

Executive Summary – Enforcement Matter – Case No. 62056
ExxonMobil Oil Corporation
RN102450756
Docket No. 2022-0283-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Exxonmobil Beaumont Refinery, 1795 Burt Street, Beaumont, Jefferson 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: May 10, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$39,031

Amount Deferred for Expedited Settlement: \$7,806

Total Paid to General Revenue: \$15,613

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$15,612

Name of SEP: Southeast Texas Regional Planning Commission (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 and January 28, 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: February 25, 2020, January 4, 2021 through January 18, 2021, March 25, 2021 through April 8, 2021, and January 31, 2022

Date(s) of NOE(s): March 10, 2020, February 24, 2021, May 6, 2021, and March 14, 2022

Executive Summary – Enforcement Matter – Case No. 62056
ExxonMobil Oil Corporation
RN102450756
Docket No. 2022-0283-AIR-E

Violation Information

1. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 328455 was due by January 1, 2020 at 1:00 a.m., but was not submitted until January 17, 2020 at 2:21 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2000, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085].

2. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 328455 was due by January 14, 2020, but was not submitted until January 17, 2020 [30 TEX. ADMIN. CODE §§ 101.201(c) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 46.76 pounds ("lbs") of hydrogen sulfide ("H₂S") and 3,568.14 lbs of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 328455) that occurred on December 31, 2019 and lasted four hours. The emissions event occurred when a light straight run naptha line in the Crude Unit A failed that caused a leak, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, PSDTX932, and PSDTX992M1, Special Conditions ("SC") No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 27.29 lbs of carbon monoxide ("CO"), 38.33 lbs of H₂S, 5.30 lbs of nitrogen oxides ("NO_x"), 3,530.21 lbs of sulfur dioxide ("SO₂"), and 23.77 lbs of VOC from the Catalytic Hydrodesulfurization Unit 1 Flare, Emissions Point Number ("EPN") 60FLR_001, during a reportable emissions event that occurred on February 7, 2019 and lasted 48 minutes. The emissions event occurred when a pressure control valve failed open, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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. 49138, PSDTX768M1, PSDTX799,

Executive Summary – Enforcement Matter – Case No. 62056
ExxonMobil Oil Corporation
RN102450756
Docket No. 2022-0283-AIR-E

PSDTX802, PSDTX932, and PSDTX992M1, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for the reportable emissions event that occurred on February 7, 2019 was due by February 8, 2019 at 2:30 p.m., but was not submitted [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to prevent unauthorized emissions. Specifically, the Respondent released 42.47 lbs of CO, 0.45 lb of H₂S, 25.51 lbs of NO_x, 0.83 lb of particulate matter ("PM"), 5,355.30 lbs of SO₂, and 0.02 lb of VOC from the Sulfur Recovery Unit 3 Thermal Oxidizer, EPN 32STK_001, during an emissions event (Incident No. 350134) that occurred on February 5, 2021 and lasted two hours. The emissions event occurred when hydrocarbons unexpectedly carried over with the amine acid gas feed to the Sulfur Recovery Units that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to prevent unauthorized emissions. Specifically, the Respondent released 26.18 lbs of CO, 0.27 lb of H₂S, 15.74 lbs of NO_x, 0.54 lb of PM, 7,869.07 lbs of SO₂, and 0.01 lb of VOC from the Sulfur Recover Unit 3 Thermal Oxidizer, EPN 32STK_001, during an emissions event (Incident No. 371293) that occurred on December 12, 2021 and lasted two hours. The emissions event occurred when hydrocarbons were unexpectedly carried over into the Sour Water Stripper Unit feed to the Sulfur Recovery Units during a tank transfer that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Executive Summary – Enforcement Matter – Case No. 62056
ExxonMobil Oil Corporation
RN102450756
Docket No. 2022-0283-AIR-E

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By April 18, 2019, conducted training for the mechanical staff regarding wiring installations and equipment repair in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions events that occurred on February 7, 2019;
- b. On January 17, 2020, submitted the initial notification and final record for Incident No. 328455;
- c. By February 14, 2020, conducted refresher training with the business staff regarding equipment strategy repairs and confirmed clear communication and expectations of the piping repair processes in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 328455;
- d. By April 15, 2021, conducted refresher training for the Operations personnel and drained the foul drum hydrocarbons on a weekly basis to mitigate buildup of heavy hydrocarbons in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 350134;
- e. By May 5, 2022, updated the procedures to clarify the requirements of the tank lineup preparation for performing hydrocarbon draws and conducted training for the Unit Operators regarding tank lineup risks in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 371293; and
- f. By June 23, 2023, clarified the procedures and conducted refresher training for the staff in order to ensure that the initial notifications for reportable emissions events are submitted in a timely manner.

Technical Requirements:

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

Executive Summary – Enforcement Matter – Case No. 62056
ExxonMobil Oil Corporation
RN102450756
Docket No. 2022-0283-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Johnnie Wu, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2524; 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: Southeast Texas Regional Planning Commission, 2210 Eastex Freeway, Beaumont, Texas 77703

Respondent: Michael A. Mustain, Beaumont Complex Manager, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision September 1, 2019

DATES	Assigned	16-Mar-2020		
	PCW	6-Mar-2024	Screening	16-Mar-2020
			EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	ExxonMobil Oil Corporation			
Reg. Ent. Ref. No.	RN102450756 (PCW No. 1 of 2)			
Facility/Site Region	10-Beaumont	Major/Minor Source	Major	

CASE INFORMATION

Enf./Case ID No.	62056	No. of Violations	5
Docket No.	2022-0283-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Johnnie Wu
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$11,750
---	-------------------	----------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	38.0%	Adjustment	Subtotals 2, 3, & 7	\$4,465
---------------------------	-------	-------------------	--------------------------------	---------

Notes	Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, and two orders containing a denial of liability. Reduction for three notices of intent to conduct an audit and four disclosures of violations.			
--------------	---	--	--	--

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
--------------------	----	------	--------------------	-------------------	-----

Notes	The Respondent does not meet the culpability criteria.			
--------------	--	--	--	--

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,936
--	-------------------	----------

Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
-------------------------	------	---------------------	-------------------	-----

Total EB Amounts	\$640	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$5,250	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$14,279
-----------------------------	-----------------------	----------

OTHER FACTORS AS JUSTICE MAY REQUIRE	1.9%	Adjustment	\$277
---	------	-------------------	-------

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided costs of compliance associated with Violation No. 5.			
	Final Penalty Amount			
	\$14,556			

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$14,556
-----------------------------------	-------------------------------	----------

DEFERRAL	20.0%	Reduction	Adjustment	-\$2,911
-----------------	-------	------------------	-------------------	----------

Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.			
--------------	--	--	--	--

PAYABLE PENALTY	\$11,645
------------------------	----------

Screening Date

16-Mar-2020

Docket No.

2022-0283-AIR-E

PCW

Respondent

ExxonMobil Oil Corporation

Case ID No.

62056

Reg. Ent. Reference No.

RN102450756 (PCW No. 1 of 2)

Media

Air

Enf. Coordinator

Johnnie Wu

Policy Revision 4 (April 2014)

PCW Revision September 1, 2019

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>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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>)	3	-3%
	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>)	4	-8%
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)38%

>> 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, and two orders containing a denial of liability. Reduction for three notices of intent to conduct an audit and four disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)38%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%38%

Screening Date	16-Mar-2020	Docket No.	2022-0283-AIR-E	PCW
Respondent	ExxonMobil Oil Corporation			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	62056	<i>PCW Revision September 1, 2019</i>		
Reg. Ent. Reference No.	RN102450756 (PCW No. 1 of 2)			
Media	Air			
Enf. Coordinator	Johnnie Wu			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2000, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 328455 was due by January 1, 2020 at 1:00 a.m., but was not submitted until January 17, 2020 at 2:21 p.m.			
Base Penalty				\$25,000
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
Percent				0.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				x
Percent				1.0%
Matrix Notes	Less than 30% of the rule requirements were not met.			
Adjustment				\$24,750
				\$250
Violation Events				
Number of Violation Events		1	16	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
Violation Base Penalty				\$250
One single 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				\$250
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount		\$340	Violation Final Penalty Total	
			\$352	
This violation Final Assessed Penalty (adjusted for limits)				\$352

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2)
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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	\$1,500	8-Feb-2019	23-Jun-2023	4.37	\$328	n/a	\$328
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)	\$250	8-Feb-2019	17-Jan-2020	0.94	\$12	n/a	\$12
Notes for DELAYED costs	Estimated costs to submit the initial notification for Incident No. 328455 (\$250) and to clarify the procedures and conduct refresher training for the staff in order to ensure that the initial notifications for reportable emissions events are submitted in a timely manner (\$1,500). The Dates Required is the date the first initial notification was due and the Final Dates are the dates 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 \$1,750

