

Executive Summary – Enforcement Matter – Case No. 60407

Exxon Mobil Corporation

RN102579307

Docket No. 2021-0339-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Exxon Mobil Baytown Refinery, 2800 Decker Drive, Baytown, Harris County

Type of Operation:

Petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: December 24, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,126

Amount Deferred for Expedited Settlement: \$2,625

Total Paid to General Revenue: \$5,251

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$5,250

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: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 13, 2020 through June 2, 2020 and October 13, 2020 through November 12, 2020

Date(s) of NOE(s): February 4, 2021 and April 29, 2021

Executive Summary – Enforcement Matter – Case No. 60407
Exxon Mobil Corporation
RN102579307
Docket No. 2021-0339-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,893.12 pounds ("lbs") of carbon monoxide ("CO"), 23.50 lbs of hydrogen sulfide ("H₂S"), 371.52 lbs of nitrogen oxides ("NO_x"), 2,149.24 lbs of sulfur dioxide ("SO₂"), and 828.86 lbs of volatile organic compounds ("VOC") from multiple Emissions Point Numbers ("EPNs"), during an emissions event (Incident No. 295944) that began on October 31, 2018 and lasted 20 hours and 59 minutes. The emissions event occurred when the steam header pressure across the Plant dropped during a heavy rainstorm, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1229, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 32 and 36.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,356.74 lbs of CO, 27.41 lbs of H₂S, 266.24 lbs of NO_x, 2,537.88 lbs of SO₂, and 1,725.39 lbs of VOC from multiple EPNs, during an emissions event (Incident No. 299575) that began on December 29, 2018 and lasted 58 hours and 59 minutes. The emissions event occurred when a bearing on the J-3A Steam Turbine Pump Driver failed that caused the Fluidized Catalytic Cracking Unit 2 Top Pumparound Pump to shut down, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, SC No. 1, FOP No. O1229, GTC and STC Nos. 32 and 36.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By May 11, 2020, installed vacuum ejectors, performed evaluation and testing to demonstrate the new ejectors could be operated in a one-out-of-two mode to provide redundancy, and implemented procedures to aid operations personnel in switching

Executive Summary – Enforcement Matter – Case No. 60407
Exxon Mobil Corporation
RN102579307
Docket No. 2021-0339-AIR-E

between ejectors without loss of vacuum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 295944; and

b. By October 13, 2020, replaced the J-3A Steam Turbine Pump in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 299575.

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Margarita Dennis, Enforcement Division, Enforcement Team 5, MC R-04, (817) 588-5892; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

SEP Third-Party Administrator: Houston-Galveston Area Council-AERCO, P.O. Box 22777, Houston, Texas 77227-2777

Respondent: Rohan Davis, Exxon Mobil Baytown Refinery Manager, Exxon Mobil Corporation, 5000 Bayway Drive, Baytown, Texas 77520

Joshua Kinninger, Enforcement Advisor, Exxon Mobil Corporation, 5000 Bayway Drive, Baytown, Texas 77520

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	9-Feb-2021	
	PCW	19-Jul-2021	Screening 12-Feb-2021 EPA Due

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

CASE INFORMATION			
Enf./Case ID No.	60407	No. of Violations	2
Docket No.	2021-0339-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Margarita Dennis
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$7,500
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Notes

Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, seven orders containing a denial of liability, and two orders without a denial of liability. Reduction for two notices of intent to conduct an audit.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,874
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$4,037
Estimated Cost of Compliance	\$40,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,126
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$13,126
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,126
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,625
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$10,501
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Screening Date

12-Feb-2021

Docket No.

2021-0339-AIR-E

PCW

Respondent

Exxon Mobil Corporation

Case ID No.

60407

Reg. Ent. Reference No.

RN102579307

Media

Air

Enf. Coordinator

Margarita Dennis

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
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)197%

>> Repeat Violator (Subtotal 3)

NoAdjustment Percentage (Subtotal 3)0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory PerformerAdjustment Percentage (Subtotal 7)0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, seven orders containing a denial of liability, and two orders without a denial of liability. Reduction for two notices of intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)197%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%100%

Screening Date	12-Feb-2021	Docket No.	2021-0339-AIR-E	PCW
Respondent	Exxon Mobil Corporation	<i>Policy Revision 4 (April 2014)</i>		
Case ID No.	60407	<i>PCW Revision March 26, 2014</i>		
Reg. Ent. Reference No.	RN102579307			
Media	Air			
Enf. Coordinator	Margarita Dennis			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1229, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 32 and 36.A, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,893.12 pounds ("lbs") of carbon monoxide ("CO"), 23.50 lbs of hydrogen sulfide ("H2S"), 371.52 lbs of nitrogen oxides ("NOx"), 2,149.24 lbs of sulfur dioxide ("SO2"), and 828.86 lbs of volatile organic compounds ("VOC") from multiple Emissions Point Numbers ("EPNs", see attached Emissions Event Table), during an emissions event (Incident No. 295944) that began on October 31, 2018 and lasted 20 hours and 59 minutes. The emissions event occurred when the steam header pressure across the Plant dropped during a heavy rainstorm, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			x
	Potential			
		Percent	15.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		Percent	0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$21,250	
		\$3,750		
Violation Events				
Number of Violation Events		1	1	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty	\$3,750	
		One quarterly event is recommended.		
Good Faith Efforts to Comply		25.0%	Reduction \$937	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary	x		
	N/A			
Notes	The Respondent achieved compliance by May 11, 2020, prior to the Notice of Enforcement ("NOE") dated February 4, 2021.			
		Violation Subtotal	\$2,813	
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount		\$1,529	Violation Final Penalty Total	\$6,563
		This violation Final Assessed Penalty (adjusted for limits) \$6,563		

