;

b. On March 28, 2014, submitted the HRVOC Emissions Cap and Trade Annual Compliance Reports for FOP No. O1278 for the 2009, 2010, 2011, and 2012 control periods;

c. By August 15, 2014, conducted testing on 13 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, to establish the maximum potential HRVOC hourly emissions data and removed a vent source, EPN TDUF507, from service;

d. On September 27, 2014, identified, tagged, and monitored fugitive emission sources, EPNs NRUFG, PFUFG, TDUFG, and PAUFG, as potential HRVOC sources in the Leak Detection and Repair database;

e. By November 18, 2014, conducted testing on 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, to establish the maximum potential HRVOC hourly emissions data;

f. On January 28, 2015, installed an on-line analyzer monitor on Flare Stack 9, EPN FS09, that meets the HRVOC monitoring requirements; and

g. On April 24, 2015, submitted revised deviation reports for FOP No. O1278 that included deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emission sources, failing to include 15 vent sources and four fugitive emission sources in the Form ECT-1H, and submitted revised deviation reports for FOP No. O2270 that included the deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1 in FOP No. O2270.

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

2. The Order will also require the Respondent to:

a. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the revision application for FOP No. O2269 that was submitted on May 31, 2013 within 30 days after the date of such requests, or by any other deadline specified in writing; and

b. Within 180 days, submit written certification that either the revision for FOP No. O2269 has been obtained or that operation of the emergency engine, EPN BAPPEGEN1, has ceased until such time that appropriate authorization is obtained.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Rajesh Acharya, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0577; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483
TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565
Respondent: Robert Catudal, Plant Manager, Exxon Mobil Corporation, 5000 Bayway Drive, P.O. Box 4004, Baytown, Texas 77522
Respondent's Attorney: N/A

Attachment A

Docket Number: 2015-0039-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Penalty Amount:	**Eighty-Four Thousand Four Hundred Twenty-Four Dollars ($84,424)**
SEP Offset Amount:	**Forty-Two Thousand Two Hundred Twelve Dollars ($42,212)**
Type of SEP:	**Contribution to a Third-Party Pre-Approved SEP**
Third-Party Administrator:	**Houston-Galveston Area Council-AERCO**
Project Name:	***Clean Vehicles Partnership Project***
Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

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

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston-Galveston Area Council-AERCO** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency ("EPA") emissions standards ("Old Buses") with new, lower emission buses that meet the most recent EPA emissions standards ("New Buses") or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities ("SEP Administrators") that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for

purchase of New Buses or conversion or retrofit equipment and contract labor for installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards. Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months. All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

c. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to:

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

5. Publicity

Any public statements concerning this SEP and/or project, 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. Recognition

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision October 30, 2008*

TCEQ

DATES					
Assigned	9-Feb-2015				
PCW	3-Sep-2015	Screening	4-Mar-2015	EPA Due	3-Jun-2015

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	49889	No. of Violations	7
Docket No.	2015-0039-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4

Admin. Penalty $ Limit Minimum $0 Maximum $10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$45,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

148.0% Enhancement — *Subtotals 2, 3, & 7* **$66,600**

Notes: Enhancement for two NOVs with same/similar violations, four NOVs with dissimilar violations, five agreed orders containing a denial of liability, and one court order containing a denial of liability.

Culpability No — **0.0%** Enhancement — *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — *Subtotal 5* **-$10,430**

Economic Benefit — **0.0%** Enhancement* — *Subtotal 6* **$0**

Total EB Amounts $10,798
Estimated Cost of Compliance $38,250

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$101,170**

OTHER FACTORS AS JUSTICE MAY REQUIRE — **0.6%** — *Adjustment* **$634**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the cost of compliance associated with Violation No. 2.

Final Penalty Amount **$101,804**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$101,804**

DEFERRAL — **20.0%** Reduction — *Adjustment* **-$20,360**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$81,444**

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

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

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	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	0	0%
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 judgments or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 148%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, four NOVs with dissimilar violations, five agreed orders containing a denial of liability, and one court order containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 148%

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.400(a) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O1278, Special Terms and Conditions ("STC") No. 1.A.

Violation Description Failed to include all applicable Highly Reactive Volatile Organic Compound ("HRVOC") sources, Emissions Point Numbers ("EPNs") FS09, NRUFG, PFUFG, TDUFG, PAUFG, NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, in the HRVOC Emissions Cap and Trade Annual Compliance Report, Form ECT-1H, for the 2009 and 2010 control periods.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 2 | 1458 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $200

Two single events are recommended (one event for each incomplete report).

Good Faith Efforts to Comply

25.0% Reduction $50

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

Notes: The Respondent came into compliance on March 28, 2014, before the NOE dated November 18, 2014.

Violation Subtotal $150

Economic Benefit (EB) for this violation

Estimated EB Amount $200

Statutory Limit Test

Violation Final Penalty Total $449

This violation Final Assessed Penalty (adjusted for limits) $449

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	$1,000	31-Mar-2010	28-Mar-2014	3.99	$200	n/a	$200

Notes for DELAYED costs: Estimated cost to submit the HRVOC Emissions and Cap Trade Annual Compliance Reports for FOP No. O1278 for the 2009, 2010, 2011, and 2012 control periods that included all HRVOC sources (See also Violation No. 1 in the Revision No. 4 PCW). Date Required is the date the report was due for the 2009 control period. 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 $1,000

TOTAL $200

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 115.725(a) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O1278, STC No. 1.G.(l)

Violation Description Failed to conduct testing. Specifically, 14 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, were not tested to establish the maximum potential HRVOC hourly emissions data.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment will or could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 14 | 1618 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $14,000

Fourteen single events are recommended (one event for each source not tested).

Good Faith Efforts to Comply

25.0% Reduction $3,500

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

Notes: The Respondent came into compliance on August 15, 2014, before the NOE dated November 18, 2014.