TOTAL \$340

Screening Date	16-Mar-2020	Docket No.	2022-0283-AIR-E	PCW	
Respondent	ExxonMobil Oil Corporation			<i>Policy Revision 4 (April 2014)</i>	
Case ID No.	62056	<i>PCW Revision September 1, 2019</i>			
Reg. Ent. Reference No.	RN102450756 (PCW No. 1 of 2)				
Media	Air				
Enf. Coordinator	Johnnie Wu				
Violation Number	<input type="text" value="2"/>				
Rule Cite(s)	<div>30 Tex. Admin. Code §§ 101.201(c) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)</div>				
Violation Description	<div>Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 328455 was due by January 14, 2020, but was not submitted until January 17, 2020.</div>				
Base Penalty				<input type="text" value="\$25,000"/>	
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input type="text" value="1.0%"/>
Matrix Notes	<div>Less than 30% of the rule requirements were not met.</div>				
Adjustment				<input type="text" value="\$24,750"/>	
				<input type="text" value="\$250"/>	
Violation Events					
Number of Violation Events		<input type="text" value="1"/>	<input type="text" value="3"/>	Number of violation days	
	daily	<input type="text"/>			
	weekly	<input type="text"/>			
	monthly	<input type="text"/>			
	quarterly	<input type="text"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
	single event	<input type="text" value="x"/>			
<div>One single event is recommended.</div>					
Good Faith Efforts to Comply		<input type="text" value="25.0%"/>	Reduction	<input type="text" value="\$62"/>	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary	<input type="text"/>	<input type="text"/>		
	Ordinary	<input type="text" value="x"/>	<input type="text"/>		
	N/A	<input type="text"/>	<input type="text"/>		
Notes	<div>The Respondent completed the corrective measures on January 17, 2020, prior to the Notice of Enforcement ("NOE") dated March 10, 2020.</div>				
Violation Subtotal				<input type="text" value="\$188"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test			
Estimated EB Amount	<input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$288"/>		
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$288"/>	

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2)
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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)	\$250	14-Jan-2020	17-Jan-2020	0.01	\$0	n/a	\$0
Notes for DELAYED costs	Estimated cost to submit the final record for Incident No. 328455. The Date Required is the date the final record was due and the Final Date is the date the final record was submitted.						

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	\$250	TOTAL	\$0
----------------------------	-------	-------	-----

Screening Date	16-Mar-2020	Docket No.	2022-0283-AIR-E	PCW	
Respondent	ExxonMobil Oil Corporation			Policy Revision 4 (April 2014)	
Case ID No.	62056	PCW Revision September 1, 2019			
Reg. Ent. Reference No.	RN102450756 (PCW No. 1 of 2)				
Media	Air				
Enf. Coordinator	Johnnie Wu				
Violation Number	3				
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 49138, PSDTX768M1, PSDTX799, PSDTX802, PSDTX932, and PSDTX992M1, Special Conditions ("SC") No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and Tex. Health & Safety Code § 382.085(b)				
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 46.76 pounds ("lbs") of hydrogen sulfide ("H2S") and 3,568.14 lbs of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 328455) that occurred on December 31, 2019 and lasted four hours. The emissions event occurred when a light straight run naptha line in the Crude Unit A failed that caused a leak, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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 which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.				
Adjustment				\$21,250	
					\$3,750
Violation Events					
Number of Violation Events		1	1	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x		Violation Base Penalty \$3,750	
	semiannual				
	annual				
	single event				
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 completed the corrective measures by February 14, 2020, prior to the NOE dated March 10, 2020.				
Violation Subtotal				\$2,813	
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount		\$9	Violation Final Penalty Total		\$4,320
This violation Final Assessed Penalty (adjusted for limits)				\$4,320	

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2)
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	31-Dec-2019	14-Feb-2020	0.12	\$9	n/a	\$9
Notes for DELAYED costs	Estimated cost to conduct refresher training with the business staff regarding equipment strategy repairs and confirm clear communication and expectations of the piping repair processes in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 328455. The Date Required is the date the emissions event occurred and the 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	\$1,500	TOTAL	\$9
----------------------------	---------	-------	-----

Screening Date 16-Mar-2020 Respondent ExxonMobil Oil Corporation Case ID No. 62056 Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2) Media Air Enf. Coordinator Johnnie Wu	Docket No. 2022-0283-AIR-E	PCW <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision September 1, 2019</i>
--	-----------------------------------	--

Violation Number	4	Rule Cite(s)	
		30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 49138, PSDTX768M1, PSDTX799, PSDTX802, PSDTX932, and PSDTX992M1, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and Tex. Health & Safety Code § 382.085(b)	
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 27.29 lbs of carbon monoxide ("CO"), 38.33 lbs of H2S, 5.30 lbs of nitrogen oxides ("NOx"), 3,530.21 lbs of sulfur dioxide ("SO2"), and 23.77 lbs of VOC from the Catalytic Hydrodesulfurization Unit 1 Flare, Emissions Point Number ("EPN") 60FLR_001, during a reportable emissions event that occurred on February 7, 2019 and lasted 48 minutes. The emissions event occurred when a pressure control valve failed open, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	Percent	<input type="text" value="15.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor		
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent	<input type="text" value="0.0%"/>

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

Adjustment	\$21,250
-------------------	----------

	\$3,750
--	---------

Violation Events

Number of Violation Events	1		1	Number of violation days
----------------------------	---	--	---	--------------------------

	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="text" value="x"/>	Violation Base Penalty	<input type="text" value="\$3,750"/>
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

One quarterly event is recommended.	
-------------------------------------	--

Good Faith Efforts to Comply

	25.0%				
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Reduction	<input type="text" value="\$937"/>
Extraordinary	<input type="text"/>	<input type="text"/>			
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>			
N/A	<input type="text"/>	<input type="text"/>			
Notes	The Respondent completed the corrective measures by April 18, 2019, prior to the NOE dated February 24, 2021.				

Violation Subtotal	\$2,813
---------------------------	---------

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	<input type="text" value="\$14"/> Violation Final Penalty Total <input type="text" value="\$4,320"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$4,320"/>	

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2)
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	7-Feb-2019	18-Apr-2019	0.19	\$14	n/a	\$14
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 conduct training for the mechanical staff regarding wiring installations and equipment repair in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions events that occurred on February 7, 2019. The Date Required is the date the emissions event occurred and the 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	\$1,500	TOTAL	\$14
----------------------------	---------	-------	------

Screening Date	16-Mar-2020	Docket No.	2022-0283-AIR-E	PCW
Respondent	ExxonMobil Oil Corporation			Policy Revision 4 (April 2014)
Case ID No.	62056	PCW Revision September 1, 2019		
Reg. Ent. Reference No.	RN102450756 (PCW No. 1 of 2)			
Media	Air			
Enf. Coordinator	Johnnie Wu			
Violation Number	5			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for the reportable emissions event that occurred on February 7, 2019 was due by February 8, 2019 at 2:30 p.m., but was not submitted.			
Base Penalty				\$25,000
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			
	Potential			
Percent				0.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		x		
Percent				15.0%
Matrix Notes	100% of the rule requirements were not met.			
Adjustment				\$21,250
				\$3,750
Violation Events				
Number of Violation Events		1	762	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
Violation Base Penalty				\$3,750
One single 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				\$3,750
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	\$277	Violation Final Penalty Total	\$5,275	
This violation Final Assessed Penalty (adjusted for limits)				\$5,275

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 1 of 2)
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See the Economic Benefit in Violation No. 1 for the delayed cost for clarifying the procedures and conducting refresher training for the staff in order to ensure that the initial notifications for reportable emissions events are submitted in a timely manner.						

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	\$250	8-Feb-2019	11-Mar-2021	2.09	\$27	\$250	\$277
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	Estimated avoided cost to submit the initial notification for the reportable emissions event that occurred on February 7, 2019. The Date Required is the date the initial notification was due and the Final Date is the screening date for Investigation No. 1697246.						

