

Executive Summary – Enforcement Matter – Case No. 60629
ExxonMobil Oil Corporation
RN100542844
Docket No. 2021-0503-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

ExxonMobil Oil Beaumont Chemical Plant, 2775 Gulf States Road, Beaumont, Jefferson County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 24, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$40,000

Amount Deferred for Expedited Settlement: \$8,000

Total Paid to General Revenue: \$32,000

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 29, 2021 and February 5, 2021

Date(s) of NOE(s): April 9, 2021 and March 31, 2021

Executive Summary – Enforcement Matter – Case No. 60629
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Docket No. 2021-0503-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 151.00 pounds ("lbs") of volatile organic compounds ("VOC") from the Low Pressure and High Pressure Flares, Emissions Point Number ("EPN") 11FLR_4142, during an emissions event (Incident No. 344752) that occurred on October 24, 2020 and lasted two hours and five minutes. The emissions event occurred due to the incorrect set pressure for Pressure Safety Valve EPSV-4751 that was set too low and a wiring issue on the backup motor autostart for the Boiler Forced Draft Fan that prevented the motor from starting and bringing the fan speed backup, 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), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2292, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 712.95 lbs of nitrogen oxides, 5,799.20 lbs of carbon monoxide, and 23,304.77 lbs of VOC from the Low Pressure and High Pressure Flares, EPN 11FLR_4142, during an emissions event (Incident No. 348424) that began on January 1, 2020 and lasted 10 hours and 12 minutes. The emissions event occurred due to a closed discharge block valve on an auxiliary lube oil pump that prevented the pump from operating properly during a lube oil turbine over-speed event, 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), 116.115(c), and 122.143(4), NSR Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, SC No. 1, FOP No. O2292, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

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Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344752; and

ii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 348424.

b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division, Enforcement Team 4, MC R-13, (210) 403-4077; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Jennifer Dunphy, Plant Manager, ExxonMobil Oil Corporation, P.O. Box 3868, Beaumont, Texas 77704

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Apr-2021	Screening	14-Apr-2021	EPA Due	
	PCW	4-Jun-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	ExxonMobil Oil Corporation
Reg. Ent. Ref. No.	RN100542844
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	60629	No. of Violations	2
Docket No.	2021-0503-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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	\$20,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$20,000
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Notes: Enhancement for one NOV with same or similar violations, six agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,757
 Estimated Cost of Compliance: \$20,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$40,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$40,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$40,000
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DEFERRAL	20.0%	Reduction	Adjustment	-\$8,000
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$32,000
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Screening Date 14-Apr-2021

Docket No. 2021-0503-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 5 (January 28, 2021)

Case ID No. 60629

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100542844

Media Air

Enf. Coordinator Yuliya Dunaway

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	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	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	1	25%
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>)	1	-1%
	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>)	1	-2%
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) 147%

>> 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 one NOV with same or similar violations, six agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 147%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 14-Apr-2021 **Docket No.** 2021-0503-AIR-E **PCW**
Respondent ExxonMobil Oil Corporation *Policy Revision 5 (January 28, 2021)*
Case ID No. 60629 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100542844
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2292, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 26, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 151.00 pounds ("lbs") of volatile organic compounds ("VOC") from the Low Pressure and High Pressure Flares, Emissions Point Number ("EPN") 11FLR_4142, during an emissions event (Incident No. 344752) that occurred on October 24, 2020 and lasted two hours and five minutes. The emissions event occurred due to the incorrect set pressure for Pressure Safety Valve EPSV-4751 that was set too low and a wiring issue on the backup motor autostart for the Boiler Forced Draft Fan that prevented the motor from starting and bringing the fan speed back up, 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			Percent
		Major	Moderate	Minor	
	Actual			x	30.0%
	Potential				

>> 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 \$17,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$675 **Violation Final Penalty Total** \$15,000

This violation Final Assessed Penalty (adjusted for limits) \$15,000

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 60629
Reg. Ent. Reference No. RN100542844
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)	\$10,000	24-Oct-2020	1-Mar-2022	1.35	\$675	n/a	\$675

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344752. The Date Required is the date the emissions event occurred and the Final Date is the estimated 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

\$10,000

TOTAL

\$675

Screening Date 14-Apr-2021 **Docket No.** 2021-0503-AIR-E **PCW**
Respondent ExxonMobil Oil Corporation *Policy Revision 5 (January 28, 2021)*
Case ID No. 60629 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100542844
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, SC No. 1, FOP No. O2292, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 712.95 lbs of nitrogen oxides, 5,799.20 lbs of carbon monoxide, and 23,304.77 lbs of VOC from the Low Pressure and High Pressure Flares, EPN 11FLR_4142, during an emissions event (Incident No. 348424) that began on January 1, 2020 and lasted 10 hours and 12 minutes. The emissions event occurred due to a closed discharge block valve on an auxiliary lube oil pump that prevented the pump from operating properly during a lube oil turbine over-speed event, 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			Percent 50.0%
		Major	Moderate	Minor	
		Actual	x		
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent 0.0%

Matrix Notes Human health or the environment has been exposed to significant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$12,500

\$12,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$12,500

One weekly event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

Violation Subtotal \$12,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$1,082 **Violation Final Penalty Total** \$25,000

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 60629
Reg. Ent. Reference No. RN100542844
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				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)	\$10,000	1-Jan-2020	1-Mar-2022	2.16	\$1,082	n/a	\$1,082