Violation Subtotal $10,500

Economic Benefit (EB) for this violation

Estimated EB Amount $2,074

Statutory Limit Test

Violation Final Penalty Total $31,416

This violation Final Assessed Penalty (adjusted for limits) $31,416

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	$6,500	11-Mar-2010	15-Aug-2014	4.43	$1,441	n/a	$1,441
Notes for DELAYED costs	Estimated cost to conduct testing on 13 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, to establish maximum potential HRVOC hourly emissions data. Date Required is the first date of non-compliance. 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]	$500	11-Mar-2010	15-Aug-2014	5.35	$134	$500	$634
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	Estimated cost to conduct testing on one vent source, EPN TDUF507, to establish maximum potential HRVOC hourly emissions data. Date Required is the first date of non-compliance. Final Date is the date the vent source was removed from service.						

Approx. Cost of Compliance $7,000

TOTAL $2,074

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 115.725(d) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O1278, STC No. 1.G.(iii)

Violation Description Failed to install and operate a monitoring system for Flare Stack 9, EPN FS09, in HRVOC service. Specifically, the Respondent did not install an on-line analyzer monitor on Flare Stack 9 as required.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment will or could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 1 — 1784 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended for not installing an on-line analyzer monitor.

Good Faith Efforts to Comply

10.0% Reduction $100

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

Notes: The Respondent came into compliance on January 28, 2015, after the NOE dated November 18, 2014.

Violation Subtotal $900

Economic Benefit (EB) for this violation

Estimated EB Amount $3,421

Statutory Limit Test

Violation Final Penalty Total $2,395

This violation Final Assessed Penalty (adjusted for limits) $2,395

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment	$10,000	11-Mar-2010	28-Jan-2015	4.89	$163	$3,258	$3,421
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to install an on-line analyzer monitor on Flare Stack 9, EPN FS09, that meets the HRVOC monitoring requirements. Date Required is the first date of non-compliance. 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 $10,000

TOTAL $3,421

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 115.781(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O1278, STC No. 1.G.(v)

Violation Description Failed to meet applicable HRVOC monitoring requirements for four fugitive emission sources. Specifically, EPNs NRUFG, PFUFG, TDUFG, and PAUFG were not identified, tagged, and monitored as potential HRVOC sources in the Leak Detection and Repair database.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment will or could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 4 | 1661 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $4,000

Four single events are recommended (one event for each source).

Good Faith Efforts to Comply 25.0% Reduction $1,000

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

Notes: The Respondent came into compliance on September 27, 2014, before the NOE dated November 18, 2014.

Violation Subtotal $3,000

Economic Benefit (EB) for this violation

Estimated EB Amount $455

Statutory Limit Test

Violation Final Penalty Total $8,976

This violation Final Assessed Penalty (adjusted for limits) $8,976

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$2,000	11-Mar-2010	27-Sep-2014	4.55	$455	n/a	$455

Notes for DELAYED costs: Estimated cost to identify, tag, and monitor fugitive emission sources, EPNs NRUFG, PFUFG, TDUFG, and PAUFG, as potential HRVOC sources in the Leak Detection and Repair database. Date Required is the first date of non-compliance. 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 $455

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), Tex. Health & Safety Code § 382.085(b), and FOP No. O1278, General Terms and Conditions

Violation Description Failed to report all instances of deviations. Specifically, the deviation reports for the reporting periods from October 1, 2009 through March 31, 2010, April 1, 2010 through September 30, 2010, and October 1, 2010 through March 31, 2011 did not include deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emissions sources and failing to include 15 vent sources and four fugitive emission sources in the Form ECT-1H.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual			
	Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 3 | 1769 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $300

Three single events are recommended (one event for each incomplete report).

Good Faith Efforts to Comply

10.0% Reduction $30

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

Notes: The Respondent came into compliance on April 24, 2015, after the NOE dated November 18, 2014.

Violation Subtotal $270

Economic Benefit (EB) for this violation

Estimated EB Amount $436

Statutory Limit Test

Violation Final Penalty Total $718

This violation Final Assessed Penalty (adjusted for limits) $718

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	$1,750	30-Apr-2010	24-Apr-2015	4.99	$436	n/a	$436

Notes for DELAYED costs: Estimated cost to submit revised deviation reports for FOP No. O1278 that included deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emission sources and failing to include 15 vent sources and four fugitive emission sources in the Form ECT-1H. Date Required is the date the first deviation report was due. 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 $1,750

TOTAL $436

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 115.725(a) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O2270, STC Nos. 1.A. and 1.E.(i)

Violation Description Failed to conduct testing. Specifically, 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, were not tested to establish the maximum potential HRVOC hourly emissions data.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 23 | 1713 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $23,000

Twenty-three single events are recommended (one event for each source not tested).

Good Faith Efforts to Comply

25.0% Reduction $5,750

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

Notes: The Respondent came into compliance on November 18, 2014, before the NOE dated February 6, 2015.