Approx. Cost of Compliance	\$250	TOTAL	\$277
----------------------------	-------	-------	-------



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	21-Mar-2022	Screening	23-Mar-2022	EPA Due	
	PCW	6-Mar-2024				

RESPONDENT/FACILITY INFORMATION						
Respondent	ExxonMobil Oil Corporation					
Reg. Ent. Ref. No.	RN102450756 (PCW No. 2 of 2)					
Facility/Site Region	10-Beaumont			Major/Minor Source	Major	

CASE INFORMATION						
Enf./Case ID No.	62056			No. of Violations	2	
Docket No.	2022-0283-AIR-E			Order Type	1660	
Media Program(s)	Air			Government/Non-Profit	No	
Multi-Media				Enf. Coordinator	Johnnie Wu	
				EC's Team	Enforcement Team 2	
Admin. Penalty \$	Limit Minimum	\$0		Maximum	\$25,000	

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$20,000
---	-------------------	----------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	38.0%	Adjustment	Subtotals 2, 3, & 7	\$7,600
---------------------------	--------------	-------------------	--------------------------------	---------

Notes	Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, and two orders containing a denial of liability. Reduction for three notices of intent to conduct an audit and four disclosures of violations.
--------------	---

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
--------------------	----	-------------	--------------------	-------------------	-----

Notes	The Respondent does not meet the culpability criteria.
--------------	--

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$3,125
--	-------------------	----------

Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
-------------------------	-------------	---------------------	-------------------	-----

Total EB Amounts	\$154	<i>*Capped at the Total EB \$ Amount</i>
Estimated Cost of Compliance	\$13,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$24,475
-----------------------------	-----------------------	----------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---	-------------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
--------------	--

Final Penalty Amount	\$24,475
-----------------------------	----------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$24,475
-----------------------------------	-------------------------------	----------

DEFERRAL	20.0%	Reduction	Adjustment	-\$4,895
-----------------	--------------	------------------	-------------------	----------

Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
--------------	--

PAYABLE PENALTY	\$19,580
------------------------	----------

Screening Date

23-Mar-2022

Docket No.

2022-0283-AIR-E

PCW

Respondent

ExxonMobil Oil Corporation

Case ID No.

62056

Reg. Ent. Reference No.

RN102450756 (PCW No. 2 of 2)

Media

Air

Enf. Coordinator

Johnnie Wu

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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>)	3	-3%
	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>)	4	-8%
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)38%

>> 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, and two orders containing a denial of liability. Reduction for three notices of intent to conduct an audit and four disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)38%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%38%

Screening Date		23-Mar-2022		Docket No. 2022-0283-AIR-E		PCW	
Respondent		ExxonMobil Oil Corporation					
Case ID No.		62056					
Reg. Ent. Reference No.		RN102450756 (PCW No. 2 of 2)					
Media		Air					
Enf. Coordinator		Johnnie Wu					
Violation Number		1					
Rule Cite(s)		30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2000, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 18.A and 22.A, and Tex. Health & Safety Code § 382.085(b)					
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 42.47 pounds ("lbs") of carbon monoxide ("CO"), 0.45 lb of hydrogen sulfide ("H2S"), 25.51 lbs of nitrogen oxides ("NOx"), 0.83 lb of particulate matter ("PM"), 5,355.30 lbs of sulfur dioxide ("SO2"), and 0.02 lb of volatile organic compounds ("VOC") from the Sulfur Recovery Unit 3 Thermal Oxidizer, Emissions Point Number ("EPN") 32STK_001, during an emissions event (Incident No. 350134) that occurred on February 5, 2021 and lasted two hours. The emissions event occurred when hydrocarbons unexpectedly carried over with the amine acid gas feed to the Sulfur Recovery Units that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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	30.0%	
>>Programmatic Matrix							
	Falsification	Major	Moderate	Minor			
					Percent	0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.						
Adjustment						\$17,500	
						\$7,500	
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		25.0%		Reduction		\$1,875	
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer					
	Extraordinary						
	Ordinary	x					
	N/A						
Notes	The Respondent completed the corrective measures by April 15, 2021, prior to the Notice of Enforcement ("NOE") dated May 6, 2021.						
Violation Subtotal						\$5,625	
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		\$95		Violation Final Penalty Total		\$8,475	
This violation Final Assessed Penalty (adjusted for limits)						\$8,475	

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 2 of 2)
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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	5-Feb-2021	15-Apr-2021	0.19	\$95	n/a	\$95
Notes for DELAYED costs	Estimated cost to conduct refresher training for the Operations personnel and drain the foul drum hydrocarbons on a weekly basis to mitigate buildup of heavy hydrocarbons in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 350134. The Date Required is the date the emissions event occurred and the 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	\$10,000	TOTAL	\$95
----------------------------	----------	-------	------

Screening Date23-Mar-2022

Docket No.2022-0283-AIR-E

PCW

RespondentExxonMobil Oil Corporation

Policy Revision 5 (January 28, 2021)

Case ID No.62056

PCW Revision February 11, 2021

Reg. Ent. Reference No.RN102450756 (PCW No. 2 of 2)

MediaAir

Enf. CoordinatorJohnnie Wu

Violation Number2

Rule Cite(s)30 Tex. Admin. Code §§ 101.20(3), 116.715(a), and 122.143(4), Flexible Permit Nos. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, SC No. 1, FOP No. 02000, GTC and STC Nos. 18.A and 22.A, and Tex. Health & Safety Code § 382.085(b)

Violation DescriptionFailed to prevent unauthorized emissions. Specifically, the Respondent released 26.18 lbs of CO, 0.27 lb of H2S, 15.74 lbs of NOx, 0.54 lb of PM, 7,869.07 lbs of SO2, and 0.01 lb of VOC from the Sulfur Recover Unit 3 Thermal Oxidizer, EPN 32STK_001, during an emissions event (Incident No. 371293) that occurred on December 12, 2021 and lasted two hours. The emissions event occurred when hydrocarbons were unexpectedly carried over into the Sour Water Stripper Unit feed to the Sulfur Recovery Units during a tank transfer that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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

Major

Moderate

Minor

Actual

x

Potential

Percent

50.0%

>>Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

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

Adjustment

\$12,500

\$12,500

Violation Events

Number of Violation Events

1

1

Number of violation days

daily

weekly

monthly

quarterly

semiannual

annual

single event

x

Violation Base Penalty

\$12,500

One weekly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction

\$1,250

Before NOE/NOV

NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

x

N/A

Notes

The Respondent completed the corrective measures by May 5, 2022, after the NOE dated March 14, 2022.

Violation Subtotal

\$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$59

Violation Final Penalty Total

\$16,000

This violation Final Assessed Penalty (adjusted for limits)

\$16,000

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 62056
Reg. Ent. Reference No. RN102450756 (PCW No. 2 of 2)
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,000	12-Dec-2021	5-May-2022	0.39	\$59	n/a	\$59
Notes for DELAYED costs	Estimated cost to update the procedures to clarify the requirements of the tank lineup preparation for performing hydrocarbon draws and conduct training for the Unit Operators regarding tank lineup risks in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 371293. The Date Required is the date the emissions event occurred and the 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	\$3,000	TOTAL	\$59
----------------------------	---------	-------	------



Compliance History Report

Compliance History Report for CN600920748, RN102450756, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator:	CN600920748, ExxonMobil Oil Corporation	Classification: SATISFACTORY	Rating: 2.03
Regulated Entity:	RN102450756, EXXONMOBIL BEAUMONT REFINERY	Classification: SATISFACTORY	Rating: 0.87
Complexity Points:	40	Repeat Violator:	NO
CH Group:	02 - Oil and Petroleum Refineries		
Location:	1795 BURT STREET, BEAUMONT, JEFFERSON COUNTY, TEXAS		
TCEQ Region:	REGION 10 - BEAUMONT		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0067I
AIR NEW SOURCE PERMITS REGISTRATION 169504
AIR NEW SOURCE PERMITS REGISTRATION 10291
AIR NEW SOURCE PERMITS REGISTRATION 12139
AIR NEW SOURCE PERMITS REGISTRATION 13120
AIR NEW SOURCE PERMITS REGISTRATION 22999
AIR NEW SOURCE PERMITS REGISTRATION 26121
AIR NEW SOURCE PERMITS REGISTRATION 26860
AIR NEW SOURCE PERMITS REGISTRATION 26859
AIR NEW SOURCE PERMITS REGISTRATION 31227
AIR NEW SOURCE PERMITS REGISTRATION 33907
AIR NEW SOURCE PERMITS REGISTRATION 34963
AIR NEW SOURCE PERMITS REGISTRATION 40837
AIR NEW SOURCE PERMITS REGISTRATION 42730
AIR NEW SOURCE PERMITS REGISTRATION 42951
AIR NEW SOURCE PERMITS REGISTRATION 43433
AIR NEW SOURCE PERMITS REGISTRATION 44038
AIR NEW SOURCE PERMITS PERMIT 49138
AIR NEW SOURCE PERMITS REGISTRATION 145643
AIR NEW SOURCE PERMITS REGISTRATION 170212
AIR NEW SOURCE PERMITS REGISTRATION 145801
AIR NEW SOURCE PERMITS REGISTRATION 143769
AIR NEW SOURCE PERMITS REGISTRATION 90127
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX768
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX992
AIR NEW SOURCE PERMITS REGISTRATION 72569
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX799
AIR NEW SOURCE PERMITS REGISTRATION 92941
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX992M1
AIR NEW SOURCE PERMITS REGISTRATION 85876
AIR NEW SOURCE PERMITS REGISTRATION 87029
AIR NEW SOURCE PERMITS REGISTRATION 87499
AIR NEW SOURCE PERMITS REGISTRATION 90470
AIR NEW SOURCE PERMITS REGISTRATION 91409
AIR NEW SOURCE PERMITS REGISTRATION 90859
AIR NEW SOURCE PERMITS REGISTRATION 87985
AIR NEW SOURCE PERMITS REGISTRATION 90462
AIR NEW SOURCE PERMITS REGISTRATION 91236
AIR NEW SOURCE PERMITS REGISTRATION 89728
AIR NEW SOURCE PERMITS REGISTRATION 88089
AIR NEW SOURCE PERMITS REGISTRATION 87414

