

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0758-AIR-E **TCEQ ID:** RN100213701 **CASE NO.:** 35854

RESPONDENT NAME: Atlas Pipeline Mid-Continent WestTex, 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: Boyd Compressor Station, located approximately 0.7 mile north-northwest of the intersection of County Road 101 and Aldwell Road, Reagan County</p> <p>TYPE OF OPERATION: Oil and gas production plant</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 September 29, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Terry Murphy, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-5025; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Bret Peterson, Senior Environmental Specialist, Atlas Pipeline Mid-Continent WestTex, LLC, 110 West 7th Street, Suite 2300, Tulsa, Oklahoma 74119 Mr. Thomas B. Williams, Senior Vice President, Atlas Pipeline Mid-Continent WestTex, LLC, 110 West 7th Street, Suite 2300, Tulsa, Oklahoma 74119 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 checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 17, 2008</p> <p>Date of NOV/NOE Relating to this Case: April 30, 2008 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to timely submit a semi-annual deviation report and a compliance certification. Specifically, the semi-annual deviation report and the compliance certification for the period March 2, 2007 through August 29, 2007 were not submitted until March 11, 2008, while their due date was September 28, 2007 [General Operating Permit No. O-440/Oil and Gas General Operating Permit No. 514, Site-wide requirements (1) and (2), 30 TEX. ADMIN. CODE §§ 122.146(2) and 122.145(2)(C), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$1,875</p> <p>Total Deferred: \$375 <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: \$1,500</p> <p>Site Compliance History Classification <input checked="" type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input checked="" type="checkbox"/> High <input 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 the March 2, 2007 through August 29, 2007 reports were submitted on March 11, 2008, and that the Respondent implemented recordkeeping measures designed to ensure the timely submittal of deviation reports and compliance certifications.</p>

Additional ID No(s): RC0018W



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 29, 2008

TCEQ

DATES	Assigned	5-May-2008	Screening	7-May-2008	EPA Due	11-Mar-2009
	PCW	13-May-2008				

RESPONDENT/FACILITY INFORMATION	
Respondent	Atlas Pipeline Mid-Continent WestTex, LLC
Reg. Ent. Ref. No.	RN100213701
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35854	No. of Violations	1
Docket No.	2008-0758-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Terry Murphy
Multi-Media		EC's Team	Enforcement Team 4
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 Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

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

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>
N/A	<input type="text"/>	(mark with x)

Notes

Total EB Amounts **0.0% 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.

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 7-May-2008

Docket No. 2008-0758-AIR-E

PCW

Respondent Atlas Pipeline Mid-Continent WestTex, LLC

Policy Revision 2 (September 2002)

Case ID No. 35854

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100213701

Media [Statute] Air

Enf. Coordinator Terry Murphy

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)	2	10%
	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 judgements 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%
<i>Please Enter Yes or No</i>			
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) 10%

>> **Repeat Violator (Subtotal 3)**

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> **Compliance History Summary**

Compliance History Notes

The penalty was enhanced by two NOVs for same or similar violations, but offset by high performer classification.

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

Screening Date 7-May-2008	Docket No. 2008-0758-AIR-E	PCW
Respondent Atlas Pipeline Mid-Continent WestTex, LLC	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 35854	<i>PCW Revision April 29, 2008</i>	
Reg. Ent. Reference No. RN100213701		
Media [Statute] Air		
Enf. Coordinator Terry Murphy		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	General Operating Permit No. O-440/Oil and Gas General Operating Permit No. 514, Site-wide requirements (1) and (2), 30 Tex. Admin. Code §§ 122.146(2) and 122.145(2)(C), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to timely submit a semi-annual deviation report and a compliance certification. Specifically, the semi-annual deviation report and the compliance certification for the period March 2, 2007 through August 29, 2007 were not submitted until March 11, 2008, while their due date was September 28, 2007, as documented during an investigation conducted on April 17, 2008.	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="0%"/>	

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>		<input type="text"/>
				Percent <input type="text" value="25%"/>	
Matrix Notes	The Respondent failed to comply with 100% of the rule.				

