

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0090-AIR-E TCEQ ID: RN104256102 CASE NO.: 32307
RESPONDENT NAME: Approach Operating LLC

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Approach Ozona NE Compressor Station, located 0.4 mile down a lease road off of Taylor Box Road east of Ozona, Crockett County</p> <p>TYPE OF OPERATION: Natural gas compression station</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 7, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Jessica Rhodes, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2879; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896 Respondent: Mr. Glenn W. Reed, Vice President of Operations, Approach Operating LLC, 6300 Ridglea Place, Suite 1107, Fort Worth, Texas 76116 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Record Review Relating to this Case: December 28, 2006</p> <p>Date of NOE Relating to this Case: December December 30, 2006(NOE)</p> <p>Background Facts: This was a routine record review.</p> <p>AIR</p> <p>Failed to certify compliance with the terms and conditions of Federal Operating Permit No. O-02797 for at least each 12-month period following the initial issuance of the permit. Specifically, the annual compliance certification for the period June 8, 2005 to June 7, 2006 was due by July 7, 2006, but was not received until January 3, 2007 [30 TEX. ADMIN. CODE § 122.146(1), Federal Operating Permit No. O-02797, Special Terms and Conditions (b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$2,250</p> <p>Total Deferred: \$450 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$1,800</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that Approach submitted an Annual Permit Compliance Certification form for the period June 8, 2005 to June 7, 2006 to the San Angelo Regional Office on January 3, 2007.</p>



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

DATES	Assigned	3-Jan-2007	Screening	22-Jan-2007	EPA Due	25-Sep-2007
	PCW	15-Feb-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Approach Operating LLC
Reg. Ent. Ref. No.	RN104256102
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	32307	No. of Violations	1
Docket No.	2007-0090-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	Jessica Rhodes
Multi-Media		EC's Team	EnforcementTeam
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1*

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 0% Enhancement *Subtotals 2, 3, & 7*

Notes

Culpability No 0% Enhancement *Subtotal 4*

Notes

Good Faith Effort to Comply 10% Reduction *Subtotal 5*

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

Notes

Total EB Amounts 0% Enhancement* *Subtotal 6*

Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 *Final Subtotal*

OTHER FACTORS AS JUSTICE MAY REQUIRE *Adjustment*

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty*

DEFERRAL Reduction *Adjustment*

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

Notes

PAYABLE PENALTY

Screening Date 22-Jan-2007

Docket No. 2007-0090-AIR-E

PCW

Respondent Approach Operating LLC

Policy Revision 2 (September 2002)

Case ID No. 32307

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN104256102

Media [Statute] Air Quality

Enf. Coordinator Jessica Rhodes

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

There is no penalty adjustment.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 22-Jan-2007

Docket No. 2007-0090-AIR-E

PCW

Respondent Approach Operating LLC

Policy Revision 2 (September 2002)

Case ID No. 32307

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN104256102

Media [Statute] Air Quality

Enf. Coordinator Jessica Rhodes

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 122.146(1), Federal Operating Permit No. O-02797, Special Terms and Conditions (b)(2), and Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to certify compliance with the terms and conditions of Federal Operating Permit No. O-02797 for at least each 12-month period following the initial issuance of the permit. Specifically, the annual compliance certification for the period June 8, 2005 to June 7, 2006 was due by July 7, 2006, but was not received until January 3, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			25%

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 180 Number of violation days

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$2,250

This violation Final Assessed Penalty (adjusted for limits) \$2,250

Economic Benefit Worksheet

Respondent: Approach Operating LLC
Case ID No.: 32307
Reg. Ent. Reference No.: RN104256102
Media: Air Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	7-Jul-2006	3-Jan-2007	0.5	\$5	n/a	\$5
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the cost to prepare and submit a compliance certification report. The date required (07/07/06) is the date that the annual compliance certification was due. The final date (01/03/07) is the date the respondent achieved compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$5

Compliance History

Customer/Respondent/Owner-Operator:	CN602620825	Approach Operating LLC	Classification: AVERAGE BY DEFAULT	Rating: 3.01
Regulated Entity:	RN104256102	APPROACH OZONA NE COMPRESSOR STATION	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	AIR NEW SOURCE PERMITS	REGISTRATION		71953
	AIR NEW SOURCE PERMITS	AFS NUM		0055
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		CZA001A
	AIR OPERATING PERMITS	PERMIT		2797
Location:	AIR OPERATING PERMITS	PERMIT		2797
	O.4 MILE DOWN A LEASE ROAD OFF OF TAYLOR BOX ROAD, EAST OF OZONA, IN CROCKETT COUNTY		Rating Date: September 01 06	Repeat Violator: NO
TCEQ Region:	REGION 08 - SAN ANGELO			
Date Compliance History Prepared:	January 03, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	January 03, 2002 to January 03, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Jessica Rhodes	Phone:	512-239-2879	