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 60407
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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)	\$20,000	31-Oct-2018	11-May-2020	1.53	\$1,529	n/a	\$1,529
Notes for DELAYED costs	Estimated cost to install vacuum ejectors, perform evaluation and testing to demonstrate the new ejectors could be operated in a one-out-of-two mode to provide redundancy, and implement procedures to aid operations personnel in switching between ejectors without loss of vacuum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 295944. Date Required is the date the emissions event began. Final Date is the date of compliance.						

Avoided CostsANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$20,000	TOTAL	\$1,529
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Screening Date	12-Feb-2021	Docket No.	2021-0339-AIR-E	PCW
Respondent	Exxon Mobil Corporation	<i>Policy Revision 4 (April 2014)</i>		
Case ID No.	60407	<i>PCW Revision March 26, 2014</i>		
Reg. Ent. Reference No.	RN102579307			
Media	Air			
Enf. Coordinator	Margarita Dennis			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, SC No. 1, FOP No. O1229, GTC and STC Nos. 32 and 36.A, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,356.74 lbs of CO, 27.41 lbs of H2S, 266.24 lbs of NOx, 2,537.88 lbs of SO2, and 1,725.39 lbs of VOC from multiple EPNs (see attached Emissions Event Table), during an emissions event (Incident No. 299575) that began on December 29, 2018 and lasted 58 hours and 59 minutes. The emissions event occurred when a bearing on the J-3A Steam Turbine Pump Driver failed that caused the Fluidized Catalytic Cracking Unit 2 Top Pumparound Pump to shut down, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.			
Base Penalty				\$25,000
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			x
	Potential			
				Percent 15.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				\$21,250
				\$3,750
Violation Events				
Number of Violation Events		1	3	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
Violation Base Penalty				\$3,750
One quarterly event is recommended.				
Good Faith Efforts to Comply		25.0%	Reduction \$937	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary	x		
	N/A			
Notes	The Respondent achieved compliance by October 13, 2020, prior to the NOE dated April 29, 2021.			
Violation Subtotal				\$2,813
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	\$2,508	Violation Final Penalty Total	\$6,563	
This violation Final Assessed Penalty (adjusted for limits)				\$6,563

Economic Benefit Worksheet

Respondent Exxon Mobil Corporation
Case ID No. 60407
Reg. Ent. Reference No. RN102579307
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment	\$20,000	29-Dec-2018	13-Oct-2020	1.79	\$119	\$2,389	\$2,508
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 replace the J-3A Steam Turbine Pump in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 299575. Date Required is the date the emissions event began. Final Date is the date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$20,000	TOTAL	\$2,508
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Exxon Mobil Corporation
Docket No. 2021-0339-AIR-E; Case No. 60407

Emissions Event Table (Incident No. 295944)

Emissions Point Name	EPN	Pollutants				
		CO	H2S	NOx	SO2	VOC
Flare Stack 11	FLARE11	322.65	4.95	63.32	453.92	189.13
Flare Stack 14	FLARE14	369.86	4.76	72.59	438.33	186.21
Flare Stack 18	FLARE18	92.05	0.00	18.06	0.32	4.06
Flare Stack 21	FL21	31.21	0.00	6.12	0.01	0.34
Flare Stack 25	FL25	418.54	1.14	82.14	98.15	61.63
Flare Stack 27	FL27	287.27	10.04	56.38	920.53	269.36
Flare Stack 4	FLARE04	208.26	1.92	40.87	175.60	68.86
Flare Stack 5	FL5	10.31	0.00	2.02	0.16	2.40
Flare Stack 6	FL6	152.97	0.69	30.02	62.22	46.87
	Totals	1,893.12	23.50	371.52	2,149.24	828.86

Exxon Mobil Corporation
Docket No. 2021-0339-AIR-E; Case No. 60407

Emissions Event Table (Incident No. 299575)

Emissions Point Name	EPN	Pollutants				
		CO	H2S	NOx	SO2	VOC
Flare Stack 11	FLARE11	41.96	1.52	8.24	141.45	69.54
Flare Stack 21	FL21	42.61	0.00005	8.36	0.004	0.52
Flare Stack 25	FL25	121.40	0.009	23.82	0.81	72.93
Flare Stack 5	FL5	412.02	15.36	80.86	1,428.23	999.82
Flare Stack 3	FL3	81.10	1.37	15.91	127.48	63.62
Flare Stack 4	FLARE04	184.45	0.49	36.20	40.55	198.71
Flare Stack 27	FL27	24.72	0.00006	4.85	0.005	0.34
Flare Stack 6	FL6	154.40	7.07	30.30	651.33	251.29
Flare Stack 20	FL20	88.43	0.0009	17.35	0.09	23.57
Flare Stack 14	FLARE14	117.68	1.59	23.09	147.71	43.40
Flare Stack 18	FLARE18	87.97	0.002	17.26	0.22	1.65
	Total	1,356.74	27.41	266.24	2,537.88	1,725.39

The TCEQ is committed to accessibility.