AIR OPERATING PERMITS PERMIT 2000
AIR NEW SOURCE PERMITS PERMIT 7208
AIR NEW SOURCE PERMITS REGISTRATION 11306
AIR NEW SOURCE PERMITS REGISTRATION 12817
AIR NEW SOURCE PERMITS REGISTRATION 15261
AIR NEW SOURCE PERMITS REGISTRATION 24159
AIR NEW SOURCE PERMITS REGISTRATION 27000
AIR NEW SOURCE PERMITS REGISTRATION 27539
AIR NEW SOURCE PERMITS REGISTRATION 30543
AIR NEW SOURCE PERMITS REGISTRATION 33642
AIR NEW SOURCE PERMITS REGISTRATION 34543
AIR NEW SOURCE PERMITS REGISTRATION 37234
AIR NEW SOURCE PERMITS REGISTRATION 42051
AIR NEW SOURCE PERMITS REGISTRATION 42852
AIR NEW SOURCE PERMITS REGISTRATION 43132
AIR NEW SOURCE PERMITS REGISTRATION 43675
AIR NEW SOURCE PERMITS REGISTRATION 47175
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0067I
AIR NEW SOURCE PERMITS REGISTRATION 102097
AIR NEW SOURCE PERMITS REGISTRATION 142257
AIR NEW SOURCE PERMITS REGISTRATION 114668
AIR NEW SOURCE PERMITS AFS NUM 4824500018
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX932
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX768M1
AIR NEW SOURCE PERMITS REGISTRATION 54487
AIR NEW SOURCE PERMITS REGISTRATION 75172
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX802
AIR NEW SOURCE PERMITS REGISTRATION 79641
AIR NEW SOURCE PERMITS REGISTRATION 86452
AIR NEW SOURCE PERMITS REGISTRATION 85990
AIR NEW SOURCE PERMITS REGISTRATION 88261
AIR NEW SOURCE PERMITS REGISTRATION 90845
AIR NEW SOURCE PERMITS REGISTRATION 90733
AIR NEW SOURCE PERMITS REGISTRATION 89878
AIR NEW SOURCE PERMITS REGISTRATION 89318
AIR NEW SOURCE PERMITS REGISTRATION 85988
AIR NEW SOURCE PERMITS REGISTRATION 90917
AIR NEW SOURCE PERMITS REGISTRATION 87903
AIR NEW SOURCE PERMITS REGISTRATION 90328
AIR NEW SOURCE PERMITS REGISTRATION 91148
AIR NEW SOURCE PERMITS REGISTRATION 88127

AIR NEW SOURCE PERMITS REGISTRATION 87735
AIR NEW SOURCE PERMITS REGISTRATION 87500
AIR NEW SOURCE PERMITS REGISTRATION 92224
AIR NEW SOURCE PERMITS REGISTRATION 92943
AIR NEW SOURCE PERMITS REGISTRATION 91853
AIR NEW SOURCE PERMITS REGISTRATION 92674
AIR NEW SOURCE PERMITS REGISTRATION 93142
AIR NEW SOURCE PERMITS REGISTRATION 92106
AIR NEW SOURCE PERMITS REGISTRATION 92401
AIR NEW SOURCE PERMITS REGISTRATION 92399
AIR NEW SOURCE PERMITS REGISTRATION 93090
AIR NEW SOURCE PERMITS REGISTRATION 93383
AIR NEW SOURCE PERMITS REGISTRATION 93629
AIR NEW SOURCE PERMITS REGISTRATION 93639
AIR NEW SOURCE PERMITS REGISTRATION 93761
AIR NEW SOURCE PERMITS REGISTRATION 93764
AIR NEW SOURCE PERMITS REGISTRATION 93964
AIR NEW SOURCE PERMITS REGISTRATION 93475
AIR NEW SOURCE PERMITS REGISTRATION 93477
AIR NEW SOURCE PERMITS REGISTRATION 93767
AIR NEW SOURCE PERMITS REGISTRATION 94162
AIR NEW SOURCE PERMITS REGISTRATION 94161
AIR NEW SOURCE PERMITS REGISTRATION 94279
AIR NEW SOURCE PERMITS REGISTRATION 94804
AIR NEW SOURCE PERMITS REGISTRATION 94425
AIR NEW SOURCE PERMITS REGISTRATION 94341
AIR NEW SOURCE PERMITS REGISTRATION 94731
AIR NEW SOURCE PERMITS REGISTRATION 95575
AIR NEW SOURCE PERMITS REGISTRATION 95832
AIR NEW SOURCE PERMITS REGISTRATION 96019
AIR NEW SOURCE PERMITS REGISTRATION 95647
AIR NEW SOURCE PERMITS REGISTRATION 97520
AIR NEW SOURCE PERMITS REGISTRATION 98792
AIR NEW SOURCE PERMITS REGISTRATION 97110
AIR NEW SOURCE PERMITS REGISTRATION 99410
AIR NEW SOURCE PERMITS REGISTRATION 100219
AIR NEW SOURCE PERMITS REGISTRATION 99652
AIR NEW SOURCE PERMITS REGISTRATION 101372
AIR NEW SOURCE PERMITS REGISTRATION 97833
AIR NEW SOURCE PERMITS REGISTRATION 100526
AIR NEW SOURCE PERMITS REGISTRATION 98064
AIR NEW SOURCE PERMITS REGISTRATION 98524
AIR NEW SOURCE PERMITS REGISTRATION 103755
AIR NEW SOURCE PERMITS REGISTRATION 101878
AIR NEW SOURCE PERMITS REGISTRATION 102332
AIR NEW SOURCE PERMITS REGISTRATION 108241
AIR NEW SOURCE PERMITS REGISTRATION 105875
AIR NEW SOURCE PERMITS REGISTRATION 110317
AIR NEW SOURCE PERMITS REGISTRATION 119213
AIR NEW SOURCE PERMITS REGISTRATION 133779
AIR NEW SOURCE PERMITS REGISTRATION 129169
AIR NEW SOURCE PERMITS REGISTRATION 111476
AIR NEW SOURCE PERMITS REGISTRATION 139798
AIR NEW SOURCE PERMITS REGISTRATION 120121
AIR NEW SOURCE PERMITS REGISTRATION 135973
AIR NEW SOURCE PERMITS EPA PERMIT PAL50
AIR NEW SOURCE PERMITS REGISTRATION 110737
AIR NEW SOURCE PERMITS REGISTRATION 140696
AIR NEW SOURCE PERMITS REGISTRATION 110739
AIR NEW SOURCE PERMITS REGISTRATION 132273