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 348424. The Date Required is the date the emissions event began and the Final Date is the estimated 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

\$10,000

TOTAL

\$1,082

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: **EXXONMOBIL OIL BEAUMONT CHEMICAL**

Reg Entity Add: 2775 GULF STATES RD

Reg Entity City: BEAUMONT

Reg Entity No: **RN100542844**

EPA Case No: **06-2010-3405**

Order Issue Date (yyyymmdd): 20180606

Case Result: Final Order With Penalty

Statute: CAA

Sect of Statute: 112

Classification: Minor

Program: National Emission Stand **Citation:**

Violation Type: Other/Miscellaneous

Cite Sect:

Cite Part:

Enforcement Action: Consent Decree or Court Order Resolving a Civil



Compliance History Report

Compliance History Report for CN600920748, RN100542844, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN600920748, ExxonMobil Oil Corporation	Classification: SATISFACTORY	Rating: 2.77
Regulated Entity:	RN100542844, EXXONMOBIL OIL BEAUMONT CHEMICAL PLANT	Classification: SATISFACTORY	Rating: 4.52
Complexity Points:	21	Repeat Violator:	NO
CH Group:	05 - Chemical Manufacturing		
Location:	2775 GULF STATES RD, BEAUMONT, JEFFERSON COUNTY, TX		
TCEQ Region:	REGION 10 - BEAUMONT		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE00625
AIR OPERATING PERMITS ACCOUNT NUMBER JE00640
AIR NEW SOURCE PERMITS AFS NUM 4824500009
AIR NEW SOURCE PERMITS REGISTRATION 10249
AIR NEW SOURCE PERMITS REGISTRATION 10728
AIR NEW SOURCE PERMITS REGISTRATION 11791
AIR NEW SOURCE PERMITS REGISTRATION 10194
AIR NEW SOURCE PERMITS REGISTRATION 11641
AIR NEW SOURCE PERMITS REGISTRATION 12105
AIR NEW SOURCE PERMITS REGISTRATION 146488
AIR NEW SOURCE PERMITS REGISTRATION 86629
AIR NEW SOURCE PERMITS REGISTRATION 90458
AIR NEW SOURCE PERMITS REGISTRATION 93373
AIR NEW SOURCE PERMITS REGISTRATION 94227
AIR NEW SOURCE PERMITS REGISTRATION 96013
AIR NEW SOURCE PERMITS REGISTRATION 96262
AIR NEW SOURCE PERMITS REGISTRATION 100528
AIR NEW SOURCE PERMITS REGISTRATION 100858
AIR NEW SOURCE PERMITS REGISTRATION 101064
AIR NEW SOURCE PERMITS REGISTRATION 103621
AIR NEW SOURCE PERMITS REGISTRATION 103623
AIR NEW SOURCE PERMITS REGISTRATION 89622
AIR NEW SOURCE PERMITS EPA PERMIT PAL15
AIR NEW SOURCE PERMITS REGISTRATION 88670
AIR NEW SOURCE PERMITS REGISTRATION 86098
AIR NEW SOURCE PERMITS REGISTRATION 84807
AIR NEW SOURCE PERMITS REGISTRATION 87749
AIR NEW SOURCE PERMITS REGISTRATION 84781
AIR NEW SOURCE PERMITS REGISTRATION 87570
AIR NEW SOURCE PERMITS REGISTRATION 90584
AIR NEW SOURCE PERMITS REGISTRATION 92650
AIR NEW SOURCE PERMITS REGISTRATION 92996
AIR NEW SOURCE PERMITS REGISTRATION 92221
AIR NEW SOURCE PERMITS REGISTRATION 92777
AIR NEW SOURCE PERMITS REGISTRATION 93430
AIR NEW SOURCE PERMITS REGISTRATION 94632
AIR NEW SOURCE PERMITS REGISTRATION 96016
AIR NEW SOURCE PERMITS REGISTRATION 96009
AIR NEW SOURCE PERMITS REGISTRATION 98543
AIR NEW SOURCE PERMITS REGISTRATION 98534
AIR NEW SOURCE PERMITS REGISTRATION 103638