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Compliance History Report

Compliance History Report for CN600123939, RN102579307, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN600123939, Exxon Mobil Corporation	Classification:	SATISFACTORY	Rating:	5.65
Regulated Entity:	RN102579307, Exxon Mobil Baytown Refinery	Classification:	SATISFACTORY	Rating:	14.55
Complexity Points:	50	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	2800 Decker Drive, Baytown, Harris County, Texas 77520-2020				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0232Q
AIR NEW SOURCE PERMITS PERMIT 18287
AIR NEW SOURCE PERMITS REGISTRATION 23378
AIR NEW SOURCE PERMITS REGISTRATION 26486
AIR NEW SOURCE PERMITS REGISTRATION 27403
AIR NEW SOURCE PERMITS REGISTRATION 30186
AIR NEW SOURCE PERMITS REGISTRATION 31008
AIR NEW SOURCE PERMITS REGISTRATION 31852
AIR NEW SOURCE PERMITS REGISTRATION 34295
AIR NEW SOURCE PERMITS REGISTRATION 36664
AIR NEW SOURCE PERMITS REGISTRATION 11007
AIR NEW SOURCE PERMITS REGISTRATION 10550
AIR NEW SOURCE PERMITS REGISTRATION 11206
AIR NEW SOURCE PERMITS REGISTRATION 11380
AIR NEW SOURCE PERMITS REGISTRATION 11475
AIR NEW SOURCE PERMITS REGISTRATION 11555
AIR NEW SOURCE PERMITS REGISTRATION 11703
AIR NEW SOURCE PERMITS REGISTRATION 12226
AIR NEW SOURCE PERMITS REGISTRATION 12628
AIR NEW SOURCE PERMITS REGISTRATION 12977
AIR NEW SOURCE PERMITS REGISTRATION 145829
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX975
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX975M2
AIR NEW SOURCE PERMITS EPA PERMIT PAL7
AIR NEW SOURCE PERMITS REGISTRATION 115627
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX474M5
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX852
AIR NEW SOURCE PERMITS REGISTRATION 112413
AIR NEW SOURCE PERMITS PERMIT AMOC72
AIR NEW SOURCE PERMITS PERMIT AMOC99
AIR NEW SOURCE PERMITS REGISTRATION 165394
AIR NEW SOURCE PERMITS REGISTRATION 147027
AIR NEW SOURCE PERMITS REGISTRATION 149453
AIR NEW SOURCE PERMITS REGISTRATION 156366
AIR NEW SOURCE PERMITS REGISTRATION 156907
AIR NEW SOURCE PERMITS REGISTRATION 153813
AIR NEW SOURCE PERMITS REGISTRATION 158429
PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 8309
WASTEWATER PERMIT WQ0000592000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER
HG0232Q

AIR OPERATING PERMITS PERMIT 1229
AIR NEW SOURCE PERMITS REGISTRATION 22874
AIR NEW SOURCE PERMITS REGISTRATION 24669
AIR NEW SOURCE PERMITS REGISTRATION 26294
AIR NEW SOURCE PERMITS REGISTRATION 26443
AIR NEW SOURCE PERMITS REGISTRATION 31067
AIR NEW SOURCE PERMITS REGISTRATION 31690
AIR NEW SOURCE PERMITS REGISTRATION 31915
AIR NEW SOURCE PERMITS REGISTRATION 33875
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0232Q
AIR NEW SOURCE PERMITS REGISTRATION 10461
AIR NEW SOURCE PERMITS REGISTRATION 11053
AIR NEW SOURCE PERMITS REGISTRATION 11250
AIR NEW SOURCE PERMITS REGISTRATION 11464
AIR NEW SOURCE PERMITS REGISTRATION 11483
AIR NEW SOURCE PERMITS REGISTRATION 11624
AIR NEW SOURCE PERMITS REGISTRATION 11939
AIR NEW SOURCE PERMITS REGISTRATION 12380
AIR NEW SOURCE PERMITS REGISTRATION 12968
AIR NEW SOURCE PERMITS REGISTRATION 12994
AIR NEW SOURCE PERMITS AFS NUM 4820100027
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX730M3
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX730M2
AIR NEW SOURCE PERMITS REGISTRATION 107643
AIR NEW SOURCE PERMITS REGISTRATION 137342
AIR NEW SOURCE PERMITS REGISTRATION 136452
AIR NEW SOURCE PERMITS REGISTRATION 136500
AIR NEW SOURCE PERMITS PERMIT AMOC9
AIR NEW SOURCE PERMITS PERMIT AMOC49
AIR NEW SOURCE PERMITS REGISTRATION 154258
AIR NEW SOURCE PERMITS REGISTRATION 164356
AIR NEW SOURCE PERMITS REGISTRATION 148610
AIR NEW SOURCE PERMITS REGISTRATION 160301
AIR NEW SOURCE PERMITS REGISTRATION 158430
AIR NEW SOURCE PERMITS REGISTRATION 160491
AIR NEW SOURCE PERMITS REGISTRATION 158091
AIR NEW SOURCE PERMITS REGISTRATION 155764
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
(SWR) 30040
WASTEWATER EPA ID TX0006271
POLLUTION PREVENTION PLANNING ID NUMBER
P00234