Violation Subtotal $17,250

Economic Benefit (EB) for this violation

Estimated EB Amount $2,699

Statutory Limit Test

Violation Final Penalty Total $51,611

This violation Final Assessed Penalty (adjusted for limits) $51,611

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$11,500	11-Mar-2010	18-Nov-2014	4.69	$2,699	n/a	$2,699

Notes for DELAYED costs: Estimated cost to conduct testing of 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, to establish the maximum potential HRVOC hourly emission data. Date Required is the first date of non-compliance. 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 $11,500

TOTAL $2,699

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 2 (September 2002)*

Case ID No. 49889 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 122.210(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to timely submit a revision application for a FOP. Specifically, the Respondent did not timely submit a revision application to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 | 1177 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended for the FOP revision.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $2,500

Economic Benefit (EB) for this violation

Estimated EB Amount $1,512

Statutory Limit Test

Violation Final Penalty Total $6,239

This violation Final Assessed Penalty (adjusted for limits) $6,239

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	$5,000	11-Mar-2010	27-Mar-2016	6.05	$1,512	n/a	$1,512
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to revise FOP No. O2269 to include the authorization to operate the emergency engine, EPN BAPPEGEN1. Date Required is the first date of non-compliance. Final Date is the estimated 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 $5,000

TOTAL $1,512

Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014) — *PCW Revision March 26, 2014*

TCEQ

DATES						
Assigned	9-Feb-2015					
PCW	3-Sep-2015	Screening	4-Mar-2015	EPA Due	6-Jun-2015	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	49889	No. of Violations	3
Docket No.	2015-0039-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4

Admin. Penalty $ Limit Minimum $0 Maximum $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* $2,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 100.0% Enhancement — *Subtotals 2, 3, & 7* $2,000

Notes: Enhancement for two NOVs with same/similar violations, four NOVs with dissimilar violations, five agreed orders containing a denial of liability, and one court order containing a denial of liability.

Culpability No 0.0% Enhancement — *Subtotal 4* $0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — *Subtotal 5* -$275

Economic Benefit 0.0% Enhancement* — *Subtotal 6* $0

Total EB Amounts $818
Estimated Cost of Compliance $5,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* $3,725

OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% — *Adjustment* $0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount $3,725

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* $3,725

DEFERRAL 20.0% Reduction — *Adjustment* -$745

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY $2,980

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 4 (April 2014)*

Case ID No. 49889 *PCW Revision March 26, 2014*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	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	0	0%
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 judgments or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 148%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, four NOVs with dissimilar violations, five agreed orders containing a denial of liability, and one court order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 148%

>> Final Compliance History Adjustment

Final Adjustment Percentage **capped at 100%* 100%

Screening Date	4-Mar-2015	**Docket No.** 2015-0039-AIR-E	**PCW**
Respondent	Exxon Mobil Corporation		*Policy Revision 4 (April 2014)*
Case ID No.	49889		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN102574803		
Media [Statute]	Air		
Enf. Coordinator	Rajesh Acharya		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.400(a) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O1278, Special Terms and Conditions No. 1.A.

Violation Description Failed to include all applicable Highly Reactive Volatile Organic Compound ("HRVOC") sources, Emissions Point Numbers ("EPNs") FS09, NRUFG, PFUFG, TDUFG, PAUFG, NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, in the HRVOC Emissions Cap and Trade Annual Compliance Report, Form ECT-1H, for the 2011 and 2012 control periods.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 2 — 727 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

Two single events are recommended (one event for each incomplete report).

Good Faith Efforts to Comply

25.0% — Reduction $125

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

Notes: The Respondent came into compliance on March 28, 2014, before the NOE dated November 18, 2014.

Violation Subtotal $375

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $875

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

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	See Economic Benefit in Violation No. 1 in the accompanying PCW.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $0

TOTAL $0

Screening Date	4-Mar-2015	**Docket No.** 2015-0039-AIR-E	**PCW**
Respondent	Exxon Mobil Corporation		*Policy Revision 4 (April 2014)*
Case ID No.	49889		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN102574803		
Media [Statute]	Air		
Enf. Coordinator	Rajesh Acharya		
Violation Number	2		
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), Tex. Health & Safety Code § 382.085(b), and FOP No. O2270, General Terms and Conditions		
Violation Description	Failed to report all instances of deviations. Specifically, the deviation reports for the reporting periods from April 1, 2013 through September 30, 2013 and October 1, 2013 through December 3, 2013 did not include a deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270.		

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 2 — 490 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

Two single events are recommended (one event for each incomplete report).

Good Faith Efforts to Comply

10.0% — Reduction $50

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

Notes: The Respondent came into compliance on April 24, 2015, after the NOE dated February 6, 2015.

Violation Subtotal $450

Economic Benefit (EB) for this violation

Estimated EB Amount $12

Statutory Limit Test

Violation Final Penalty Total $950

This violation Final Assessed Penalty (adjusted for limits) $950

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	$500	30-Oct-2014	24-Apr-2015	0.48	$12	n/a	$12

Notes for DELAYED costs: Estimated cost to submit revised deviation reports for FOP No. O2270 that included the deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270. Date Required is the date the first deviation report was due. 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 $500

TOTAL $12

Screening Date 4-Mar-2015 **Docket No.** 2015-0039-AIR-E **PCW**

Respondent Exxon Mobil Corporation *Policy Revision 4 (April 2014)*

Case ID No. 49889 *PCW Revision March 26, 2014*

Reg. Ent. Reference No. RN102574803

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), Tex. Health & Safety Code § 382.085(b), and FOP No. O1278, General Terms and Conditions

Violation Description Failed to report all instances of deviations. Specifically, the deviation reports for the reporting periods from April 1, 2011 through September 30, 2011, October 1, 2011 through March 31, 2012, April 1, 2012 through September 30, 2012, and October 1, 2012 through March 31, 2013 did not include deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emissions sources and failing to include 15 vent sources and four fugitive emission sources in the Form ECT-1H.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events 4 | 1221 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

Four single events are recommended (one event for each incomplete report).

Good Faith Efforts to Comply

10.0% Reduction $100

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

Notes: The Respondent came into compliance on April 24, 2015, after the NOE dated November 18, 2014.