AIR OPERATING PERMITS PERMIT 2201
AIR OPERATING PERMITS PERMIT 2292
AIR NEW SOURCE PERMITS REGISTRATION 10248
AIR NEW SOURCE PERMITS REGISTRATION 10575
AIR NEW SOURCE PERMITS REGISTRATION 11238
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE00625
AIR NEW SOURCE PERMITS REGISTRATION 10242
AIR NEW SOURCE PERMITS REGISTRATION 11642
AIR NEW SOURCE PERMITS REGISTRATION 12362
AIR NEW SOURCE PERMITS REGISTRATION 88017
AIR NEW SOURCE PERMITS REGISTRATION 86103
AIR NEW SOURCE PERMITS REGISTRATION 91572
AIR NEW SOURCE PERMITS REGISTRATION 93538
AIR NEW SOURCE PERMITS REGISTRATION 94021
AIR NEW SOURCE PERMITS REGISTRATION 98803
AIR NEW SOURCE PERMITS REGISTRATION 98967
AIR NEW SOURCE PERMITS REGISTRATION 98448
AIR NEW SOURCE PERMITS REGISTRATION 98541
AIR NEW SOURCE PERMITS REGISTRATION 103791
AIR NEW SOURCE PERMITS REGISTRATION 103644
AIR NEW SOURCE PERMITS REGISTRATION 146584
AIR NEW SOURCE PERMITS PERMIT 83702
AIR NEW SOURCE PERMITS REGISTRATION 87214
AIR NEW SOURCE PERMITS REGISTRATION 87219
AIR NEW SOURCE PERMITS REGISTRATION 87842
AIR NEW SOURCE PERMITS REGISTRATION 88053
AIR NEW SOURCE PERMITS REGISTRATION 87572
AIR NEW SOURCE PERMITS REGISTRATION 88072
AIR NEW SOURCE PERMITS REGISTRATION 88356
AIR NEW SOURCE PERMITS REGISTRATION 88031
AIR NEW SOURCE PERMITS REGISTRATION 92533
AIR NEW SOURCE PERMITS REGISTRATION 92524
AIR NEW SOURCE PERMITS REGISTRATION 93201
AIR NEW SOURCE PERMITS REGISTRATION 93549
AIR NEW SOURCE PERMITS REGISTRATION 93724
AIR NEW SOURCE PERMITS REGISTRATION 94716
AIR NEW SOURCE PERMITS REGISTRATION 96759
AIR NEW SOURCE PERMITS REGISTRATION 98128
AIR NEW SOURCE PERMITS REGISTRATION 100938
AIR NEW SOURCE PERMITS REGISTRATION 103646
AIR NEW SOURCE PERMITS REGISTRATION 103634

AIR NEW SOURCE PERMITS REGISTRATION 103620
AIR NEW SOURCE PERMITS REGISTRATION 103642
AIR NEW SOURCE PERMITS REGISTRATION 103662
AIR NEW SOURCE PERMITS REGISTRATION 103627
AIR NEW SOURCE PERMITS REGISTRATION 133925
AIR NEW SOURCE PERMITS REGISTRATION 139871
AIR NEW SOURCE PERMITS REGISTRATION 111104
AIR NEW SOURCE PERMITS REGISTRATION 106580
AIR NEW SOURCE PERMITS REGISTRATION 124509
AIR NEW SOURCE PERMITS REGISTRATION 141302
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX843
AIR NEW SOURCE PERMITS REGISTRATION 115763
AIR NEW SOURCE PERMITS REGISTRATION 151928
AIR NEW SOURCE PERMITS REGISTRATION 151423
AIR NEW SOURCE PERMITS REGISTRATION 109234
AIR NEW SOURCE PERMITS REGISTRATION 133866
AIR NEW SOURCE PERMITS REGISTRATION 105610
AIR NEW SOURCE PERMITS REGISTRATION 118725
AIR NEW SOURCE PERMITS REGISTRATION 132694
AIR NEW SOURCE PERMITS REGISTRATION 134676
AIR NEW SOURCE PERMITS REGISTRATION 133391
AIR NEW SOURCE PERMITS REGISTRATION 123065
AIR NEW SOURCE PERMITS REGISTRATION 151663
AIR NEW SOURCE PERMITS REGISTRATION 164102
AIR NEW SOURCE PERMITS REGISTRATION 142798
AIR NEW SOURCE PERMITS REGISTRATION 151741
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX843M2
AIR NEW SOURCE PERMITS REGISTRATION 151203
AIR NEW SOURCE PERMITS REGISTRATION 149247
AIR NEW SOURCE PERMITS REGISTRATION 160856
AIR NEW SOURCE PERMITS REGISTRATION 157740
AIR NEW SOURCE PERMITS REGISTRATION 157762
AIR NEW SOURCE PERMITS REGISTRATION 159737
AIR NEW SOURCE PERMITS REGISTRATION 159214
AIR NEW SOURCE PERMITS REGISTRATION 160716
AIR NEW SOURCE PERMITS REGISTRATION 159583
AIR NEW SOURCE PERMITS REGISTRATION 152099
AIR NEW SOURCE PERMITS REGISTRATION 157935
AIR NEW SOURCE PERMITS REGISTRATION 160311
AIR NEW SOURCE PERMITS REGISTRATION 152832
AIR NEW SOURCE PERMITS REGISTRATION 164361
AIR NEW SOURCE PERMITS REGISTRATION 162702
AIR NEW SOURCE PERMITS REGISTRATION 163084
AIR NEW SOURCE PERMITS REGISTRATION 162972
AIR NEW SOURCE PERMITS REGISTRATION 149939
AIR NEW SOURCE PERMITS REGISTRATION 143271
AIR NEW SOURCE PERMITS REGISTRATION 149151
AIR NEW SOURCE PERMITS REGISTRATION 150023
AIR NEW SOURCE PERMITS REGISTRATION 148639
AIR NEW SOURCE PERMITS REGISTRATION 147014
AIR NEW SOURCE PERMITS REGISTRATION 145139
AIR NEW SOURCE PERMITS REGISTRATION 143505
AIR NEW SOURCE PERMITS REGISTRATION 153136
AIR NEW SOURCE PERMITS REGISTRATION 159795
AIR NEW SOURCE PERMITS REGISTRATION 154609
AIR NEW SOURCE PERMITS REGISTRATION 159001
AIR NEW SOURCE PERMITS REGISTRATION 155588
AIR NEW SOURCE PERMITS PERMIT AMOC165
AIR NEW SOURCE PERMITS REGISTRATION 157253