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD000782698**Compliance History Period:** September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020**Date Compliance History Report Prepared:** July 19, 2021**Agency Decision Requiring Compliance History:** Enforcement**Component Period Selected:** July 19, 2016 to July 19, 2021**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.****Name:** Margarita Dennis**Phone:** (817) 588-5892**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

Components (Multimedia) for the Site Are Listed in Sections A - J**A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 10/26/2016 ADMINORDER 2015-1839-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions at EPN FLARE16.
- 2 Effective Date: 11/08/2016 ADMINORDER 2016-0326-PST-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.3475(a)
30 TAC Chapter 334, SubChapter C 334.50(b)(2)
Description: Failure to have each pressurized line tested or monitored for releases in accordance with at least one of the following methods: annual piping tightness test; or one or more of the release detection methods prescribed in 30 TAC §334.50, subsections (d)(5) through (d)(9), at least once every month.
Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter C 334.50(d)(1)(B)(i)
30 TAC Chapter 334, SubChapter C 334.50(d)(4)(A)(i)
Description: Failure to conduct inventory control in accordance with a code or standard of practice developed by a nationally recognized association or independent testing laboratory.
Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter D 334.72
Description: Failure to report to the Commission a suspected release from a UST within 24 hours of its discovery.
Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter D 334.74
Description: Failure to conduct a release investigation and confirmation steps of all suspected releases of regulated substances requiring reporting under §334.72 of this title (relating to Reporting of Suspected Releases) within 30 days of discovery of the suspected release.
- 3 Effective Date: 04/26/2019 ADMINORDER 2017-1565-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct an initial demonstration of compliance testing on one stationary engine (EPN: GARENG1). [Category A9c]
Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(h)
5C THSC Chapter 382 382.085(b)
Description: Failed to conduct quarterly emissions monitoring to check any stationary internal combustion engine for proper operation, in violation of 30 TEX. ADMIN. CODE §117.340(h) and TEX. HEALTH & SAFETY CODE §382.085(b).

Specifically, the Respondent did not conduct quarterly emissions monitoring for proper operation of Engine GARENG1.

Classification: Moderate

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

Description: Failed to maintain monthly fuel use records, in violation of 30 TEX. ADMIN. CODE §117.340(a)(2)(C) and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent did not maintain monthly fuel usage records for Engine GARENG1.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
5C THSC Chapter 382 382.085(b)

Description: Failed to maintain records of each time an engine is operated for testing and maintenance, in violation of 30 TEX. ADMIN. CODE §117.345(f)(10) and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent did not maintain records of each time Engine GARENG1 was operated for testing and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to obtain a revision for an FOP to include all emission sources, in violation of 30 TEX. ADMIN. CODE §§122.210(a) and 122.121 and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent did not submit an application to revise FOP No. O1229 to include Engine GARENG1.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP General Terms and Conditions OP

Description: Failed to report all instances of deviation, 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. O1229, General Terms and Conditions. Specifically, the deviation reports for the May 22, 2011 through November 21, 2011, November 22, 2011 through May 21, 2012, May 22, 2012 through November 21, 2012, November 22, 2012 through May 21, 2013, May 22, 2013 through November 21, 2013, November 22, 2013 through May 21, 2014, May 22, 20

4 Effective Date: 08/29/2019 ADMINORDER 2018-0505-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1229 STC No. 32 OP

Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. ExxonMobil failed to prevent two unplanned shutdowns of the Wet Gas Compressor (J-102) that occurred as a result of equipment malfunctions during a planned startup of the unit.

[Category A12i6]

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1229 STC No. 2.F OP

Description: Failure to speciate unauthorized emissions in the final notification report (Category C3).

5 Effective Date: 10/25/2019 ADMINORDER 2018-1514-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Flexible NSR Permit 18287 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event (Category A12.i.(6)).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 18287 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

6 Effective Date: 10/25/2019 ADMINORDER 2018-1573-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR Flexible Permit 18287, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event. Exxon failed to prevent the premature lifting of the pilot-operated safety valve on Fractionator Tower T-1 (Category A12.i.(6)).