Violation Subtotal $900

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $1,900

This violation Final Assessed Penalty (adjusted for limits) $1,900

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 49889
Reg. Ent. Reference No. RN102574803
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	See Economic Benefit in Violation No. 5 in the accompanying PCW.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $0

TOTAL $0

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Compliance History Report

PUBLISHED Compliance History Report for CN600123939, RN102574803, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator:	CN600123939, Exxon Mobil Corporation	**Classification:** SATISFACTORY	**Rating:** 4.42
Regulated Entity:	RN102574803, EXXONMOBIL CHEMICAL BAYTOWN CHEMICAL PLANT	**Classification:** SATISFACTORY	**Rating:** 7.01
Complexity Points:	35	**Repeat Violator:** NO	
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations		
Location:	5000 BAYWAY DR BAYTOWN, TX 77520-2123, HARRIS COUNTY		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD980809909
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 33880
AIR NEW SOURCE PERMITS REGISTRATION 22764
AIR NEW SOURCE PERMITS REGISTRATION 22765
AIR NEW SOURCE PERMITS REGISTRATION 22766
AIR NEW SOURCE PERMITS REGISTRATION 23260
AIR NEW SOURCE PERMITS REGISTRATION 23448
AIR NEW SOURCE PERMITS REGISTRATION 23981
AIR NEW SOURCE PERMITS REGISTRATION 23989
AIR NEW SOURCE PERMITS REGISTRATION 25944
AIR NEW SOURCE PERMITS REGISTRATION 25071
AIR NEW SOURCE PERMITS PERMIT 28441
AIR NEW SOURCE PERMITS REGISTRATION 26135
AIR NEW SOURCE PERMITS REGISTRATION 71881
AIR NEW SOURCE PERMITS REGISTRATION 31317
AIR NEW SOURCE PERMITS REGISTRATION 31854
AIR NEW SOURCE PERMITS REGISTRATION 32622
AIR NEW SOURCE PERMITS REGISTRATION 32592
AIR NEW SOURCE PERMITS REGISTRATION 33518
AIR NEW SOURCE PERMITS REGISTRATION 34349
AIR NEW SOURCE PERMITS REGISTRATION 34522
AIR NEW SOURCE PERMITS REGISTRATION 34849
AIR NEW SOURCE PERMITS REGISTRATION 35507
AIR NEW SOURCE PERMITS PERMIT 36476
AIR NEW SOURCE PERMITS REGISTRATION 36806
AIR NEW SOURCE PERMITS REGISTRATION 39070
AIR NEW SOURCE PERMITS REGISTRATION 39020
AIR NEW SOURCE PERMITS REGISTRATION 38991
AIR NEW SOURCE PERMITS REGISTRATION 38990
AIR NEW SOURCE PERMITS REGISTRATION 39222
AIR NEW SOURCE PERMITS REGISTRATION 39364
AIR NEW SOURCE PERMITS REGISTRATION 39822
AIR NEW SOURCE PERMITS REGISTRATION 39479
AIR NEW SOURCE PERMITS REGISTRATION 39823
AIR NEW SOURCE PERMITS REGISTRATION 40139
AIR NEW SOURCE PERMITS REGISTRATION 40429
AIR NEW SOURCE PERMITS REGISTRATION 40627
AIR NEW SOURCE PERMITS REGISTRATION 41621
AIR NEW SOURCE PERMITS REGISTRATION 43700
AIR NEW SOURCE PERMITS REGISTRATION 43766
AIR NEW SOURCE PERMITS REGISTRATION 44053
AIR NEW SOURCE PERMITS REGISTRATION 44074
AIR NEW SOURCE PERMITS REGISTRATION 44619
AIR NEW SOURCE PERMITS REGISTRATION 45380
AIR NEW SOURCE PERMITS REGISTRATION 45876
AIR NEW SOURCE PERMITS REGISTRATION 48743
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0229F
AIR NEW SOURCE PERMITS PERMIT 4600
AIR NEW SOURCE PERMITS PERMIT 5259
AIR NEW SOURCE PERMITS PERMIT 5792
AIR NEW SOURCE PERMITS PERMIT 7743
AIR NEW SOURCE PERMITS PERMIT 8388
AIR NEW SOURCE PERMITS PERMIT 8586
AIR NEW SOURCE PERMITS PERMIT 9571
AIR NEW SOURCE PERMITS REGISTRATION 11241
AIR NEW SOURCE PERMITS REGISTRATION 11551
AIR NEW SOURCE PERMITS REGISTRATION 13009
AIR NEW SOURCE PERMITS REGISTRATION 13015
AIR NEW SOURCE PERMITS REGISTRATION 14744
AIR NEW SOURCE PERMITS REGISTRATION 14948
AIR NEW SOURCE PERMITS REGISTRATION 14949
AIR NEW SOURCE PERMITS REGISTRATION 15786
AIR NEW SOURCE PERMITS PERMIT 20211
AIR NEW SOURCE PERMITS REGISTRATION 22750
AIR NEW SOURCE PERMITS REGISTRATION 51963
AIR NEW SOURCE PERMITS REGISTRATION 55061L001
AIR NEW SOURCE PERMITS REGISTRATION 76179
AIR NEW SOURCE PERMITS REGISTRATION 76270
AIR NEW SOURCE PERMITS REGISTRATION 75416
AIR NEW SOURCE PERMITS REGISTRATION 76317
AIR NEW SOURCE PERMITS REGISTRATION 55900
AIR NEW SOURCE PERMITS AFS NUM 4820100014
AIR NEW SOURCE PERMITS REGISTRATION 70174
AIR NEW SOURCE PERMITS REGISTRATION 71466
AIR NEW SOURCE PERMITS REGISTRATION 72234
AIR NEW SOURCE PERMITS REGISTRATION 50641
AIR NEW SOURCE PERMITS REGISTRATION 53222
AIR NEW SOURCE PERMITS REGISTRATION 71653
AIR NEW SOURCE PERMITS REGISTRATION 52572
AIR NEW SOURCE PERMITS REGISTRATION 52417