Site Compliance History Components

- | | |
|--|-----|
| 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 of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. if Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- | | | |
|------------------------|---|--|
| A. | Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. | |
| | N/A | |
| B. | Any criminal convictions of the state of Texas and the federal government. | |
| | N/A | |
| C. | Chronic excessive emissions events. | |
| | N/A | |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.) | |
| | 1 12/29/2006 (535495) | |
| E. | Written notices of violations (NOV). (CCEDS Inv. Track. No.) | |
| | N/A | |
| F. | Environmental audits. | |
| | N/A | |
| G. | Type of environmental management systems (EMSs). | |
| | N/A | |
| H. | Voluntary on-site compliance assessment dates. | |
| | N/A | |
| I. | Participation in a voluntary pollution reduction program. | |
| | N/A | |
| J. | Early compliance. | |
| | N/A | |
| Sites Outside of Texas | | |
| | N/A | |

1. The first step in the scientific process is to ask a question. This question should be based on an observation or a problem that needs to be solved.

2. The second step is to do background research. This involves looking up information about the topic to see what is already known and what has been tried before.

3. The third step is to form a hypothesis. A hypothesis is a statement that can be tested. It is usually written in an "if-then" format.

4. The fourth step is to design an experiment. This involves deciding what to do, what to measure, and how to control the variables.

5. The fifth step is to collect data. This is the actual doing of the experiment and recording the results.

6. The sixth step is to analyze the data. This involves looking at the results to see if they support the hypothesis or not.

7. The seventh step is to draw a conclusion. This is a statement about what the results mean and whether the hypothesis was supported.

8. The eighth step is to communicate the results. This involves sharing the findings with others, usually through a report or a presentation.

9. The ninth step is to repeat the experiment. This is done to see if the results are consistent and to check for any errors.

10. The tenth step is to apply the results. This involves using the findings to solve a problem or to make a discovery.

11. The eleventh step is to evaluate the process. This involves thinking about what was done well and what could be improved.

12. The twelfth step is to share the results. This is done to let others know about the findings and to get their feedback.

13. The thirteenth step is to use the results. This involves applying the findings to other situations or to make new discoveries.

14. The fourteenth step is to continue the process. This involves asking new questions and starting the scientific process all over again.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
APPROACH OPERATING LLC
RN104256102**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0090-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Approach Operating LLC ("Approach") 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 Approach appear before the Commission and together stipulate that:

1. Approach owns and operates a natural gas compression station located 0.4 mile down a lease road off of Taylor Box Road east of Ozona, in Crockett County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Approach agree that the Commission has jurisdiction to enter this Agreed Order, and that Approach is subject to the Commission's jurisdiction.
4. Approach received notice of the violations alleged in Section II ("Allegations") on or about January 3, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Approach of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Two Hundred Fifty Dollars (\$2,250) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Approach has paid One Thousand Eight Hundred Dollars (\$1,800) of the administrative penalty

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting, particularly in the context of public institutions or organizations. The text highlights the role of internal controls and audits in ensuring the integrity of the data and the reliability of the financial statements.

The second part of the document focuses on the legal and regulatory requirements that govern the handling of financial information. It outlines the various laws and regulations that apply to different types of entities and industries, and discusses the consequences of non-compliance with these requirements. The text also touches upon the importance of staying up-to-date with changes in the regulatory landscape.

The third part of the document provides a detailed overview of the various methods and techniques used in financial analysis and reporting. It covers topics such as budgeting, forecasting, and performance evaluation, and discusses the challenges and limitations of these methods. The text also explores the use of technology and data analytics in financial reporting, and the potential for these tools to improve the accuracy and efficiency of the reporting process.

The fourth part of the document discusses the ethical considerations that arise in financial reporting and analysis. It explores the potential for conflicts of interest, the importance of objectivity and impartiality, and the role of professional standards and codes of conduct in ensuring the integrity of the reporting process. The text also touches upon the broader implications of financial reporting for society and the economy.

The fifth part of the document provides a summary of the key findings and conclusions of the study. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting. The text also offers some practical recommendations for organizations and individuals involved in financial reporting, and discusses the potential for further research and development in this field.

The sixth part of the document discusses the challenges and limitations of financial reporting and analysis. It highlights the complexity of financial data, the potential for errors and omissions, and the limitations of the various methods and techniques used in financial reporting. The text also explores the impact of external factors, such as changes in the regulatory landscape and the availability of data, on the reporting process.

