ExxonMobil to Pay Penalty for Violating Agreement

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Contact Information: (news media only): Dave Ryan, (202) 564-4355 / ryan.dave@epa.gov

(Washington, D.C. – Dec. 17, 2008) ExxonMobil has agreed to pay nearly $6.1 million in civil penalties for violating the terms of a 2005 court-approved Clean Air Act agreement, the U.S. Department of Justice and the U.S. Environmental Protection Agency announced today.

The 2005 settlement already required ExxonMobil to pay a $7.7 million civil penalty, perform an additional $6.7 million in supplemental environmental projects in communities around the company’s refineries, and install pollution controls at six of its U.S. refineries.

"The 2005 settlement has already resulted in major reductions in air emissions from the company’s refineries, but we need full compliance to realize all the benefits of the settlement," said Granta Y. Nakayama, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. "EPA will continue to enforce against companies that fail to comply with the terms of court-approved settlements."

"The Department of Justice will not tolerate violation of our consent decrees," said Assistant Attorney General Ronald J. Tenpas of the Justice Department’s Environment and Natural Resources Division. "The significant penalty in this case shows that non-compliance with settlement requirements will have serious consequences."

The agreement penalizes ExxonMobil for failing to comply with the 2005 settlement at four refineries in Beaumont and Baytown, Texas; Torrance, Calif.; and Baton Rouge, La. Most of the penalties are for failure to monitor and control the sulfur content in certain fuel gas streams burned in refinery furnaces, as required by the 2005 settlement and EPA regulations. The other two refineries covered under the 2005 settlement are located in Joliet, Ill. and Billings, Mont.

Between approximately 2005 and 2007, ExxonMobil did not monitor the sulfur content in some fuel gas streams and subsequent testing revealed sulfur content in excess of EPA limits. The burning of sulfur-containing gases emits sulfur dioxide, which can cause serious respiratory problems.

The 2005 settlement and today’s penalty settlement with ExxonMobil were reached as part of a broader EPA initiative to reduce air pollution from refineries nationwide. To date, 95 refineries located in 28 states, representing more than 86 percent of the nation’s refining capacity, have been required to install new controls to significantly reduce emissions.

In a separate action today, EPA and DOJ are proposing amendments to the 2005 settlement that include minor technical changes and new deadlines for some required activities at ExxonMobil’s Joliet, Ill., Billings, Mont., and Beaumont and Baytown, Texas refineries. The proposed amendments, filed today with the U.S. District Court in Chicago, Ill., are subject to a 30-day public comment period.

For more information on the Exxon Mobil Petroleum Refinery Settlement amendments and agreements, go to

http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003f69d/5bd0a39067c3231b852... 12/17/2008