AIR NEW SOURCE PERMITS REGISTRATION 51028
AIR NEW SOURCE PERMITS REGISTRATION 52624
AIR NEW SOURCE PERMITS REGISTRATION 50952
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX996
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX997
AIR NEW SOURCE PERMITS REGISTRATION 80253
AIR NEW SOURCE PERMITS REGISTRATION 80411
AIR NEW SOURCE PERMITS REGISTRATION 80715
AIR NEW SOURCE PERMITS REGISTRATION 82149
AIR NEW SOURCE PERMITS REGISTRATION 82657
AIR NEW SOURCE PERMITS EPA PERMIT PAL16
AIR NEW SOURCE PERMITS REGISTRATION 84579
AIR NEW SOURCE PERMITS PERMIT 96220
AIR NEW SOURCE PERMITS REGISTRATION 103141
AIR NEW SOURCE PERMITS REGISTRATION 102558
AIR NEW SOURCE PERMITS REGISTRATION 102551
AIR NEW SOURCE PERMITS REGISTRATION 103167
AIR NEW SOURCE PERMITS REGISTRATION 103134
AIR NEW SOURCE PERMITS REGISTRATION 103165
AIR NEW SOURCE PERMITS REGISTRATION 102557
AIR NEW SOURCE PERMITS REGISTRATION 103152
AIR NEW SOURCE PERMITS REGISTRATION 103170
AIR NEW SOURCE PERMITS REGISTRATION 103159
AIR NEW SOURCE PERMITS REGISTRATION 103178
AIR NEW SOURCE PERMITS REGISTRATION 103175
AIR NEW SOURCE PERMITS REGISTRATION 103151
AIR NEW SOURCE PERMITS REGISTRATION 102554
AIR NEW SOURCE PERMITS REGISTRATION 102546
AIR NEW SOURCE PERMITS REGISTRATION 118027
AIR NEW SOURCE PERMITS REGISTRATION 117728
AIR NEW SOURCE PERMITS REGISTRATION 108566
AIR NEW SOURCE PERMITS REGISTRATION 118033
AIR NEW SOURCE PERMITS REGISTRATION 130000
AIR NEW SOURCE PERMITS REGISTRATION 123625
AIR NEW SOURCE PERMITS REGISTRATION 129961
AIR NEW SOURCE PERMITS REGISTRATION 120439
AIR NEW SOURCE PERMITS REGISTRATION 131373
AIR NEW SOURCE PERMITS REGISTRATION 109740
AIR NEW SOURCE PERMITS REGISTRATION 123832
AIR NEW SOURCE PERMITS REGISTRATION 112780
AIR NEW SOURCE PERMITS REGISTRATION 119875
AIR NEW SOURCE PERMITS REGISTRATION 123403
AIR NEW SOURCE PERMITS REGISTRATION 122827
AIR NEW SOURCE PERMITS REGISTRATION 110913
AIR NEW SOURCE PERMITS REGISTRATION 109284
AIR NEW SOURCE PERMITS REGISTRATION 119890
AIR NEW SOURCE PERMITS REGISTRATION 122563
AIR NEW SOURCE PERMITS REGISTRATION 124201
AIR NEW SOURCE PERMITS REGISTRATION 104818
AIR OPERATING PERMITS PERMIT 1278
AIR OPERATING PERMITS PERMIT 2270
WASTEWATER EPA ID TX0007013
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 33880
POLLUTION PREVENTION PLANNING ID NUMBER P00231

AIR NEW SOURCE PERMITS REGISTRATION 54715
AIR NEW SOURCE PERMITS REGISTRATION 50951
AIR NEW SOURCE PERMITS REGISTRATION 74542
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX996M1
AIR NEW SOURCE PERMITS REGISTRATION 78572
AIR NEW SOURCE PERMITS REGISTRATION 79993
AIR NEW SOURCE PERMITS REGISTRATION 80920
AIR NEW SOURCE PERMITS REGISTRATION 81081
AIR NEW SOURCE PERMITS REGISTRATION 83400
AIR NEW SOURCE PERMITS REGISTRATION 87877
AIR NEW SOURCE PERMITS REGISTRATION 83906
AIR NEW SOURCE PERMITS REGISTRATION 92729
AIR NEW SOURCE PERMITS REGISTRATION 102545
AIR NEW SOURCE PERMITS REGISTRATION 54171
AIR NEW SOURCE PERMITS REGISTRATION 102550
AIR NEW SOURCE PERMITS REGISTRATION 102559
AIR NEW SOURCE PERMITS REGISTRATION 102549
AIR NEW SOURCE PERMITS REGISTRATION 103179
AIR NEW SOURCE PERMITS REGISTRATION 102553
AIR NEW SOURCE PERMITS REGISTRATION 103169
AIR NEW SOURCE PERMITS REGISTRATION 102547
AIR NEW SOURCE PERMITS REGISTRATION 103147
AIR NEW SOURCE PERMITS REGISTRATION 103133
AIR NEW SOURCE PERMITS REGISTRATION 102548
AIR NEW SOURCE PERMITS REGISTRATION 103139
AIR NEW SOURCE PERMITS REGISTRATION 102552
AIR NEW SOURCE PERMITS REGISTRATION 102544
AIR NEW SOURCE PERMITS REGISTRATION 108574
AIR NEW SOURCE PERMITS REGISTRATION 124055
AIR NEW SOURCE PERMITS REGISTRATION 132685
AIR NEW SOURCE PERMITS REGISTRATION 109761
AIR NEW SOURCE PERMITS REGISTRATION 132686
AIR NEW SOURCE PERMITS REGISTRATION 122461
AIR NEW SOURCE PERMITS REGISTRATION 111297
AIR NEW SOURCE PERMITS REGISTRATION 108595
AIR NEW SOURCE PERMITS REGISTRATION 131804
AIR NEW SOURCE PERMITS REGISTRATION 107195
AIR NEW SOURCE PERMITS REGISTRATION 123247
AIR NEW SOURCE PERMITS REGISTRATION 117789
AIR NEW SOURCE PERMITS REGISTRATION 124140
AIR NEW SOURCE PERMITS REGISTRATION 122960
AIR NEW SOURCE PERMITS REGISTRATION 126098
AIR NEW SOURCE PERMITS REGISTRATION 129931
AIR NEW SOURCE PERMITS REGISTRATION 108815
AIR NEW SOURCE PERMITS REGISTRATION 120433
AIR NEW SOURCE PERMITS REGISTRATION 131037
AIR NEW SOURCE PERMITS REGISTRATION 122598
AIR NEW SOURCE PERMITS REGISTRATION 112083
AIR OPERATING PERMITS PERMIT 2269
AIR OPERATING PERMITS ACCOUNT NUMBER HG0229F
WASTEWATER PERMIT WQ0001215000
STORMWATER PERMIT TXR05N668
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0229F
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011562