7 Effective Date: 02/03/2020 ADMINORDER 2018-1747-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1229 GTC and STC No. 32 OP

NSR Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Flexible Permit Special Condition No. 1 PERMIT

FOP No. O1229 GTC and STC No. 32 OP

Description: Failure to prevent unauthorized emissions.

8 Effective Date: 04/02/2020 ADMINORDER 2019-0641-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O1229 OP

Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions during an emissions event. (Category A12.i.6)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O1229 GTC and STC 32 OP

Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions during an emissions event. [Category A12.i.(6)]

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1229, GTC and STC No. 32 OP

Special Condition No. 1 PERMIT

Description: Failure to meet the affirmative defense for the emissions released during an emissions event (Category A12.i.(6)).

Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1229 GTC and STC No. 2.F OP

Description: Failure to include the correct estimated total quantities of emissions on the final report. (Category C3)

- 9 Effective Date: 07/06/2020 ADMINORDER 2019-1306-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP Special Term & Condition (ST&C) 1A OP
Description: Failure to collect sample following 24 hours of HRVOC analyzer downtime for cooling water tower (EPN: CT16/24FUG). (Category B1)
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)
Rqmt Prov: FOP Special Term & Condition (ST&C) 32 OP
NSR Consent Decree (CD) 31 PERMIT
Description: Failure to maintain NOx emissions within permit limits for furnace (EPN: HF3F7). (Category A8 Criterion 2)

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 16, 2016	(1342857)
Item 2	August 17, 2016	(1337798)
Item 3	August 22, 2016	(1365559)
Item 4	August 24, 2016	(1355647)
Item 5	August 31, 2016	(1273168)
Item 6	September 07, 2016	(1313268)
Item 7	September 20, 2016	(1356616)
Item 8	September 21, 2016	(1372260)
Item 9	October 18, 2016	(1378437)
Item 10	November 15, 2016	(1384396)
Item 11	November 28, 2016	(1376290)
Item 12	November 29, 2016	(1362715)
Item 13	December 05, 2016	(1377548)
Item 14	December 12, 2016	(1363201)
Item 15	December 15, 2016	(1390534)
Item 16	January 10, 2017	(1365221)
Item 17	January 16, 2017	(1397150)
Item 18	January 20, 2017	(1383357)
Item 19	February 03, 2017	(1390021)
Item 20	February 20, 2017	(1404033)
Item 21	March 07, 2017	(1411134)
Item 22	March 13, 2017	(1389460)
Item 23	March 21, 2017	(1395519)
Item 24	March 29, 2017	(1368880)
Item 25	April 13, 2017	(1417637)
Item 26	May 18, 2017	(1425226)
Item 27	June 03, 2017	(1401498)
Item 28	June 19, 2017	(1431229)
Item 29	June 29, 2017	(1421785)
Item 30	July 05, 2017	(1402531)
Item 31	July 12, 2017	(1439838)

Item 32	July 21, 2017	(1414972)
Item 33	July 24, 2017	(1423603)
Item 34	July 27, 2017	(1416984)
Item 35	July 28, 2017	(1416938)
Item 36	August 15, 2017	(1387958)
Item 37	August 16, 2017	(1443526)
Item 38	September 25, 2017	(1295799)
Item 39	October 16, 2017	(1455973)
Item 40	October 27, 2017	(1437248)
Item 41	November 14, 2017	(1461454)
Item 42	December 12, 2017	(1467833)
Item 43	January 19, 2018	(1474538)
Item 44	February 07, 2018	(1455044)
Item 45	February 19, 2018	(1486764)
Item 46	March 14, 2018	(1490441)
Item 47	April 19, 2018	(1493678)
Item 48	May 18, 2018	(1500596)
Item 49	May 24, 2018	(1478514)
Item 50	June 17, 2018	(1507713)
Item 51	July 18, 2018	(1498269)
Item 52	July 20, 2018	(1514031)
Item 53	August 09, 2018	(1505253)
Item 54	August 13, 2018	(1485724)
Item 55	August 15, 2018	(1520092)
Item 56	August 17, 2018	(1504633)
Item 57	September 07, 2018	(1499480)
Item 58	September 18, 2018	(1527257)
Item 59	September 28, 2018	(1499486)
Item 60	October 17, 2018	(1513712)
Item 61	October 30, 2018	(1523963)
Item 62	November 19, 2018	(1541450)
Item 63	December 19, 2018	(1545234)
Item 64	January 15, 2019	(1559677)
Item 65	January 31, 2019	(1538194)
Item 66	February 04, 2019	(1541075)
Item 67	February 18, 2019	(1559675)
Item 68	March 09, 2019	(1559676)
Item 69	April 16, 2019	(1571831)
Item 70	May 20, 2019	(1583271)
Item 71	June 05, 2019	(1558056)
Item 72	June 17, 2019	(1575863)
Item 74	July 16, 2019	(1593144)
Item 75	August 02, 2019	(1557728)
Item 76	August 15, 2019	(1599490)
Item 77	August 16, 2019	(1537989)
Item 78	August 30, 2019	(1581013)
Item 79	September 09, 2019	(1579146)
Item 80	September 12, 2019	(1579111)
Item 81	September 30, 2019	(1570925)
Item 82	October 17, 2019	(1613241)
Item 83	October 21, 2019	(1603893)
Item 84	November 08, 2019	(1593008)
Item 85	November 12, 2019	(1581934)
Item 86	November 14, 2019	(1589668)
Item 87	December 02, 2019	(1612007)
Item 88	December 18, 2019	(1617197)
Item 89	January 02, 2020	(1618104)
Item 90	January 15, 2020	(1622806)
Item 91	January 16, 2020	(1612213)
Item 92	January 24, 2020	(1618492)
Item 93	January 29, 2020	(1624065)