AIR NEW SOURCE PERMITS REGISTRATION 103625
AIR NEW SOURCE PERMITS REGISTRATION 103629
AIR NEW SOURCE PERMITS REGISTRATION 103630
AIR NEW SOURCE PERMITS REGISTRATION 103624
AIR NEW SOURCE PERMITS REGISTRATION 135589
AIR NEW SOURCE PERMITS REGISTRATION 107301
AIR NEW SOURCE PERMITS REGISTRATION 118970
AIR NEW SOURCE PERMITS REGISTRATION 131581
AIR NEW SOURCE PERMITS REGISTRATION 108953
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX843M1
AIR NEW SOURCE PERMITS REGISTRATION 111674
AIR NEW SOURCE PERMITS REGISTRATION 124303
AIR NEW SOURCE PERMITS REGISTRATION 155257
AIR NEW SOURCE PERMITS REGISTRATION 104598
AIR NEW SOURCE PERMITS REGISTRATION 108229
AIR NEW SOURCE PERMITS REGISTRATION 141283
AIR NEW SOURCE PERMITS REGISTRATION 141227
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX860M1
AIR NEW SOURCE PERMITS REGISTRATION 107418
AIR NEW SOURCE PERMITS REGISTRATION 118101
AIR NEW SOURCE PERMITS REGISTRATION 133210
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX860
AIR NEW SOURCE PERMITS REGISTRATION 150404
AIR NEW SOURCE PERMITS REGISTRATION 149298
AIR NEW SOURCE PERMITS REGISTRATION 150362
AIR NEW SOURCE PERMITS REGISTRATION 148978
AIR NEW SOURCE PERMITS REGISTRATION 149085
AIR NEW SOURCE PERMITS REGISTRATION 149579
AIR NEW SOURCE PERMITS REGISTRATION 147872
AIR NEW SOURCE PERMITS REGISTRATION 154954
AIR NEW SOURCE PERMITS REGISTRATION 152414
AIR NEW SOURCE PERMITS REGISTRATION 155719
AIR NEW SOURCE PERMITS REGISTRATION 154145
AIR NEW SOURCE PERMITS REGISTRATION 158133
AIR NEW SOURCE PERMITS REGISTRATION 153135
AIR NEW SOURCE PERMITS REGISTRATION 156356
AIR NEW SOURCE PERMITS REGISTRATION 154649
AIR NEW SOURCE PERMITS REGISTRATION 153134
AIR NEW SOURCE PERMITS REGISTRATION 152286
AIR NEW SOURCE PERMITS REGISTRATION 152811
AIR NEW SOURCE PERMITS REGISTRATION 164565
AIR NEW SOURCE PERMITS REGISTRATION 163337
AIR NEW SOURCE PERMITS REGISTRATION 163469
AIR NEW SOURCE PERMITS REGISTRATION 164313
AIR NEW SOURCE PERMITS REGISTRATION 148837
AIR NEW SOURCE PERMITS REGISTRATION 145535
AIR NEW SOURCE PERMITS REGISTRATION 146205
AIR NEW SOURCE PERMITS REGISTRATION 147989
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX176
AIR NEW SOURCE PERMITS REGISTRATION 146029
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX860M2
AIR NEW SOURCE PERMITS REGISTRATION 149083
AIR NEW SOURCE PERMITS REGISTRATION 156724
AIR NEW SOURCE PERMITS REGISTRATION 161691
AIR NEW SOURCE PERMITS REGISTRATION 161243
AIR NEW SOURCE PERMITS REGISTRATION 159365
AIR NEW SOURCE PERMITS REGISTRATION 160549
AIR NEW SOURCE PERMITS REGISTRATION 156201
AIR NEW SOURCE PERMITS REGISTRATION 154339

LEAKING PETROLEUM STORAGE TANKS REMEDIATION ID
NUMBER 105840

STORMWATER PERMIT TXR15569Z

WASTEWATER EPA ID TX0004227

AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0062S

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30047

TAX RELIEF ID NUMBER 23803

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION #
(SWR) 30047

STORMWATER PERMIT TXR15NI65

WASTEWATER PERMIT WQ0000462000

POLLUTION PREVENTION PLANNING ID NUMBER P00436

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD000449694

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: April 14, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 14, 2016 to April 14, 2021

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

Name: Yuliya Dunaway

Phone: (210) 403-4077

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: 07/13/2016 ADMINORDER 2015-1439-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(b)(2)(F)
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: Special Condition 1 PERMIT
Special Condition 25 OP
Description: Failure to prevent unauthorized emissions.
- 2 Effective Date: 07/13/2016 ADMINORDER 2015-1232-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 B 116.115(b)(2)(F)
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: Special Condition 1 PERMIT
Special Condition 25 OP
Description: Failure to prevent unauthorized emissions during Incident 211996.
- 3 Effective Date: 08/09/2016 ADMINORDER 2015-1793-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(b)(2)(F)
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: General Terms and Conditions OP
Special Condition 22 PERMIT
Special Condition 25 OP
Special Conditions Nos. 1 PERMIT
Description: Failed to limit operating hours to 672 hours per rolling 12-month period and to comply with the annual allowable emissions rates per rolling 12-month period for the Paraxylene Flare, EPN 11FLR-9601

Compliance History Report for CN600920748, RN100542844, Rating Year 2020 which includes Compliance History (CH) components from April 14, 2016, through April 14, 2021.