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: June 12, 2015

Agency Decision Requiring Compliance History: Enforcement

Published *Compliance History Report for CN600123939, RN102574803, Rating Year 2014 which includes Compliance History (CH) components from June 12, 2010, through June 12, 2015.*

Component Period Selected: June 12, 2010 to June 12, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Rajesh Acharya **Phone:** (512) 239-0577

Site and Owner/Operator History:

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** for #2, who is the current owner/operator? N/A

4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A

5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 10/15/2010 ADMINORDER 2009-1343-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(9)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR 20211 SC 3 OP
O-01278 General Terms and Conditions OP

Description: Failed to maintain all air pollution emission capture and abatement equipment in good working order and operating properly during normal Plant
operations. Specifically, an inspection of Tank 3109 conducted on December 12, 2007 determined a 400 square foot portion of the internal floating roof was damaged.

2 Effective Date: 03/19/2011 ADMINORDER 2010-0027-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: General Condition No. 7 PERMIT
Special Terms and Condition #8 OP

Description: Failure to demonstrate compliance for the baghouse visible emissions inspections for the months May 2008 and January 2009. (Category A9.c violation)

3 Effective Date: 05/08/2011 ADMINORDER 2010-1654-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event. Specifically, ExxonMobil failed to prevent the caviation of pump G350.

4 Effective Date: 02/18/2012 ADMINORDER 2011-0541-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit 36476 and PSDTX996M1, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. O-01278, General Terms and Condition OP

Description: Failed to submit a permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the October 1, 2009 through March 31, 2010 certification period was due April 30, 2010,

but it was not received until December 16, 2010.

5 Effective Date: 06/08/2012 ADMINORDER 2011-1061-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failure to submit the PCC form dated December 14, 2010, within the required 30-day timeframe. The report was due on April 30, 2010 (CATEGORY A.8.c.1.E Violation)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failure to submit the compliance certification of Federal Operating Permit O-02269 for the period of October 1, 2009 through March 31, 2010 no later than 30 days after the end of the certification period. [Category A8(c)(1)(E) violation]

6 Effective Date: 06/05/2013 COURTORDER (Final Judgement-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 7 7.101
5C THSC Chapter 382 382.085

Description: Exxon caused, suffered, allowed, or permitted the emission of an air contaminant or the performance of an activity that caused or contributed to air pollution at the Refinery. Specifically, HCPCSD investigations documented that Refinery operations emitted air contaminants in such a concentration and of such duration that they interfered with the normal use and enjoyment of property on January 14 and July 19, 2011.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	June 18, 2010	(846299)
Item 2	July 20, 2010	(866863)
Item 3	August 19, 2010	(866864)
Item 4	September 21, 2010	(873931)
Item 5	October 08, 2010	(846143)
Item 6	October 11, 2010	(846147)
Item 7	November 22, 2010	(881532)
Item 8	December 09, 2010	(860370)
Item 9	December 17, 2010	(896277)
Item 10	January 05, 2011	(878493)
Item 11	January 18, 2011	(902334)
Item 12	January 27, 2011	(878098)
Item 13	February 16, 2011	(909119)
Item 14	March 17, 2011	(916372)
Item 15	April 20, 2011	(924859)
Item 16	May 12, 2011	(938057)
Item 17	May 24, 2011	(921462)
Item 18	June 06, 2011	(914764)
Item 19	June 08, 2011	(914619)
Item 20	June 17, 2011	(945425)
Item 21	July 15, 2011	(952654)
Item 22	July 25, 2011	(914771)
Item 23	August 05, 2011	(914769)
Item 24	August 11, 2011	(959337)
Item 25	August 30, 2011	(944377)