AIR NEW SOURCE PERMITS REGISTRATION 89812
AIR NEW SOURCE PERMITS REGISTRATION 91227
AIR NEW SOURCE PERMITS REGISTRATION 88020
AIR NEW SOURCE PERMITS REGISTRATION 91496
AIR NEW SOURCE PERMITS REGISTRATION 86449
AIR NEW SOURCE PERMITS REGISTRATION 93188
AIR NEW SOURCE PERMITS REGISTRATION 92299
AIR NEW SOURCE PERMITS REGISTRATION 92539
AIR NEW SOURCE PERMITS REGISTRATION 93199
AIR NEW SOURCE PERMITS REGISTRATION 91602
AIR NEW SOURCE PERMITS REGISTRATION 93179
AIR NEW SOURCE PERMITS REGISTRATION 93721
AIR NEW SOURCE PERMITS REGISTRATION 94048
AIR NEW SOURCE PERMITS REGISTRATION 93623
AIR NEW SOURCE PERMITS REGISTRATION 93474
AIR NEW SOURCE PERMITS REGISTRATION 93578
AIR NEW SOURCE PERMITS REGISTRATION 94027
AIR NEW SOURCE PERMITS REGISTRATION 93762
AIR NEW SOURCE PERMITS REGISTRATION 93570
AIR NEW SOURCE PERMITS REGISTRATION 93478
AIR NEW SOURCE PERMITS REGISTRATION 94294
AIR NEW SOURCE PERMITS REGISTRATION 94268
AIR NEW SOURCE PERMITS REGISTRATION 94354
AIR NEW SOURCE PERMITS REGISTRATION 94612
AIR NEW SOURCE PERMITS REGISTRATION 94564
AIR NEW SOURCE PERMITS REGISTRATION 94562
AIR NEW SOURCE PERMITS REGISTRATION 94797
AIR NEW SOURCE PERMITS REGISTRATION 95642
AIR NEW SOURCE PERMITS REGISTRATION 95993
AIR NEW SOURCE PERMITS REGISTRATION 95866
AIR NEW SOURCE PERMITS REGISTRATION 98418
AIR NEW SOURCE PERMITS REGISTRATION 99039
AIR NEW SOURCE PERMITS REGISTRATION 96587
AIR NEW SOURCE PERMITS REGISTRATION 100731
AIR NEW SOURCE PERMITS REGISTRATION 102792
AIR NEW SOURCE PERMITS REGISTRATION 98893
AIR NEW SOURCE PERMITS REGISTRATION 99038
AIR NEW SOURCE PERMITS REGISTRATION 100673
AIR NEW SOURCE PERMITS REGISTRATION 99913
AIR NEW SOURCE PERMITS REGISTRATION 96630
AIR NEW SOURCE PERMITS REGISTRATION 100527
AIR NEW SOURCE PERMITS REGISTRATION 102188
AIR NEW SOURCE PERMITS REGISTRATION 103591
AIR NEW SOURCE PERMITS REGISTRATION 103059
AIR NEW SOURCE PERMITS REGISTRATION 107433
AIR NEW SOURCE PERMITS REGISTRATION 106444
AIR NEW SOURCE PERMITS REGISTRATION 111668
AIR NEW SOURCE PERMITS REGISTRATION 110804
AIR NEW SOURCE PERMITS REGISTRATION 140726
AIR NEW SOURCE PERMITS REGISTRATION 119344
AIR NEW SOURCE PERMITS REGISTRATION 123727
AIR NEW SOURCE PERMITS REGISTRATION 121425
AIR NEW SOURCE PERMITS REGISTRATION 112348
AIR NEW SOURCE PERMITS REGISTRATION 135036
AIR NEW SOURCE PERMITS REGISTRATION 131959
AIR NEW SOURCE PERMITS REGISTRATION 124500
AIR NEW SOURCE PERMITS REGISTRATION 118857
AIR NEW SOURCE PERMITS REGISTRATION 109305
AIR NEW SOURCE PERMITS REGISTRATION 120491
AIR NEW SOURCE PERMITS REGISTRATION 130615

AIR NEW SOURCE PERMITS REGISTRATION 135691
AIR NEW SOURCE PERMITS REGISTRATION 108480
AIR NEW SOURCE PERMITS REGISTRATION 129709
AIR NEW SOURCE PERMITS REGISTRATION 115390
AIR NEW SOURCE PERMITS REGISTRATION 111620
AIR NEW SOURCE PERMITS REGISTRATION 131831
AIR NEW SOURCE PERMITS REGISTRATION 133089
AIR NEW SOURCE PERMITS REGISTRATION 131767
AIR NEW SOURCE PERMITS REGISTRATION 109799
AIR NEW SOURCE PERMITS REGISTRATION 115389
AIR NEW SOURCE PERMITS REGISTRATION 109506
AIR NEW SOURCE PERMITS REGISTRATION 108334
AIR NEW SOURCE PERMITS REGISTRATION 134662
AIR NEW SOURCE PERMITS REGISTRATION 110725
AIR NEW SOURCE PERMITS REGISTRATION 109657
AIR NEW SOURCE PERMITS REGISTRATION 119373
AIR NEW SOURCE PERMITS REGISTRATION 108920
AIR NEW SOURCE PERMITS REGISTRATION 112352
AIR NEW SOURCE PERMITS REGISTRATION 110699
AIR NEW SOURCE PERMITS REGISTRATION 131603
AIR NEW SOURCE PERMITS REGISTRATION 135006
AIR NEW SOURCE PERMITS REGISTRATION 122640
AIR NEW SOURCE PERMITS REGISTRATION 127613
AIR NEW SOURCE PERMITS REGISTRATION 127353
AIR NEW SOURCE PERMITS REGISTRATION 108777
AIR NEW SOURCE PERMITS REGISTRATION 153959
AIR NEW SOURCE PERMITS REGISTRATION 152211
AIR NEW SOURCE PERMITS REGISTRATION 152413
AIR NEW SOURCE PERMITS REGISTRATION 153004
AIR NEW SOURCE PERMITS REGISTRATION 153769
AIR NEW SOURCE PERMITS REGISTRATION 165628
AIR NEW SOURCE PERMITS REGISTRATION 162401
AIR NEW SOURCE PERMITS REGISTRATION 168419
AIR NEW SOURCE PERMITS REGISTRATION 164281
AIR NEW SOURCE PERMITS REGISTRATION 166698
AIR NEW SOURCE PERMITS REGISTRATION 170774
AIR NEW SOURCE PERMITS REGISTRATION 166237
AIR NEW SOURCE PERMITS REGISTRATION 163391
AIR NEW SOURCE PERMITS REGISTRATION 143693
AIR NEW SOURCE PERMITS REGISTRATION 142564
AIR NEW SOURCE PERMITS REGISTRATION 146368
AIR NEW SOURCE PERMITS REGISTRATION 148866
AIR NEW SOURCE PERMITS REGISTRATION 143967
AIR NEW SOURCE PERMITS REGISTRATION 143291
AIR NEW SOURCE PERMITS REGISTRATION 146690
AIR NEW SOURCE PERMITS REGISTRATION 143419
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX932M1
AIR NEW SOURCE PERMITS REGISTRATION 155136
AIR NEW SOURCE PERMITS REGISTRATION 152210
AIR NEW SOURCE PERMITS REGISTRATION 161590
AIR NEW SOURCE PERMITS REGISTRATION 160846

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1506M1
AIR NEW SOURCE PERMITS REGISTRATION 162788
AIR NEW SOURCE PERMITS REGISTRATION 155645
AIR NEW SOURCE PERMITS REGISTRATION 155565
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX799M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX768M2
AIR NEW SOURCE PERMITS REGISTRATION 161984
AIR NEW SOURCE PERMITS REGISTRATION 154013

AIR NEW SOURCE PERMITS REGISTRATION 118693
AIR NEW SOURCE PERMITS REGISTRATION 110741
AIR NEW SOURCE PERMITS REGISTRATION 140646
AIR NEW SOURCE PERMITS REGISTRATION 124299
AIR NEW SOURCE PERMITS REGISTRATION 118359
AIR NEW SOURCE PERMITS REGISTRATION 109236
AIR NEW SOURCE PERMITS REGISTRATION 114782
AIR NEW SOURCE PERMITS REGISTRATION 115953
AIR NEW SOURCE PERMITS REGISTRATION 122157
AIR NEW SOURCE PERMITS REGISTRATION 134299
AIR NEW SOURCE PERMITS REGISTRATION 132162
AIR NEW SOURCE PERMITS REGISTRATION 108669
AIR NEW SOURCE PERMITS REGISTRATION 129971
AIR NEW SOURCE PERMITS REGISTRATION 108143
AIR NEW SOURCE PERMITS REGISTRATION 109660
AIR NEW SOURCE PERMITS REGISTRATION 116185
AIR NEW SOURCE PERMITS REGISTRATION 131458
AIR NEW SOURCE PERMITS REGISTRATION 137065
AIR NEW SOURCE PERMITS REGISTRATION 114931
AIR NEW SOURCE PERMITS REGISTRATION 118284
AIR NEW SOURCE PERMITS REGISTRATION 107282
AIR NEW SOURCE PERMITS REGISTRATION 115272
AIR NEW SOURCE PERMITS REGISTRATION 132695
AIR NEW SOURCE PERMITS REGISTRATION 118871
AIR NEW SOURCE PERMITS REGISTRATION 132818
AIR NEW SOURCE PERMITS PERMIT AMOC124
AIR NEW SOURCE PERMITS PERMIT AMOC50
AIR NEW SOURCE PERMITS REGISTRATION 150402
AIR NEW SOURCE PERMITS REGISTRATION 152105
AIR NEW SOURCE PERMITS REGISTRATION 167078
AIR NEW SOURCE PERMITS REGISTRATION 166022
AIR NEW SOURCE PERMITS REGISTRATION 169190
AIR NEW SOURCE PERMITS REGISTRATION 164593
AIR NEW SOURCE PERMITS REGISTRATION 168508
AIR NEW SOURCE PERMITS REGISTRATION 163576
AIR NEW SOURCE PERMITS REGISTRATION 165074
AIR NEW SOURCE PERMITS REGISTRATION 165174
AIR NEW SOURCE PERMITS REGISTRATION 149585
AIR NEW SOURCE PERMITS REGISTRATION 143810
AIR NEW SOURCE PERMITS REGISTRATION 147985
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX161
AIR NEW SOURCE PERMITS REGISTRATION 151204
AIR NEW SOURCE PERMITS REGISTRATION 146140
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1506
AIR NEW SOURCE PERMITS REGISTRATION 149150
AIR NEW SOURCE PERMITS REGISTRATION 147509
AIR NEW SOURCE PERMITS REGISTRATION 156342
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX802M1
AIR NEW SOURCE PERMITS REGISTRATION 158670
AIR NEW SOURCE PERMITS REGISTRATION 160192
AIR NEW SOURCE PERMITS EPA PERMIT
 GHGPSDTX161M1
AIR NEW SOURCE PERMITS REGISTRATION 158572
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX992M2
AIR NEW SOURCE PERMITS REGISTRATION 158781
AIR NEW SOURCE PERMITS REGISTRATION 159253
AIR NEW SOURCE PERMITS REGISTRATION 156190
AIR NEW SOURCE PERMITS REGISTRATION 153378
AIR NEW SOURCE PERMITS REGISTRATION 158671
AIR NEW SOURCE PERMITS REGISTRATION 153551