Item 94	February 07, 2020	(1612160)
Item 95	February 13, 2020	(1611047)
Item 96	February 14, 2020	(1630542)
Item 97	February 20, 2020	(1640667)
Item 98	March 09, 2020	(1633638)
Item 99	March 20, 2020	(1647187)
Item 100	April 20, 2020	(1653523)
Item 101	April 28, 2020	(1643889)
Item 102	May 14, 2020	(1646418)
Item 103	May 20, 2020	(1660110)
Item 104	May 26, 2020	(1651692)
Item 105	June 12, 2020	(1666614)
Item 106	June 23, 2020	(1645516)
Item 107	July 28, 2020	(1663411)
Item 108	July 31, 2020	(1622901)
Item 109	August 18, 2020	(1646091)
Item 110	August 20, 2020	(1664722)
Item 111	August 25, 2020	(1664719)
Item 112	August 28, 2020	(1639670)
Item 113	September 04, 2020	(1672628)
Item 114	September 15, 2020	(1666360)
Item 115	September 18, 2020	(1647044)
Item 116	September 25, 2020	(1652963)
Item 117	October 19, 2020	(1693262)
Item 118	November 17, 2020	(1712476)
Item 119	November 18, 2020	(1672547)
Item 120	November 25, 2020	(1645578)
Item 121	December 14, 2020	(1684793)
Item 122	December 18, 2020	(1712477)
Item 123	January 20, 2021	(1677416)
Item 124	February 21, 2021	(1725531)
Item 125	March 08, 2021	(1633790)
Item 126	March 15, 2021	(1725532)
Item 127	March 26, 2021	(1701391)
Item 128	April 20, 2021	(1725533)
Item 129	May 20, 2021	(1740072)
Item 130	June 14, 2021	(1710698)

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:	08/31/2020	(1640007)	
	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 G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGGa 60.592a(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-6a(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a) 5C THSC Chapter 382 382.085(b) FOP Special Term & Condition (ST&C) 1A OP FOP Special Term & Condition (ST&C) 28 OP FOP Special Term & Condition (ST&C) 32 OP NSR Special Condition (SC) 34E PERMIT		
	Description:	Failure to prevent open-ended lines (OEL). (Category C10)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.107a(a)(2) 5C THSC Chapter 382 382.085(b)		

FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 FOP Special Term & Condition (ST&C) 9 OP
 NSR Consent Decree Condition 29(A)(3) PERMIT
 Description: Failure to continuously monitor flares. (Category C1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 Description: Failure to continuously monitor for CO and NOx. (Category C1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 Description: Failure to monitor a valve within 24 hours of release of safety relief valve. (Category C1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(3)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 Description: Failure to have continuous parameter monitoring data valid for 75% of the hours. (Category C1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 Description: Failure to collect a manual sample following 24 hours of HRVOC analyzer downtime. (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 34G PERMIT
 Description: Failure to perform sampling for CO and NOx at a combustion source every 5 years for furnace (EPN: HU9F311). (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 11A PERMIT
 Description: Failure to maintain net heating value of a flare (EPN: FLARE04) above 300 Btu/scf. (Category B17)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 11A PERMIT
 Description: Failure to maintain net heating value of a flare (EPN: FLARE20) above 300 Btu/scf. (Category B17)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 11B PERMIT

Description: Failure to maintain pilot flame for a flare (EPN: FLARE 11). (Category B17)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.102a(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)(i)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Consent Decree (CD) 13 PERMIT

Description: Failure to maintain CO concentration from Fluid Catalytic Cracking Unit 2 (EPNs: FCCU-2, FCCU2WGS) within permit limits. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGGa 60.592a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 36F PERMIT

Description: Failure to monitor components of process units (IDs: BTRFCHEMFG, BTRFREFFG) within the required time frame. (Category B1)

Self Report? NO Classification: Moderate

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

Description: Failure to collect a manual sample following eight (8) hours of HRVOC analyzer downtime. (Category B1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 32 OP
FOP Special Term & Condition (ST&C) 9 OP
NSR Consent Decree (CD) 21 PERMIT

Description: Failure of analyzer to validate data for H2S for furnaces (EPNs: DCUF601 and DCUF602). (Category C1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11D OP
FOP Special Term & Condition (ST&C) 32 OP
FOP Special Term & Condition (ST&C) 9 OP
NSR Consent Decree (CD) 29 PERMIT