Item 26	September 14, 2011	(965371)
Item 27	October 14, 2011	(971410)
Item 28	October 27, 2011	(936950)
Item 29	November 14, 2011	(977567)
Item 30	December 12, 2011	(984337)
Item 31	January 17, 2012	(990635)
Item 32	February 29, 2012	(997996)
Item 33	March 14, 2012	(1003523)
Item 34	March 16, 2012	(994416)
Item 35	April 13, 2012	(1010088)
Item 36	April 27, 2012	(993908)
Item 37	April 30, 2012	(996951)
Item 38	May 11, 2012	(1016479)
Item 39	May 22, 2012	(1006899)
Item 40	May 23, 2012	(1002507)
Item 41	May 25, 2012	(1006491)
Item 42	May 31, 2012	(1008456)
Item 43	June 06, 2012	(1001496)
Item 44	June 14, 2012	(1013115)
Item 45	July 02, 2012	(1014494)
Item 46	July 10, 2012	(1015891)
Item 47	July 16, 2012	(1031594)
Item 48	August 08, 2012	(1037971)
Item 49	September 10, 2012	(1046705)
Item 50	October 15, 2012	(1060979)
Item 51	November 12, 2012	(1060980)
Item 52	November 19, 2012	(1029254)
Item 53	December 10, 2012	(1060981)
Item 54	December 11, 2012	(1035213)
Item 55	January 08, 2013	(1079028)
Item 56	February 15, 2013	(1079027)
Item 57	March 13, 2013	(1089338)
Item 58	April 15, 2013	(1095731)
Item 59	May 13, 2013	(1106656)
Item 60	June 10, 2013	(1110331)
Item 61	July 19, 2013	(1117216)
Item 62	August 22, 2013	(1124971)
Item 63	September 12, 2013	(1129570)
Item 64	October 21, 2013	(1135302)
Item 65	November 01, 2013	(1116355)
Item 66	November 26, 2013	(1140700)
Item 67	December 19, 2013	(1129159)
Item 68	December 23, 2013	(1147159)
Item 69	January 21, 2014	(1153228)
Item 70	January 30, 2014	(1128271)
Item 71	February 19, 2014	(1140265)
Item 72	March 21, 2014	(1167208)
Item 73	April 23, 2014	(1174341)
Item 74	May 19, 2014	(1180529)
Item 75	June 13, 2014	(1187427)
Item 76	July 22, 2014	(1198603)
Item 77	August 21, 2014	(1198604)
Item 78	September 24, 2014	(1205832)
Item 79	October 10, 2014	(989056)
Item 80	November 21, 2014	(1218496)
Item 81	December 22, 2014	(1224275)
Item 82	February 26, 2015	(1242313)
Item 83	February 27, 2015	(1228887)
Item 84	March 03, 2015	(1228884)
Item 85	March 05, 2015	(1227649)

Item 86	March 18, 2015	(1228791)
Item 87	March 25, 2015	(1248642)
Item 88	April 28, 2015	(1255542)
Item 89	June 05, 2015	(1245359)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 09/04/2014 (1195796) CN600123939
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(1)(B)
Description: TCR AMCL Violation 08/2014 - System received an acute maximum contaminant level violation.

2 Date: 09/30/2014 (1212244) CN600123939
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

3 Date: 11/18/2014 (1193345) CN600123939
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition (3)(E) PERMIT
Special Terms and Condition 17 OP
Special Terms and Condition 1A OP
Description: Failure to seal 6 open-ended lines (OELs) for EPNs: IAUFG, PAUFG and BPUFG. (Category C10)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SC 2 PERMIT
ST&C 17 OP
ST&C 1A OP
Description: Failure to seal 2 open-ended lines (OELs) for EPN: DHUFG. (Category C10)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 2(F) OP
Description: Failure to meet initial 24 hour reporting deadline. (Category B3)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC#2(E) PERMIT
ST&C 17 OP
Description: Failure to limit the concentration of hydrogen sulfide in the refinery blend gas for the following furnaces: IBUF730A/B/C, NRUF6, NRUH2/NRUH3, PAUF311, PAUF321, PFUF510, PFUF530 and PFU501. (Category B18)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC#3 PERMIT
ST&C #17 OP
Description: Failure to limit the concentration of hydrogen sulfide in the refinery blend gas for furnaces, NRU9A and NRU9B. (Category B18).

4 Date: 12/05/2014 (1192830) CN600123939

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 3E PERMIT
Special Term and Condition 1A OP
Special Term and Condition 30 OP

Description: Failure to plug, cap, or otherwise seal eighteen open-ended lines for EPNs: FGRHB and BTCPFUG. (Category C10)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13
5C THSC Chapter 382 382.085(b)
Special Term & Condition 10E OP
Special Term and Condition 1A OP

Description: Failure to properly adjust NOx and O2 analyzers before daily validation. (Category C1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 2E PERMIT
Special Condition 3 PERMIT
Special Term and Condition 1A OP
Special Term and Condition 30 OP

Description: Failure to maintain H2S concentration in fuel gas system below limit. (Category C4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 1A OP
Special Term and Condition 30 OP

Description: Failure to maintain flare emissions below the VOC MAERT limit (EPN: FS28). (Category C4)

5 Date: 12/31/2014 (1230862) CN600123939

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

6 Date: 02/06/2015 (1193157) CN600123939

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to record and maintain specific operating times, monthly hours of operation, and purpose of operation for engine (EPN: BAPPEGEN1). (Category B3)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to conduct engine (EPN: BAPPEGEN1) maintenance according to operating restrictions. (Category B3)

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	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
EXXON MOBIL CORPORATION	**§**	
RN102574803	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2015-0039-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("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 together stipulate that:

1. The Respondent owns and operates a chemical processing plant at 5000 Bayway Drive in Baytown, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.

4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about November 23, 2014 and February 11, 2015.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of One Hundred Five Thousand Five Hundred Twenty-Nine Dollars ($105,529) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Forty-Two Thousand Two Hundred Twelve Dollars ($42,212) of the administrative penalty and

Twenty-One Thousand One Hundred Five Dollars ($21,105) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Forty-Two Thousand Two Hundred Twelve Dollars ($42,212) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).

9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

   a. On May 31, 2013, submitted a revision application for Federal Operating Permit ("FOP") No. O2269 to include the authorization to operate the emergency engine, Emissions Point No. ("EPN") BAPPEGEN1;

   b. On March 28, 2014, submitted the Highly Reactive Volatile Organic Compound ("HRVOC") Emissions Cap and Trade Annual Compliance Reports for FOP No. O1278 for the 2009, 2010, 2011, and 2012 control periods;

   c. By August 15, 2014, conducted testing on 13 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, to establish the maximum potential HRVOC hourly emissions data and removed a vent source, EPN TDUF507, from service;

   d. On September 27, 2014, identified, tagged, and monitored fugitive emission sources, EPNs NRUFG, PFUFG, TDUFG, and PAUFG, as potential HRVOC sources in the Leak Detection and Repair database;

   e. By November 18, 2014, conducted testing on 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, to establish the maximum potential HRVOC hourly emissions data;

   f. On January 28, 2015, installed an on-line analyzer monitor on Flare Stack 9, EPN FS09, that meets the HRVOC monitoring requirements; and

   g. On April 24, 2015, submitted revised deviation reports for FOP No. O1278 that included deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emission sources, failing to

include 15 vent sources and four fugitive emission sources in the Form ECT-1H, and submitted revised deviation reports for FOP No. O2270 that included the deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1 in FOP No. O2270.