AIR NEW SOURCE PERMITS REGISTRATION 152965
AIR NEW SOURCE PERMITS REGISTRATION 160546
AIR NEW SOURCE PERMITS REGISTRATION 153240
AIR NEW SOURCE PERMITS PERMIT AMOC199
AIR NEW SOURCE PERMITS REGISTRATION 170504
AIR NEW SOURCE PERMITS REGISTRATION 169869

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
(SWR) 30587

STORMWATER PERMIT TXR15NH97

STORMWATER PERMIT TXR15721Y

WASTEWATER EPA ID TX0118737

POLLUTION PREVENTION PLANNING ID NUMBER
P00441

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD990797714

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST
41605

TAX RELIEF ID NUMBER 23802

TAX RELIEF ID NUMBER 23801

AIR NEW SOURCE PERMITS REGISTRATION 156716

AIR NEW SOURCE PERMITS REGISTRATION 160757

AIR NEW SOURCE PERMITS REGISTRATION 170834

AIR NEW SOURCE PERMITS REGISTRATION 170106

AIR NEW SOURCE PERMITS REGISTRATION 167890

PETROLEUM STORAGE TANK REGISTRATION

REGISTRATION 12825

STORMWATER PERMIT TXR05K942

STORMWATER PERMIT TXR15245L

WASTEWATER PERMIT WQ0003426000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0067I

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50139

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30587

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXP490354973

TAX RELIEF ID NUMBER 23800

Compliance History Period: September 01, 2017 to August 31, 2022

Rating Year: 2022

Rating Date: 09/01/2022

Date Compliance History Report Prepared: December 20, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 20, 2017 to December 20, 2022

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

Name: Johnnie Wu

Phone: (512) 239-2524

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: 05/04/2018 ADMINORDER 2017-0384-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 2(F) OP

Description: Failed to submit an initial notification within 24 hours of discovery of an emissions event. Specifically, the initial notification for Incident No. 245596 was due by October 2, 2016 at 5:32 a.m. but was not submitted until October 18, 2016.

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: PSDTX: 768M1, 799, 802, 932, 992M1 SC 1 PERMIT

Special Term & Condition 18 OP

Description: Failed to prevent unauthorized emissions. Released 10,167 lbs of SO₂, 266 lbs of CO, 2 lbs of H₂S, 160 lbs of NO_x, 0.2 lb of VOC, and 8 lbs of PM₁₀ from EPN 32STK_001, during Incident No. 245596 on October 1, 2016 and lasted 16 hrs and 37 min. The emissions event occurred when inaccurate gauging for hydrocarbons prevented an adequate response to oil and water from Tank 1377 feeding into the Sour Water Stripper which allowed hydrocarbons to vaporize in the distillation unit and feed into the SRU

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	December 25, 2017	(1469613)
Item 2	December 28, 2017	(1459794)
Item 3	January 25, 2018	(1476323)
Item 4	January 26, 2018	(1461319)
Item 5	March 14, 2018	(1473017)
Item 6	March 15, 2018	(1471491)
Item 7	March 23, 2018	(1492159)
Item 8	March 26, 2018	(1473495)
Item 9	April 09, 2018	(1460590)
Item 10	April 12, 2018	(1473538)
Item 11	April 13, 2018	(1473891)
Item 12	April 16, 2018	(1472550)
Item 13	April 23, 2018	(1478483)
Item 14	April 25, 2018	(1481487)
Item 15	May 01, 2018	(1481919)
Item 16	May 02, 2018	(1482898)
Item 17	May 08, 2018	(1483176)
Item 18	May 29, 2018	(1486128)
Item 19	May 30, 2018	(1502376)
Item 20	June 19, 2018	(1490295)
Item 21	June 21, 2018	(1509500)
Item 22	June 22, 2018	(1482322)
Item 23	July 02, 2018	(1497924)
Item 24	July 24, 2018	(1515817)
Item 25	August 13, 2018	(1497946)
Item 26	August 15, 2018	(1511015)
Item 27	August 17, 2018	(1521857)
Item 28	August 21, 2018	(1455118)
Item 29	August 22, 2018	(1511517)
Item 30	September 10, 2018	(1512294)
Item 31	September 25, 2018	(1529045)
Item 32	October 30, 2018	(1523340)
Item 33	November 16, 2018	(1543217)
Item 34	November 30, 2018	(1531599)
Item 35	December 20, 2018	(1532884)
Item 36	December 24, 2018	(1546950)
Item 37	December 28, 2018	(1526307)
Item 38	January 25, 2019	(1565011)
Item 39	February 13, 2019	(1544694)
Item 40	February 14, 2019	(1544677)
Item 41	February 19, 2019	(1544833)
Item 42	February 20, 2019	(1545107)
Item 43	February 28, 2019	(1538244)
Item 44	March 05, 2019	(1548566)
Item 45	March 21, 2019	(1550641)
Item 46	March 25, 2019	(1565010)
Item 47	March 27, 2019	(1552455)
Item 48	April 01, 2019	(1553394)
Item 49	April 05, 2019	(1554667)
Item 50	April 17, 2019	(1555811)
Item 51	April 24, 2019	(1573592)
Item 52	May 15, 2019	(1558104)
Item 53	May 17, 2019	(1557638)
Item 54	May 20, 2019	(1557727)
Item 55	May 24, 2019	(1586778)
Item 56	June 07, 2019	(1569719)
Item 57	June 25, 2019	(1586779)
Item 58	July 16, 2019	(1571459)

Item 59	July 17, 2019	(1575691)
Item 60	July 30, 2019	(1580673)
Item 61	August 02, 2019	(1558118)
Item 62	August 06, 2019	(1581465)
Item 63	August 14, 2019	(1582568)
Item 64	August 20, 2019	(1601231)
Item 65	August 26, 2019	(1589776)
Item 66	September 12, 2019	(1589888)
Item 67	September 17, 2019	(1608142)
Item 68	October 18, 2019	(1598098)
Item 69	October 21, 2019	(1615011)
Item 70	November 12, 2019	(1606162)
Item 71	November 19, 2019	(1605862)
Item 72	November 20, 2019	(1609634)
Item 73	December 16, 2019	(1628146)
Item 74	January 06, 2020	(1617182)
Item 75	January 10, 2020	(1635776)
Item 76	January 31, 2020	(1623012)
Item 77	February 10, 2020	(1625700)
Item 78	February 11, 2020	(1625518)
Item 79	February 12, 2020	(1625699)
Item 80	February 13, 2020	(1630336)
Item 81	March 17, 2020	(1648901)
Item 82	April 09, 2020	(1640211)
Item 83	April 10, 2020	(1639095)
Item 84	May 13, 2020	(1661812)
Item 85	May 28, 2020	(1646197)
Item 86	May 29, 2020	(1650455)
Item 87	June 09, 2020	(1668351)
Item 88	June 19, 2020	(1646201)
Item 89	June 23, 2020	(1646532)
Item 90	July 06, 2020	(1675296)
Item 91	July 17, 2020	(1657147)
Item 92	July 21, 2020	(1659517)
Item 93	July 30, 2020	(1659216)
Item 94	August 13, 2020	(1682070)
Item 95	August 20, 2020	(1669991)
Item 96	August 25, 2020	(1626232)
Item 97	August 31, 2020	(1664533)
Item 98	September 11, 2020	(1688641)
Item 99	September 18, 2020	(1672521)
Item 100	October 02, 2020	(1672977)
Item 101	October 13, 2020	(1695007)
Item 102	October 30, 2020	(1677688)
Item 103	November 10, 2020	(1717605)
Item 104	November 19, 2020	(1686728)
Item 105	November 24, 2020	(1677754)
Item 106	December 04, 2020	(1717606)
Item 107	January 15, 2021	(1717607)
Item 108	January 22, 2021	(1672658)
Item 109	January 29, 2021	(1672674)
Item 110	February 08, 2021	(1730676)
Item 111	February 25, 2021	(1699964)
Item 112	February 27, 2021	(1702619)
Item 113	March 05, 2021	(1701649)
Item 114	March 09, 2021	(1730677)
Item 115	March 11, 2021	(1701958)
Item 116	March 25, 2021	(1700963)
Item 117	April 06, 2021	(1730678)
Item 118	April 08, 2021	(1706292)
Item 119	April 09, 2021	(1702419)
Item 120	April 22, 2021	(1708246)