- 4 Effective Date: 06/05/2018 ADMINORDER 2016-1967-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(b)(2)(F)
 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: PSDTX843, PSDTX860, and PAL15 SC1 PERMIT
 Special Term & Condition 25 OP
 Description: Failure to prevent unauthorized emissions.
- 5 Effective Date: 04/09/2019 ADMINORDER 2018-0686-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)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 25 OP
 Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 6,212.83 pounds ("lbs") of volatile organic compounds, 487.6 lbs of nitrogen oxides, and 3,906.37 lbs of carbon monoxide from the Low Pressure and High Pressure Flares, Emissions Point Number 11FLR_4142, during an avoidable emissions event (Incident No. 271313) that began on October 28, 2017 and lasted seven hours.
- 6 Effective Date: 01/16/2021 ADMINORDER 2020-0268-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)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Term and Condition 25 OP
 Description: Failure to prevent unauthorized emissions at the Catalyst Unit for Incident 310047. EIC A10.(b); MOD (D)

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	April 20, 2016	(1338880)
Item 2	May 20, 2016	(1345680)
Item 3	June 03, 2016	(1323332)
Item 4	June 24, 2016	(1352121)
Item 5	July 19, 2016	(1359096)
Item 6	August 03, 2016	(1344510)
Item 7	August 22, 2016	(1356534)
Item 8	September 16, 2016	(1362837)
Item 9	September 21, 2016	(1355235)
Item 10	September 22, 2016	(1355483)
Item 11	September 23, 2016	(1372221)
Item 12	October 13, 2016	(1355975)
Item 13	October 21, 2016	(1378398)
Item 14	November 17, 2016	(1384357)
Item 15	December 19, 2016	(1390494)
Item 16	December 29, 2016	(1377984)

Item 17	January 04, 2017	(1383395)
Item 18	January 17, 2017	(1397111)
Item 19	February 27, 2017	(1403995)
Item 20	March 22, 2017	(1411096)
Item 21	April 03, 2017	(4771)
Item 22	April 06, 2017	(149371)
Item 23	April 11, 2017	(1403185)
Item 24	May 23, 2017	(1425188)
Item 25	May 24, 2017	(1410463)
Item 26	June 23, 2017	(1431191)
Item 27	July 25, 2017	(1439800)
Item 28	August 17, 2017	(1443488)
Item 29	September 15, 2017	(1437097)
Item 30	September 18, 2017	(1437312)
Item 31	September 27, 2017	(1450115)
Item 32	October 24, 2017	(1442963)
Item 33	October 25, 2017	(1455935)
Item 34	November 21, 2017	(1453612)
Item 35	November 22, 2017	(1461416)
Item 36	December 21, 2017	(1459502)
Item 37	December 25, 2017	(1467795)
Item 38	January 12, 2018	(1461034)
Item 39	January 23, 2018	(1464704)
Item 40	January 25, 2018	(1474500)
Item 41	February 22, 2018	(1486726)
Item 42	March 07, 2018	(1466446)
Item 43	March 23, 2018	(1490403)
Item 44	April 02, 2018	(1474403)
Item 45	April 12, 2018	(1447985)
Item 46	April 25, 2018	(1493640)
Item 47	May 30, 2018	(1500558)
Item 48	June 21, 2018	(1507675)
Item 49	July 16, 2018	(1500407)
Item 50	July 23, 2018	(1500436)
Item 51	July 24, 2018	(1513992)
Item 52	August 17, 2018	(1520054)
Item 53	September 10, 2018	(1498301)
Item 54	September 25, 2018	(1527219)
Item 55	October 25, 2018	(1533577)
Item 56	November 16, 2018	(1541412)
Item 57	November 30, 2018	(1530497)
Item 58	December 24, 2018	(1545196)
Item 59	January 25, 2019	(1559563)
Item 60	February 25, 2019	(1559561)
Item 61	March 25, 2019	(1559562)
Item 62	April 08, 2019	(1554819)
Item 63	April 10, 2019	(1554959)
Item 64	April 24, 2019	(1571793)
Item 65	May 18, 2019	(1569153)
Item 66	May 24, 2019	(1570044)
Item 67	June 12, 2019	(1571545)
Item 68	July 03, 2019	(1571628)
Item 69	July 25, 2019	(1593106)
Item 70	August 21, 2019	(1599452)
Item 71	September 18, 2019	(1606357)
Item 72	October 21, 2019	(1613203)
Item 73	October 24, 2019	(1604124)
Item 74	November 21, 2019	(1619017)
Item 75	December 16, 2019	(1626369)
Item 76	January 06, 2020	(1612419)

Item 77	January 13, 2020	(1634010)
Item 78	January 22, 2020	(1616697)
Item 79	January 23, 2020	(1618221)
Item 80	January 29, 2020	(1618510)
Item 81	February 10, 2020	(1625429)
Item 82	February 12, 2020	(1626227)
Item 83	February 18, 2020	(1640629)
Item 84	March 10, 2020	(1632888)
Item 85	April 07, 2020	(1639121)
Item 86	April 14, 2020	(1633087)
Item 87	May 19, 2020	(1660071)
Item 88	May 28, 2020	(1645560)
Item 89	June 14, 2020	(1666576)
Item 90	June 29, 2020	(1650424)
Item 91	July 16, 2020	(1673533)
Item 92	July 29, 2020	(1693223)
Item 93	August 13, 2020	(1680307)
Item 94	September 17, 2020	(1686877)
Item 95	January 20, 2021	(1698166)