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to include all applicable HRVOC sources, EPNs FS09, NRUFG, PFUFG, TDUFG, PAUFG, NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, in the HRVOC Emissions Cap and Trade Annual Compliance Report, Form ECT-1H, for the 2009, 2010, 2011, and 2012 control periods, in violation of 30 TEX. ADMIN. CODE §§ 101.400(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, Special Terms and Conditions ("STC") No. 1.A., as documented during an investigation conducted from September 17, 2014 through October 21, 2014.

2. Failed to conduct testing, in violation of 30 TEX. ADMIN. CODE §§ 115.725(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(i), as documented during an investigation conducted from September 17, 2014 through October 21, 2014. Specifically, 14 vent sources, EPNs NRUF9B, NRUF9A, PFUF510, PFUF501, PFUF530, TDUF501, TDUF507, NRUH2/NRUH3, NRUF6, PAUF311, PAUF321, IBUF730A/B/C, NRUF1A, and NRUF1, were not tested to establish the maximum potential HRVOC hourly emissions data.

3. Failed to install and operate a monitoring system for Flare Stack 9, EPN FS09, in HRVOC service, in violation of 30 TEX. ADMIN. CODE §§ 115.725(d) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(iii), as documented during an investigation conducted from September 17, 2014 through October 21, 2014. Specifically, the Respondent did not install an on-line analyzer monitor on Flare Stack 9 as required.

4. Failed to meet applicable HRVOC monitoring requirements for four fugitive emission sources, in violation of 30 TEX. ADMIN. CODE §§ 115.781(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, STC No. 1.G.(v), as documented

during an investigation conducted from September 17, 2014 through October 21, 2014. Specifically, EPNs NRUFG, PFUFG, TDUFG, and PAUFG were not identified, tagged, and monitored as potential HRVOC sources in the Leak Detection and Repair database.

5. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1278, General Terms and Conditions, as documented during an investigation conducted from September 17, 2014 through October 21, 2014. Specifically, the deviation reports for the reporting periods from October 1, 2009 through March 31, 2010, April 1, 2010 through September 30, 2010, October 1, 2010 through March 31, 2011, April 1, 2011 through September 30, 2011, October 1, 2011 through March 31, 2012, April 1, 2012 through September 30, 2012, and October 1, 2012 through March 31, 2013 did not include deviations for failing to meet all applicable HRVOC monitoring requirements for 14 vent sources and four fugitive emissions sources and failing to include 15 vent sources and four fugitive emission sources in the Form ECT-1H.

6. Failed to conduct testing, in violation of 30 TEX. ADMIN. CODE §§ 115.725(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2270, STC Nos. 1.A. and 1.E.(i), as documented during an investigation from January 5, 2015 through January 14, 2015. Specifically, 23 vent sources, EPNs BL3-301, BL3-302, BL3-307, BL3-308, BL3-310, BL3-312, BL3-314, BN-601, DC-1A, DC-1F, DC-3-5A, DC-403, DC-451, DC-461, DC-562, DC-804, FA2H, FILTER 401 A/B, FN-3-6-80, FN-605, FN-805, SIL-3-5D, and BN-801, were not tested to establish the maximum potential HRVOC hourly emissions data.

7. Failed to timely submit a revision application for a FOP, in violation of 30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation from January 5, 2015 through January 14, 2015. Specifically, the Respondent did not timely submit a revision application to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270.

8. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2270, General Terms and Conditions, as documented during an investigation from January 5, 2015 through January 14, 2015. Specifically, the deviation reports for the reporting periods from April 1, 2013 through September 30, 2013 and October 1, 2013 through December 3, 2013 did not include a deviation for failing to include the authorization to operate the emergency engine, EPN BAPPEGEN1, in FOP No. O2270.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2015-0039-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Forty-Two Thousand Two Hundred Twelve Dollars ($42,212) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The Respondent shall undertake the following technical requirements:

   a. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the revision application for FOP No. O2269 that was submitted on May 31, 2013 within 30 days after the date of such requests, or by any other deadline specified in writing; and

   b. Within 180 days after the effective date of this Agreed Order, submit written certification that either the revision for FOP No. O2269 has been obtained or that operation of the emergency engine, EPN BAPPEGEN1, has ceased until such time that appropriate authorization is obtained. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance and be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. 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.

8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission — Date

For the Executive Director — Date: 5/16/16

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

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

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

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

Signature — Date: 3/15/16

Name (Printed or typed): Robert S. Catudal
Authorized Representative of
Exxon Mobil Corporation

Title: Plant Manager

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

Attachment A

Docket Number: 2015-0039-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Exxon Mobil Corporation**
Penalty Amount:	**Eighty-Four Thousand Four Hundred Twenty-Four Dollars ($84,424)**
SEP Offset Amount:	**Forty-Two Thousand Two Hundred Twelve Dollars ($42,212)**
Type of SEP:	**Contribution to a Third-Party Pre-Approved SEP**
Third-Party Administrator:	**Houston-Galveston Area Council-AERCO**
Project Name:	***Clean Vehicles Partnership Project***
Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

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

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston-Galveston Area Council-AERCO** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency ("EPA") emissions standards ("Old Buses") with new, lower emission buses that meet the most recent EPA emissions standards ("New Buses") or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities ("SEP Administrators") that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for

purchase of New Buses or conversion or retrofit equipment and contract labor for installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards. Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months. All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

c. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to:

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

5. Publicity

Any public statements concerning this SEP and/or project, 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. Recognition

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