Item 121	April 30, 2021	(1710906)
Item 122	May 03, 2021	(1706291)
Item 123	May 04, 2021	(1742617)
Item 124	May 10, 2021	(1705397)
Item 125	May 12, 2021	(1704903)
Item 126	June 11, 2021	(1742618)
Item 127	June 17, 2021	(1735247)
Item 128	June 28, 2021	(1736182)
Item 129	July 09, 2021	(1753400)
Item 130	August 05, 2021	(1758796)
Item 131	August 16, 2021	(1754935)
Item 132	August 26, 2021	(1749385)
Item 133	September 09, 2021	(1768122)
Item 134	October 05, 2021	(1778665)
Item 135	November 01, 2021	(1762456)
Item 136	November 03, 2021	(1785332)
Item 137	December 03, 2021	(1773667)
Item 138	December 09, 2021	(1792371)
Item 139	January 11, 2022	(1800218)
Item 140	February 16, 2022	(1789430)
Item 141	February 17, 2022	(1794120)
Item 142	February 25, 2022	(1794196)
Item 143	March 18, 2022	(1815090)
Item 144	March 22, 2022	(1790305)
Item 145	March 25, 2022	(1802413)
Item 146	April 04, 2022	(1802893)
Item 147	April 06, 2022	(1802006)
Item 148	April 20, 2022	(1821658)
Item 149	May 05, 2022	(1830558)
Item 150	May 13, 2022	(1811985)
Item 151	May 20, 2022	(1813135)
Item 152	June 08, 2022	(1817099)
Item 153	June 11, 2022	(1836806)
Item 154	July 01, 2022	(1818278)
Item 155	July 20, 2022	(1843990)
Item 156	August 18, 2022	(1850151)
Item 157	August 19, 2022	(1834924)
Item 158	September 19, 2022	(1857921)
Item 159	September 30, 2022	(1842157)
Item 160	October 12, 2022	(1847973)
Item 161	October 14, 2022	(1864275)
Item 162	October 21, 2022	(1842181)
Item 163	October 25, 2022	(1852370)
Item 164	October 26, 2022	(1852369)
Item 165	November 04, 2022	(1854607)
Item 166	November 18, 2022	(1853623)
Item 167	November 28, 2022	(1860843)

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:	01/10/2022	(1775000)		
	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 & Conditions OP			
	Description:	Failure to report all deviations.			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 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) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)			

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Term & Condition 1(A) OP
 Special Term & Condition 17(A) OP
 Special Term & Condition 21(A) OP
 Description: Failure to inspect Lube Fixed Roof Tank 2199, emission point number (EPN) 44TFX_2199, quarterly.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.655(f)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Term & Condition 1(A) OP
 Special Term & Condition 17(A) OP
 Special Term & Condition 18(A) OP
 Special Term & Condition 21(A) OP
 Special Term & Condition 22(A) OP
 Description: Failure to timely submit the 40 Code of Federal Regulations (CFR) Chapter 63 Subpart CC Notice of Compliance Status (NOCS).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 13 PERMIT
 Special Condition 44(A) PERMIT
 Special Condition 45 PERMIT
 Special Term & Condition 17(A) OP
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 21(A) OP
 Special Term & Condition 22(A) OP
 Description: Failure to control emissions at the sulfur pits.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.642(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Term & Condition 17(A) OP
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 21(A) OP
 Special Term & Condition 22(A) OP
 Description: Failure to meet the minimum 270 British thermal units per standard cubic foot (Btu/scf) net heating value of flare combustion zone gas (NHVcz).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1570(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Condition 19 PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 22(A) OP
 Description: Failure to prevent the Fluidized Catalytic Cracking Unit (FCCU) Scrubber Stack, Emission Point Number (EPN) 06STK_003, from exceeding the carbon monoxide (CO) emissions limit of 500 parts per million by volume, dry (ppmvd).
 Self Report? NO 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)
 Special Condition 1 PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 22(A) OP
 Description: Failure to prevent unauthorized oxides of nitrogen (NOx) emissions from the Platinum Reformer 3 (PtR3) Heater H-34303, 4, 5, 6, emission point number (EPN) 27STK_003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Condition 17(C) PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 22(A) OP

Description: Failure to prevent visible emissions for more than 5 minutes in any 2-consecutive hour period from the Fluidized Catalytic Cracking (FCC) Flare, emission point number (EPN) 60FLR_008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.107a(a)(2)(iii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 22(A) OP

Description: Failure to complete a cylinder gas audit (CGA) for the 4th Quarter of 2020 for the Catalytic Hydrodesulfurization Unit 1 (CHD1) Flare, emission point number (EPN) 60FLR_001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1570(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Condition 39(A) PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 1A OP
 Special Term & Condition 22(A) OP

Description: Failure to prevent sulfur dioxide (SO2) emissions greater than 250 parts per million by volume dry basis (ppmvd) at 0 percent (%) excess air from the Sulfur Recovery Unit (SRU) 2/3 Thermal Oxidizer, facility identification number (FIN) 32TOX#001, emission point number (EPN) 32STK_001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 106, SubChapter K 106.262(a)(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)
 General Condition 11 PERMIT
 Special Term & Condition 18(A) OP
 Special Term & Condition 19 OP
 Special Term & Condition 22(A) OP

Description: Failure to timely submit a Permit-by-Rule (PBR) application.

Self Report? NO Classification: Minor

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)
Special Condition 69(e) PERMIT
Special Term & Condition 18(A) OP
Special Term & Condition 22(A) OP
Description: Failure to monitor components within 15 days of being placed into service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
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)
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)
Special Condition 17(B) PERMIT
Special Term & Condition 18(A) OP
Special Term & Condition 1A OP
Special Term & Condition 22(A) OP
Description: Failure to operate a flare with a flame present at all times.

2 Date: 02/23/2022 (1781221)
Self Report? NO Classification: Minor
Citation: OpR, No. 1, Pg. 10 PERMIT
Description: Failure by ExxonMobil Oil Corporation to ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.

3 Date: 11/30/2022 (1845921)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174
Description: Failure to maintain weekly container inspection records.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Description: Failure to maintain an updated notice of registration.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.53(f)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(1)(iv)(A)
Description: Failure to close a hazardous waste container when not in use.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.53(f)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(5)(i)(C)
Description: Failure to label accumulation dates on containers.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.53(f)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(5)
Description: Failure to label hazardous waste containers.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 324, SubChapter A 324.1
40 CFR Chapter 279, SubChapter I, PT 279, SubPT C 279.22(c)
Description: Failure to label a used oil container.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.173(a)
Description: Failure to close a hazardous waste container in a permitted unit when not in use.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.174(b)
Description: Failure to protect and maintain surveyed benchmarks.

F. Environmental audits:

Disclosure Date: 01/23/2018
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)
5C THSC Chapter 382 382.085(b)
40 CFR Part 60, Subpart QQQ 60.698(b)(1)
Description: ExxonMobil failed to report missing controls on the Coker, CUB, and SRU IDSs on the semiannual deviation reports, 40 CFR Part 60 Subpart QQQ reports, or annual permit certifications.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
5C THSC Chapter 382 382.085(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)

Description: ExxonMobil failed to report problems that could result in emissions of volatile organic compounds per 40 CFR Part 60 Subpart QQQ.
Disclosure Date: 01/26/2018

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.210
5C THSC Chapter 382 382.085(b)

Description: ExxonMobil failed to submit an application for a permit revision to add one or more permit terms or conditions. Specifically, ExxonMobil did not submit a revision application for Federal Operating Permit No. 02000 to include the applicability requirements of 40 CFR Part 60 Subpart QQQ for the Coker and CUB.