The seventh part of the document provides a detailed overview of the various methods and techniques used in financial analysis and reporting. It covers topics such as budgeting, forecasting, and performance evaluation, and discusses the challenges and limitations of these methods. The text also explores the use of technology and data analytics in financial reporting, and the potential for these tools to improve the accuracy and efficiency of the reporting process.

The eighth part of the document discusses the ethical considerations that arise in financial reporting and analysis. It explores the potential for conflicts of interest, the importance of objectivity and impartiality, and the role of professional standards and codes of conduct in ensuring the integrity of the reporting process. The text also touches upon the broader implications of financial reporting for society and the economy.

The ninth part of the document provides a summary of the key findings and conclusions of the study. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting. The text also offers some practical recommendations for organizations and individuals involved in financial reporting, and discusses the potential for further research and development in this field.

and Four Hundred Fifty Dollars (\$450) is deferred contingent upon Approach's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Approach fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Approach to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Approach have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Approach submitted an Annual Permit Compliance Certification Form for the period June 8, 2005 to June 7, 2006 to the San Angelo Regional Office on January 3, 2007.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Approach has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Approach is alleged to have failed to certify compliance with the terms and conditions of Federal Operating Permit No. O-02797 for at least each 12-month period following the initial issuance of the permit, in violation of 30 TEX. ADMIN. CODE § 122.146(1), Federal Operating Permit No. O-02797, Special Terms and Conditions (b)(2), and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during a record review conducted on December 28, 2006. Specifically, the annual compliance certification for the period June 8, 2005 to June 7, 2006 was due by July 7, 2006, but was not received until January 3, 2007.

III. DENIALS

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

The first part of the document discusses the importance of maintaining accurate records and the role of the committee in overseeing these activities. It highlights the need for transparency and accountability in all financial transactions.

The second part of the document details the specific responsibilities of the committee members, including the review and approval of budgets and the monitoring of expenditures. It also outlines the procedures for reporting and auditing.

The third part of the document provides a summary of the committee's findings and recommendations. It emphasizes the need for continued vigilance and the implementation of the proposed measures to ensure the organization's financial health.

The final part of the document concludes with a statement of appreciation for the support and cooperation of all staff members. It expresses confidence in the organization's future and the commitment of the committee to its success.

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Approach pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Approach's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Approach Operating LLC, Docket No. 2007-0090-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon Approach. Approach is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Approach in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Approach, or three days after the date on which the Commission mails notice of the Order to Approach, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

UNITED STATES DEPARTMENT OF JUSTICE

INVESTIGATION OF THE ACTS OF VIOLENCE
COMMITTED BY THE ORGANIZATION
KNOWN AS THE BLACK PANTHER PARTY
AND ITS ASSOCIATES
IN CONNECTION WITH THE
MURDER OF MARTIN LUTHER KING, JR.
ON APRIL 4, 1968, IN MEMPHIS,
TENNESSEE

MEMPHIS, TENNESSEE
APRIL 10, 1968

TO THE ATTORNEY GENERAL
WASHINGTON, D. C.

FROM THE SAC, MEMPHIS
MEMPHIS, TENNESSEE

RE: INVESTIGATION OF THE ACTS OF VIOLENCE
COMMITTED BY THE ORGANIZATION
KNOWN AS THE BLACK PANTHER PARTY
AND ITS ASSOCIATES
IN CONNECTION WITH THE
MURDER OF MARTIN LUTHER KING, JR.
ON APRIL 4, 1968, IN MEMPHIS,
TENNESSEE

Enclosed for the Bureau are two copies of a letterhead memorandum (LHM) dated and captioned as above. The LHM contains information regarding the activities of the Black Panther Party (BPP) and its associates in Memphis, Tennessee, during the period of the investigation.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

6/27/07
Date

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

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

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

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

Glenn W. Reed
Signature

2/26/07
Date

Glenn W. Reed
Name (Printed or typed)
Authorized Representative of
Approach Operating LLC

Vice President of Operations
Title

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

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for ensuring the integrity of the financial statements and for providing a clear audit trail.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling process and the statistical techniques employed to interpret the results. The goal is to ensure that the data is representative and that the conclusions drawn are valid.

3. The third part of the document provides a comprehensive overview of the findings. It details the key trends observed in the data and discusses the implications of these findings for the organization. It also includes a comparison of the current results with previous periods to identify any significant changes.

4. The fourth part of the document offers recommendations based on the findings. It suggests specific actions that should be taken to address any identified issues and to improve the overall performance of the organization. These recommendations are based on a thorough understanding of the data and the organization's goals.

5. The final part of the document provides a summary of the key points and a conclusion. It reiterates the importance of the findings and the recommendations and expresses confidence in the organization's ability to implement these changes successfully. It also includes a list of references and a glossary of terms.