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:	01/08/2021	(1690375)		
	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) General Terms and Conditions OP Special Condition 103 PERMIT Special Condition 25 OP			
	Description:	Failure to maintain their East Flare at or above 270 British Thermal Units per standard cubic foot (BTU/scf) net heating value combustion zone on a 15-minute block basis from EPN 11FLR_042.			
		Moderate 2D	B18(g)(1)		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4) 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 A 63.11(b)(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 10 PERMIT Special Condition 14 OP Special Condition 25 OP			
	Description:	Failure to operate the flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours for EPN 11FLR_4142.			
		Moderate2(D)	B13		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 106, SubChapter W 106.512(1) 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) General Terms and Conditions OP Special Condition 25 OP Special Condition 27 OP Special Condition 28 OP Special Condition 7C PERMIT			
	Description:	Failure register four permanent diesel engines, EPNs 07ENG_002, 07ENG_003, 07ENG_004 and 07ENG_005 within ten days of start of construction.			
		Moderate 2(D)	B3		
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(1) 30 TAC Chapter 122, SubChapter B 122.165(a)(8)			

30 TAC Chapter 122, SubChapter B 122.165(b)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29 OP
Description: Failure to have a signed certification of accuracy and completeness for the annual Permit Compliance Certification.
EIC B3, Minor 3C

F. Environmental audits:

Notice of Intent Date: 12/17/2019 (1618743)

Disclosure Date: 03/11/2020

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
4F TWC Chapter 63, SubChapter A 63.165(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)

Rqmt Prov: PERMIT SC 52.E
PERMIT SC 52.F
PERMIT SC 53.F
PERMIT SC 54

Description: Failed to tag and monitor 129 valves, 41 PRVs, and 399 connectors in Wharf (05FUG_002) since equipment installation.

Disclosure Date: 06/05/2020

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(c)

Rqmt Prov: PERMIT Special Condition No. 54
PERMIT Special Conditions No. 52.E
PERMIT Special Conditions No. 52.F

Description: Failed to tag and monitor 357 valves, 24 PRVs, and 817 connectors throughout the unit (Coldbox 04FUG_003) since equipment installation.

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

Component Appendices

Appendix A

All NOVs Issued During Component Period 4/14/2016 and 4/14/2021

- 1 Date: 07/15/2016 (1342908)
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)
Special Condition 10 OP
Special Condition 38 PERMIT
Description: Failure to collect cooling tower water samples in accordance with the Texas Commission on Environmental Quality (TCEQ) Sampling Procedure Manual, Appendix P 5.1.1.4 Cooling Tower Monitoring, regarding sample locations for the Main Plant Cooling Tower, Emission Point Number (EPN): 07CTL_001.
- 2 Date: 09/07/2016 (1358533)
Self Report? YES 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)
Special Condition 25 OP
Special Condition 37(D) PERMIT
Description: Failure to operate within established firing rates and emission rates.
- 3 Date: 09/23/2016 (1363072)
Self Report? NO Classification: Moderate
Citation: OPR Pg. 10, No. 4 PERMIT
Description: Failure by Exxon to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure.
- 4 Date: 03/01/2017 (1389046)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1(A) OP
Special Condition 10(A) PERMIT
Special Condition 25 OP
Description: Failure to maintain minimum required heating value for a flare.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
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)
General Terms and Conditions OP
Special Condition 1(A) OP
Special Condition 10(C) PERMIT
Special Condition 25 OP
Description: Failure to prevent the discharge of visible emissions for more than 5 minutes within 2 consecutive hours.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1(A) OP
Special Condition 25 OP
Special Condition 52(E) PERMIT
Description: Failure to equip open-ended lines with a cap, plug, flange, or second valve.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter D 115.352(2)
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 60.482-2(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(d)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 20(A)(1) OP
Special Condition 25 OP
Special Condition 49(I) PERMIT

Description: Failure to repair leaking components within 15 days.
Self Report? NO Classification: Minor

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)
General Terms and Conditions OP

Description: Failure to report a deviation in a Semi-annual Deviation Report.

5 Date: 12/01/2017 (1424038)

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.17(a)

Description: Failure to post a "No Smoking" sign at container storage area storing ignitable (EPA Code D001) waste.

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15(d)

Description: Failure to include time of inspection and full name of inspector on tank inspections.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter E 335.112(a)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(c)

Description: Failure to administer annual review of RCRA training.

6 Date: 01/17/2018 (1454277)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1(A) OP
Special Condition 25 OP
Special Condition 52(E) PERMIT

Description: Failure to equip open-ended lines with a cap, plug, flange, or second valve.

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)
General Terms and Conditions OP
Special Condition 14 PERMIT
Special Condition 25 OP

Description: Failure to record a daily observation of differential pressure across baghouses.

Self Report? NO Classification: Minor

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)
General Terms and Conditions OP

Description: Failure to report a deviation in a Semi-annual Deviation Report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(2)
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 63.174(d)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1(A) OP
Special Condition 25 OP
Special Condition 52(H) PERMIT

Description: Failure to complete leak repairs on a connector within 15 days.