Description: Failure of analyzer to validate data for H2S and total sulfur for flares (EPNs: FLARE14 and FLARE29). (Category C1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP

Description: Failure to conduct an annual calibration of the temperature instrument in the Fluid Catalytic Cracking Unit 3 (EPN: FCCU-3). (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP

Description: Failure to collect monthly water samples at treatment process units (IDs: PROTRT071 and PROTRT081). (Category C1)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(c)(4)(i)

5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 14 PERMIT

Description: Failure to collect monthly water samples at cooling tower (EPN: CT62FUG). (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 12A PERMIT

Description: Failure to maintain the minimum combustion zone net heating value requirement of 270 Btu/scf for flare (EPN: FLARE04). (Category B17)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.107a(e)(2)(ix)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP

Description: Failure to establish a new 10-day average ratio of total sulfur-to-H₂S and acceptable range for flare (EPN: FLARE15). (Category C3)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.115(a)(3)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 51(A)(2) PERMIT

Description: Failure to replace carbon canister following detection of breakthrough. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(5)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP

Description: Failure to attempt repair for a leak within the required 15-days. (Category B17)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition (ST&C) 32 OP
FOP Special Term and Condition (ST&C) 9 OP
NSR Consent Decree (CD) 29A(3) PERMIT

Description: Failure to continuously monitor heaters/furnaces. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term and Condition (ST&C) 32 OP
NSR Special Condition (SC) 11(C) PERMIT

Description: Failure to prevent visible emissions from flare (EPN: FLARE11). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition (ST&C) 1A OP
FOP Special Term and Condition (ST&C) 32 OP
NSR Special Condition (SC) 11(C) PERMIT

Description: Failure to prevent visible emissions from flare (EPN: FLARE06). (Category B13)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: FOP Special Term and Condition (ST&C) 33 OP
 Failure to register tanks after a change in service. (Category B17)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)(i)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition (ST&C) 1A OP
 FOP Special Term and Condition (ST&C) 32 OP
 NSR Consent Decree (CD) 13 PERMIT

Description: Failure to maintain CO concentration from Fluid Catalytic Cracking Unit 3 (EPNs: FCCU-3, FCCU3WGS) within permit limits. (Category B13)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 1 PERMIT

Description: Failure to maintain carbon disulfide (CS2) emissions within permit EMISSION SOURCES - EMISSIONS CAPS limits. (Category B13)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.546(a)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition 8(A)(xiv) OP

Description: Failure to maintain carbon adsorption system monitoring records from tank cleaning activities. (Category C3)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.105a(b)(2)(v)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(a)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 FOP Special Term & Condition (ST&C) 9E OP
 NSR Special Condition (SC) 24(A)(2) PERMIT

Description: Failure to conduct a relative accuracy test audit (RATA) at least quarterly. (Category B1)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(d)(2)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 12A PERMIT

Description: Failure to maintain flare velocity within applicable limit for EPN: FLARE17. (Category B17)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP

Description: Failure to maintain furnace above the minimum firebox oxygen limit. (Category C4)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term & Condition (ST&C) 1A OP
 FOP Special Term & Condition (ST&C) 32 OP
 NSR Special Condition (SC) 12A PERMIT

Description: Failure to maintain the minimum combustion zone net heating value requirement of 270 Btu/scf for Unit IDs FS29D027VT and FS29D028VT. (Category B17)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
 5C THSC Chapter 382 382.085(b)

FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 12A PERMIT

Description: Failure to maintain the minimum combustion zone net heating value requirement of 270 Btu/scf for Unit ID FS20D036VT. (Category B17)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.102a(g)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.103a(h)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Consent Decree (CD) 21 PERMIT
NSR Consent Decree (CD) 29 PERMIT

Description: Failure to maintain the fuel gas concentration of hydrogen sulfide (H2S) below 162 parts per million by volume (ppmv) (230 mg/dscm) in a 3-hour rolling average for multiple units. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 1A OP
FOP Special Term & Condition (ST&C) 32 OP
NSR Special Condition (SC) 11A PERMIT

Description: Failure to maintain net heating value of a flare (EPN: FLARE05) above 300 Btu/scf. (Category B17)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 32 OP
FOP Special Term & Condition (ST&C) 9 OP
NSR Consent Decree Condition 29(A)(3) PERMIT
NSR Special Condition (SC) 25 PERMIT

Description: Failure to continuously monitor heaters/furnaces. (Category C1)

2 Date: 11/24/2020 (1632024)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 327 327.3(b)

Description: Failure to notify TCEQ within 24 hours after the discovery of a reportable spill or discharge.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 327 327.5(c)

Description: Failure to submit written information describing the details of the spill within 30 days of the discovery of the spill.