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$24"/>	Violation Final Penalty Total <input type="text" value="\$1,875"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,875"/>	

Economic Benefit Worksheet

Respondent Atlas Pipeline Mid-Continent WestTex, LLC
Case ID No. 35854
Reg. Ent. Reference No. RN100213701
Media Air
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
No commas or \$							

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$1,000	28-Sep-2007	18-Mar-2008	0.47	\$24	n/a	\$24
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to improve the recordkeeping/reporting system. The Date Required is the date the reports were due, and the Final Date is the date the improvements were completed.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$24

Compliance History

Customer/Respondent/Owner-Operator: CN603241449 Atlas Pipeline Mid-Continent WestTex, LLC Classification: High Rating: 0.0

Regulated Entity: RN100213701 BOYD COMPRESSOR STATION Classification: High Site Rating: 0.0

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	RC0018W
AIR OPERATING PERMITS	PERMIT	440
AIR NEW SOURCE PERMITS	PERMIT	22341
AIR NEW SOURCE PERMITS	PERMIT	22342
AIR NEW SOURCE PERMITS	PERMIT	22343
AIR NEW SOURCE PERMITS	PERMIT	22344
AIR NEW SOURCE PERMITS	PERMIT	22345
AIR NEW SOURCE PERMITS	PERMIT	22346
AIR NEW SOURCE PERMITS	PERMIT	48310
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	RC0018W
AIR NEW SOURCE PERMITS	PERMIT	22386
AIR NEW SOURCE PERMITS	REGISTRATION	55670
AIR NEW SOURCE PERMITS	AFS NUM	4838300009

Location: approximately 0.7 mile N-NW of the intersection of CR 101 and Aldwell Road, Reagan County Rating Date: 9/1/2007 Repeat Violator: No

TCEQ Region: REGION 08 - SAN ANGELO

Date Compliance History Prepared: May 07, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 07, 2003 to May 07, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Phone: (512) 239-5025

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? Yes
3. If Yes, who is the current owner? Atlas Pipeline Mid-Continent WestTex, LLC
4. If Yes, who was/were the prior owner(s)? Western Gas Resources, Inc.
5. When did the change(s) in ownership occur? 08/21/2007

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	08/12/2004	(288831)
2	08/24/2005	(406709)
3	04/26/2006	(463634)
4	08/28/2006	(509739)
5	09/25/2006	(513905)
6	04/13/2007	(557028)
7	06/19/2007	(564844)
8	11/30/2007	(610499)
9	02/11/2008	(617782)
10	04/30/2008	(654056)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

1	Date: 11/30/2007	(610499)			
	Self Report?	NO	Classification:	Minor	
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)			
	Description:	Failure to notify the TCEQ of a reportable emissions event within 24 hours after the discovery of the event			

2 Date: 02/11/2008 (617782)

Self Report? NO

Classification: Minor

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

Description: Failure to notify the TCEQ of a reportable emissions event within 24 hours after the discovery of the event

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
ATLAS PIPELINE MID-CONTINENT	§	
WESTTEX, LLC	§	ENVIRONMENTAL QUALITY
RN100213701	§	

AGREED ORDER DOCKET NO. 2008-0758-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 Atlas Pipeline Mid-Continent WestTex, LLC ("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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates an oil and gas production plant located approximately 0.7 mile north-northwest of the intersection of County Road 101 and Aldwell Road, in Reagan 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 the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 5, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of One Thousand Eight Hundred Seventy-Five Dollars (\$1,875) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Five Hundred Dollars (\$1,500) of the administrative penalty and Three Hundred Seventy-Five Dollars (\$375) is deferred contingent upon the Respondent'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 the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent 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 the Respondent 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 the March 2, 2007 through August 29, 2007 reports were submitted on March 11, 2008, and that the Respondent implemented recordkeeping measures designed to ensure the timely submittal of deviation reports and compliance certifications.
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 the Respondent 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, the Respondent is alleged to have failed to timely submit a semi-annual deviation report and a compliance certification, in violation of General Operating Permit No. O-440/Oil and Gas General Operating Permit No. 514, Site-wide requirements (1) and (2), 30 TEX. ADMIN. CODE §§ 122.146(2) and 122.145(2)(C), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 17, 2008. Specifically, the semi-annual deviation report and the compliance certification for the period March 2, 2007 through August 29, 2007 were not submitted until March 11, 2008, while their due date was September 28, 2007.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent'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: Atlas Pipeline Mid-Continent WestTex, LLC, Docket No. 2008-0758-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 the Respondent. The Respondent 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 the Respondent 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 the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdin

For the Executive Director

Date 9/12/2008

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

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

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

Thomas B. Williams

Signature

Date 7/23/08

Thomas B. Williams

Name (Printed or typed)
Authorized Representative of
Atlas Pipeline Mid-Continent WestTex, LLC

Title See OP

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.