7 Date: 11/16/2018 (1518439)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Conditions OP
Special Terms and Conditions 26 OP

Description: Failure to provide notification using the PI-7 Form within ten days following the modification of the MOC equipment.

Self Report? NO 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)
General Conditions OP

Description: Failure to report all instances of deviation in the Semiannual Deviation Reports (SDRs).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Condition 25 OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 52(E) PERMIT

Description: Failure to equip open-ended lines (OELs) with a cap, plug, flange or second valve.

8 Date: 05/28/2019 (1569072)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter C 116.186(b)(4)(C)(iv)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions 10 PERMIT
Special Condition 25 OP

Description: Failure to submit an accurate report.

9 Date: 05/31/2019 (1583196)
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

10* Date: 02/07/2020 (1622486)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 25 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7540(a)(10)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 14 OP

Description: Failure to conduct annual heater tune up.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
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 A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Special Condition 10(c) PERMIT
 Special Condition 25 OP
 Description: Failure to operate the flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours for EPN 11FLR_43.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 115, SubChapter D 115.354(2)
 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 UU 63.1027(a)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 52E PERMIT
 Special Condition 52F PERMIT
 Special Condition 25 OP
 Description: Failure to conduct fugitive monitoring.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10(c) PERMIT
 Special Condition 25 OP
 Description: Failure to operate the flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours for EPN 11FLR_4142.

11* Date: 02/29/2020 (1647149)
 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

12 Date: 01/08/2021 (1690375)
 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)
 General Terms and Conditions OP
 Special Condition 103 PERMIT
 Special Condition 25 OP
 Description: Failure to maintain their East Flare at or above 270 British Thermal Units per standard cubic foot (BTU/scf) net heating value combustion zone on a 15-minute block basis from EPN 11FLR_042.

Moderate 2D B18(g)(1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
 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 A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10 PERMIT
 Special Condition 14 OP
 Special Condition 25 OP
 Description: Failure to operate the flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours for EPN 11FLR_4142.

Moderate2(D) B13
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter W 106.512(1)
 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)
 General Terms and Conditions OP
 Special Condition 25 OP
 Special Condition 27 OP
 Special Condition 28 OP
 Special Condition 7C PERMIT
 Description: Failure register four permanent diesel engines, EPNs 07ENG_002, 07ENG_003,

07ENG_004 and 07ENG_005 within ten days of start of construction.

Moderate 2(D) B3
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.165(a)(8)
30 TAC Chapter 122, SubChapter B 122.165(b)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29 OP
Description: Failure to have a signed certification of accuracy and completeness for the annual Permit Compliance Certification.

EIC B3, Minor 3C

* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B**All Investigations Conducted During Component Period April 14, 2016 and April 14, 2021**

Item 1*	April 20, 2016**	(1338880)
Item 2*	May 20, 2016**	(1345680)
Item 3*	June 03, 2016**	(1323332)
Item 4*	June 24, 2016**	(1352121)
Item 5*	July 19, 2016**	(1359096)
Item 6*	August 03, 2016**	(1344510)
Item 7*	August 22, 2016**	(1356534)
Item 8	September 06, 2016**	(1358533)
Item 9	September 14, 2016**	(1355827)
Item 10*	September 16, 2016**	(1362837)
Item 11*	September 21, 2016**	(1355235)
Item 12*	September 22, 2016**	(1355483)
Item 13*	September 23, 2016**	(1372221)
Item 14*	October 13, 2016**	(1355975)
Item 15*	October 21, 2016**	(1378398)
Item 16	November 08, 2016**	(1362539)
Item 17*	November 17, 2016**	(1384357)
Item 18*	December 19, 2016**	(1390494)
Item 19*	December 29, 2016**	(1377984)
Item 20	January 04, 2017**	(1364282)
Item 21*	January 17, 2017**	(1397111)
Item 22	February 23, 2017**	(1389046)
Item 23*	February 27, 2017**	(1403995)
Item 24*	March 22, 2017**	(1411096)
Item 25*	April 03, 2017**	(4771)
Item 26*	April 06, 2017**	(149371)
Item 27*	April 11, 2017**	(1403185)
Item 28	April 14, 2017**	(1402754)
Item 29	April 26, 2017**	(1403870)
Item 30*	May 23, 2017**	(1425188)
Item 31*	May 24, 2017**	(1410463)
Item 32*	June 23, 2017**	(1431191)
Item 33*	July 25, 2017**	(1439800)
Item 34*	August 17, 2017**	(1443488)
Item 35	August 23, 2017**	(1424038)
Item 36*	September 15, 2017**	(1437097)
Item 37*	September 18, 2017**	(1437312)
Item 38*	September 27, 2017**	(1450115)
Item 39*	October 24, 2017**	(1442963)
Item 40*	October 25, 2017**	(1455935)