3 Date: 12/31/2020 (1712478)

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

F. Environmental audits:

Notice of Intent Date: 07/02/2020 (1664600)

No DOV Associated

Notice of Intent Date: 10/28/2020 (1692590)

No DOV Associated

Notice of Intent Date: 05/18/2021 (1735180)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

**§
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§**

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2021-0339-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 (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a petroleum refinery located at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,126 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$5,251 of the penalty and \$2,625 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$5,250 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with

all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. 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). 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.
6. 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 Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. By May 11, 2020, installed vacuum ejectors, performed evaluation and testing to demonstrate the new ejectors could be operated in a one-out-of-two mode to provide redundancy, and implemented procedures to aid operations personnel in switching between ejectors without loss of vacuum in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 295944.
 - b. By October 13, 2020, replaced the J-3A Steam Turbine Pump in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 299575.

II. ALLEGATIONS

- During a record review conducted from April 13, 2020 through June 2, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1229, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 32 and 36.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically the Respondent released 1,893.12 pounds ("lbs") of carbon monoxide ("CO"), 23.50 lbs of hydrogen sulfide ("H₂S"), 371.52 lbs of nitrogen oxides ("NO_x"), 2,149.24 lbs of sulfur dioxide ("SO₂"), and 828.86 lbs of volatile organic compounds ("VOC") from multiple Emissions Point Numbers ("EPNs") as shown in the table below, during an emissions event (Incident No. 295944) that began on October 31, 2018 and lasted 20 hours and 59 minutes. The emissions event occurred when the steam header pressure across the Plant dropped during a heavy rainstorm, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Emissions Point Name	EPN	Pollutants				
		CO	H ₂ S	NO _x	SO ₂	VOC
Flare Stack 11	FLARE11	322.65	4.95	63.32	453.92	189.13
Flare Stack 14	FLARE14	369.86	4.76	72.59	438.33	186.21
Flare Stack 18	FLARE18	92.05	0.00	18.06	0.32	4.06
Flare Stack 21	FL21	31.21	0.00	6.12	0.01	0.34
Flare Stack 25	FL25	418.54	1.14	82.14	98.15	61.63
Flare Stack 27	FL27	287.27	10.04	56.38	920.53	269.36
Flare Stack 4	FLARE04	208.26	1.92	40.87	175.60	68.86
Flare Stack 5	FL5	10.31	0.00	2.02	0.16	2.40
Flare Stack 6	FL6	152.97	0.69	30.02	62.22	46.87
	Totals	1,893.12	23.50	371.52	2,149.24	828.86

2. During a record review conducted from October 13, 2020 through November 12, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 18287, PSDTX730M4, and PAL7, SC No. 1, FOP No. 01229, GTC and STC Nos. 32 and 36.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 1,356.74 lbs of CO, 27.41 lbs of H₂S, 266.24 lbs of NO_x, 2,537.88 lbs of SO₂, and 1,725.39 lbs of VOC from multiple EPNs as shown in the table below, during an emissions event (Incident No. 299575) that began on December 29, 2018 and lasted 58 hours and 59 minutes. The emissions event occurred when a bearing on the J-3A Steam Turbine Pump Driver failed that caused the Fluidized Catalytic Cracking Unit 2 Top Pumparound Pump to shut down, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Emissions Point Name	EPN	Pollutants				
		CO	H ₂ S	NO _x	SO ₂	VOC
Flare Stack 11	FLARE11	41.96	1.52	8.24	141.45	69.54
Flare Stack 21	FL21	42.61	0.00005	8.36	0.004	0.52
Flare Stack 25	FL25	121.40	0.009	23.82	0.81	72.93
Flare Stack 5	FL5	412.02	15.36	80.86	1,428.23	999.82
Flare Stack 3	FL3	81.10	1.37	15.91	127.48	63.62
Flare Stack 4	FLARE04	184.45	0.49	36.20	40.55	198.71
Flare Stack 27	FL27	24.72	0.00006	4.85	0.005	0.34
Flare Stack 6	FL6	154.40	7.07	30.30	651.33	251.29
Flare Stack 20	FL20	88.43	0.0009	17.35	0.09	23.57
Flare Stack 14	FLARE14	117.68	1.59	23.09	147.71	43.40
Flare Stack 18	FLARE18	87.97	0.002	17.26	0.22	1.65
	Total	1,356.74	27.41	266.24	2,537.88	1,725.39

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2021-0339-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 an SEP as set forth in Section I, Paragraph No. 4. The amount of \$5,250 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this 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 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 Order or in any plan, report, or other document submitted pursuant to this 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 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 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 Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this 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 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

6/8/2022
Date

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

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

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

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


Signature

11 / 1 / 2021
Date

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

BAYTOWN REFINERY MANAGER
Title

☐ If mailing address has changed, please check this box and provide the new address below:

Attachment A
Docket Number: 2021-0339-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Exxon Mobil Corporation
Payable Penalty Amount:	\$10,501
SEP Offset Amount:	\$5,250
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO
Project Name:	<i>Clean Vehicles Partnership Project</i>
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 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 to settle this enforcement action. The Respondent shall not profit 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 many 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
Attn: Air Quality Program Manager
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the 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:

Exxon Mobil Corporation
Agreed Order - Attachment A

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.