Notice of Intent Date: 03/29/2019 (1554359)
Disclosure Date: 10/23/2019

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.G
PERMIT Special Condition No. 61.H

Description: Failed to tag and monitor 783 valves, seven PRVs, six pumps, and 866 connectors in the Crude A (36FUG_001) Unit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor 12 valves and 37 connectors throughout the South Benzene Recovery (45FUG_001) Unit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.H
PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor 83 valves, one PRV, one pump, and 161 connectors throughout the South Flare Gas Recovery (14FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor six valves, one PRV, and 19 connectors in the MEROX (10FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor three valves, one PRV, and five connectors throughout the Methanol Recovery (11FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E

PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor 11 valves, five PRVs, and 19 connectors throughout the Methyl Tertiary Butyl Ether (12FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E

PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor 28 valves, three PRVs, and 39 connectors throughout the Hydrotreater (3FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E

PERMIT Special Condition No. 61.G

Description: Failed to tag and monitor 39 valves and 69 connectors throughout the Gas Plant 5 West (09FUG_001) Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT Special Condition No. 61.E
PERMIT Special Condition No. 61.G
PERMIT Special Condition No. 61.H

Description: Failed to tag and monitor 1,058 valves, 44 PRVs, two pumps, and 2,836 connectors throughout the Gas Plant 5 East (08FUG_001) Unit.

Notice of Intent Date: 02/03/2021 (1705126)

Disclosure Date: 08/16/2021

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(A)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-11a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-2a(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC No. 69.E
PERMIT SC No. 69.G
PERMIT SC No. 69.H

Description: Failed to tag and monitor 1,411 valves, 26 PRVs, two pumps, 103 process drains, and 2,558 connectors throughout the unit (Hydrocracker, 20FUG_001).

Notice of Intent Date: 11/02/2021 (1773671)

Disclosure Date: 03/14/2022

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60, SubChapter C, PT 60, SubPT VVa 60.482-4a(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 86 Valves, 175 Connectors, and 2 PRVs throughout the unit [CHD1 (15FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 15 Valves throughout the unit [CHD2 (16FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 21 Valves throughout the unit [FCC (06FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 7 Valves throughout the unit [GP5E (08FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 71 Valves throughout the unit [HOC (20FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 21 Valves throughout the unit [ISOM (25FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 22 Valves throughout the unit [PTR3 (27FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(I)

Description: Failed to conduct routine quarterly monitoring for 11 Valves throughout the unit [SCANfiner (69FUG_001)].

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)

Rqmt Prov: PERMIT SC 61(l)

Description: Failed to conduct routine quarterly monitoring for 1 Valve throughout the unit [SRU2 (31FUG_001)].

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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: EXXONMOBIL BEAUMONT REFINERY

Reg Entity Add: 1795 BURT ST

Reg Entity City: BEAUMONT

Reg Entity No: RN102450756

EPA Case No: 06-2016-3403

Order Issue Date (yyyymmdd): 20190503

Case Result: Final Order With Penalty

Statute: CAA

Sect of Statute: 112[R][1]

Classification: Minor

Program: Risk Management Progra

Citation:

Violation Type: Operation And Maintenance

Cite Sect:

Cite Part:

Enforcement Action: Consent Decree or Court Order Resolving a Civil

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL CORPORATION
RN102450756

§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0283-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 petroleum refinery located at 1795 Burt Street 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 \$39,031 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,613 of the penalty and \$7,806 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, \$15,612 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 April 18, 2019, conducted training for the mechanical staff regarding wiring installations and equipment repair in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions events that occurred on February 7, 2019;
 - b. On January 17, 2020, submitted the initial notification and final record for Incident No. 328455;
 - c. By February 14, 2020, conducted refresher training with the business staff regarding equipment strategy repairs and confirmed clear communication and expectations of the piping repair processes in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 328455;
 - d. By April 15, 2021, conducted refresher training for the Operations personnel and drained the foul drum hydrocarbons on a weekly basis to mitigate buildup of heavy hydrocarbons in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 350134;
 - e. By May 5, 2022, updated the procedures to clarify the requirements of the tank lineup preparation for performing hydrocarbon draws and conducted training for the Unit Operators regarding tank lineup risks in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 371293; and
 - f. By June 23, 2023, clarified the procedures and conducted refresher training for the staff in order to ensure that the initial notifications for reportable emissions events are submitted in a timely manner.

II. ALLEGATIONS

1. During a record review for the Plant conducted on February 25, 2020, an investigator documented that the Respondent:
 - a. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2000, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085. Specifically, the initial notification for Incident No. 328455 was due by January 1, 2020 at 1:00 a.m., but was not submitted until January 17, 2020 at 2:21 p.m.
 - b. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(c) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 328455 was due by January 14, 2020, but was not submitted until January 17, 2020.
 - c. 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, PSDTX932, and PSDTX992M1, Special Conditions ("SC") No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 46.76 pounds ("lbs") of hydrogen sulfide ("H₂S") and 3,568.14 lbs of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 328455) that occurred on December 31, 2019 and lasted four hours. The emissions event occurred when a light straight run naptha line in the Crude Unit A failed that caused a leak, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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 for the Plant conducted from January 4, 2021 through January 18, 2021, an investigator documented that the Respondent:
 - a. 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, PSDTX932, and PSDTX992M1, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 27.29 lbs of carbon monoxide ("CO"), 38.33 lbs of H₂S, 5.30 lbs of nitrogen oxides ("NO_x"), 3,530.21 lbs of sulfur dioxide ("SO₂"), and 23.77 lbs of VOC from the Catalytic Hydrodesulfurization Unit 1 Flare, Emissions Point Number ("EPN") 60FLR_001, during a reportable emissions event that occurred on February 7, 2019 and lasted 48 minutes. The emissions event occurred when a pressure control valve failed open, resulting in flaring. Since the Respondent did not comply with the

emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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.

- b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2000, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for the reportable emissions event that occurred on February 7, 2019 was due by February 8, 2019 at 2:30 p.m., but was not submitted.
3. During a record review for the Plant conducted from March 25, 2021 through April 8, 2021, 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 42.47 lbs of CO, 0.45 lb of H₂S, 25.51 lbs of NO_x, 0.83 lb of particulate matter ("PM"), 5,355.30 lbs of SO₂, and 0.02 lb of VOC from the Sulfur Recovery Unit 3 Thermal Oxidizer, EPN 32STK_001, during an emissions event (Incident No. 350134) that occurred on February 5, 2021 and lasted two hours. The emissions event occurred when hydrocarbons unexpectedly carried over with the amine acid gas feed to the Sulfur Recovery Units that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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.
4. During a record review for the Plant conducted on January 31, 2022, 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. 49138, PSDTX768M1, PSDTX799, PSDTX802, and PSDTX932, SC No. 1, FOP No. O2000, GTC and STC Nos. 18.A and 22.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 26.18 lbs of CO, 0.27 lb of H₂S, 15.74 lbs of NO_x, 0.54 lb of PM, 7,869.07 lbs of SO₂, and 0.01 lb of VOC from the Sulfur Recover Unit 3 Thermal Oxidizer, EPN 32STK_001, during an emissions event (Incident No. 371293) that occurred on December 12, 2021 and lasted two hours. The emissions event occurred when hydrocarbons were unexpectedly carried over into the Sour Water Stripper Unit feed to the Sulfur Recovery Units during a tank transfer that caused an operational imbalance for the Sulfur Recovery Units, resulting in the release to the atmosphere. 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. 2022-0283-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 the SEP as set forth in Section I, Paragraph No. 4. The amount of \$15,612 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. 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.
6. 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.
7. 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.

8. 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

5/28/2024

For the Executive Director

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 OAG 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 OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

Signature

Date

Name (Printed or typed)

Title

Authorized Representative of
ExxonMobil Oil Corporation

☐ 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.

Attachment A
Docket Number: 2022-0283-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ExxonMobil Oil Corporation
Payable Penalty Amount:	\$31,225
SEP Offset Amount:	\$15,612
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>Lighthouse Program</i>
Total Project Budget:	\$5,679,300.00
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP 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 **Southeast Texas Regional Planning Commission** for the *Lighthouse Program* Project (the “Project”). The Project is to hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners, coordinate between the contractors and the homeowners to answer questions, ensure that work is done timely and properly, and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP agreement between the Third-Party Administrator and the TCEQ.

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

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

B. Environmental Benefit

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

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 **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

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:

ExxonMobil Oil Corporation
Docket No. 2022-0283-AIR-E
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.