Item 41*	November 21, 2017**	(1453612)
Item 42*	November 22, 2017**	(1461416)
Item 43*	December 21, 2017**	(1459502)
Item 44*	December 25, 2017**	(1467795)
Item 45	January 12, 2018**	(1454277)
Item 46*	January 23, 2018**	(1464704)
Item 47*	January 25, 2018**	(1474500)
Item 48*	February 22, 2018**	(1486726)
Item 49*	March 07, 2018**	(1466446)
Item 50	March 12, 2018**	(1472667)
Item 51*	March 23, 2018**	(1490403)
Item 52*	April 02, 2018**	(1474403)
Item 53*	April 12, 2018**	(1447985)
Item 54*	April 25, 2018**	(1493640)
Item 55	May 08, 2018**	(1477661)
Item 56*	May 30, 2018**	(1500558)
Item 57*	June 21, 2018**	(1507675)
Item 58*	July 16, 2018**	(1500407)
Item 59*	July 23, 2018**	(1500436)
Item 60*	July 24, 2018**	(1513992)
Item 61*	August 17, 2018**	(1520054)
Item 62*	September 10, 2018**	(1498301)
Item 63*	September 25, 2018**	(1527219)
Item 64*	October 25, 2018**	(1533577)
Item 65	November 13, 2018**	(1518439)
Item 66*	November 16, 2018**	(1541412)
Item 67*	November 30, 2018**	(1530497)
Item 68*	December 24, 2018**	(1545196)
Item 69*	January 25, 2019**	(1559563)
Item 70*	February 25, 2019**	(1559561)
Item 71*	March 25, 2019**	(1559562)
Item 72*	April 08, 2019**	(1554819)
Item 73*	April 10, 2019**	(1554959)
Item 74*	April 24, 2019**	(1571793)
Item 75	May 07, 2019**	(1556745)
Item 76*	May 18, 2019**	(1569153)
Item 77	May 20, 2019**	(1569072)
Item 78*	May 24, 2019**	(1570044)
Item 79*	June 12, 2019**	(1571545)
Item 80	June 25, 2019**	(1583196)
Item 81*	July 03, 2019**	(1571628)
Item 82	July 12, 2019**	(1578148)

Item 83*	July 25, 2019**	(1593106)
Item 84*	August 21, 2019**	(1599452)
Item 85*	September 18, 2019**	(1606357)
Item 86*	October 21, 2019**	(1613203)
Item 87*	October 24, 2019**	(1604124)
Item 88*	November 21, 2019**	(1619017)
Item 89*	December 16, 2019**	(1626369)
Item 90*	January 06, 2020**	(1612419)
Item 91*	January 13, 2020**	(1634010)
Item 92*	January 22, 2020**	(1616697)
Item 93*	January 23, 2020**	(1618221)
Item 94*	January 29, 2020**	(1618510)
Item 95	January 30, 2020**	(1618583)
Item 96	February 05, 2020**	(1622486)
Item 97*	February 10, 2020**	(1625429)
Item 98*	February 12, 2020**	(1626227)
Item 99*	February 18, 2020**	(1640629)
Item 100*	March 10, 2020**	(1632888)
Item 101	March 19, 2020**	(1647149)
Item 102*	April 07, 2020**	(1639121)
Item 103*	April 14, 2020**	(1633087)
Item 104	May 01, 2020**	(1644460)
Item 105*	May 19, 2020**	(1660071)
Item 106*	May 28, 2020**	(1645560)
Item 107	May 29, 2020**	(1604151)
Item 108*	June 14, 2020**	(1666576)
Item 109*	June 29, 2020**	(1650424)
Item 110*	July 16, 2020**	(1673533)
Item 111*	July 29, 2020**	(1693223)
Item 112*	August 13, 2020**	(1680307)
Item 113*	September 17, 2020	(1686877)
Item 114	October 30, 2020	(1678487)
Item 115	December 16, 2020	(1690375)
Item 116*	January 20, 2021	(1698166)
Item 117	March 31, 2021	(1700101)
Item 118	April 09, 2021	(1692150)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL
CORPORATION
RN100542844**

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§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2021-0503-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 ExxonMobil Oil 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 chemical manufacturing plant located at 2775 Gulf States Road in Beaumont, Jefferson 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 \$40,000 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$32,000 of the penalty and \$8,000 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

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.

II. ALLEGATIONS

1. During a record review conducted on March 29, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2292, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 151.00 pounds ("lbs") of volatile organic compounds ("VOC") from the Low Pressure and High Pressure Flares, Emissions Point Number ("EPN") 11FLR_4142, during an emissions event (Incident No. 344752) that occurred on October 24, 2020 and lasted two hours and five minutes. The emissions event occurred due to the incorrect set pressure for Pressure Safety Valve EPSV-4751 that was set too low and a wiring issue on the backup motor autostart for the Boiler Forced Draft Fan that prevented the motor from starting and bringing the fan speed backup, 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.
2. During a record review conducted on February 5, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 83702, PSDTX843M2, PSDTX860M2, PAL15, and GHGPSDTX176, SC No. 1, FOP No. O2292, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 712.95 lbs of nitrogen oxides, 5,799.20 lbs of carbon monoxide, and 23,304.77 lbs of VOC from the Low Pressure and High Pressure Flares, EPN 11FLR_4142, during an emissions event (Incident No. 348424) that began on January 1, 2020 and lasted 10 hours and 12 minutes. The emissions event occurred due to a closed discharge block

valve on an auxiliary lube oil pump that prevented the pump from operating properly during a lube oil turbine over-speed event, 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.

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: ExxonMobil Oil Corporation, Docket No. 2021-0503-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 undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344752; and
 - ii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 348424.
 - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall 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
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1830

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. Extension requests shall be sent to the Order Compliance Team at the address listed above.
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

3/16/2022

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

8/25/21
Date

Jennifer A Dunphy
Name (Printed or typed)
Authorized Representative of
ExxonMobil Oil Corporation

Plant Manager
Title

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

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