

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2009-0820-AIR-E TCEQ ID: RN101246478 CASE NO.: 37728
RESPONDENT NAME: WTG Jameson, LP

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: Jameson Gas Plant, 1000 Gas Plant Road, Silver, Coke County</p> <p>TYPE OF OPERATION: Natural gas processing 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 one additional pending enforcement action regarding this facility location, Docket No. 2008-0979-AIR-E.</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 November 16, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Kirk Schoppe, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0489; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Bob Stewart, Environmental Coordinator, WTG Jameson, LP, 211 North Colorado Street, Midland, Texas 79701 Mr. J. L. Davis, President, WTG Jameson, LP, 211 North Colorado Street, Midland, Texas 79701 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: May 19, 2009</p> <p>Date of NOV/NOE Relating to this Case: May 22, 2009 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to submit a complete and timely Permit Compliance Certification ("PCC") for the January 20, 2008 through January 19, 2009 reporting period. Specifically, the Respondent failed to include the period January 20, 2008 through July 19, 2008 in the report, failed to submit the report by February 18, 2009, and failed to include a signed certification of accuracy and completeness by a responsible official [30 TEX. ADMIN. CODE § 122.146(1) and (2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O865, General Terms and Conditions and Special Terms and Conditions 13].</p> <p>2) Failure to submit a complete semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period. Specifically, the Respondent failed to include the deviation for failing to conduct stack sampling for Emission Point Numbers E-31-1 and E-31-2 [30 TEX. ADMIN. CODE § 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O865, General Terms and Conditions].</p> <p>3) Failure to submit a timely semi-annual deviation report for the period July 20, 2008 through January 19, 2009. Specifically, the report was due by February 18, 2009 but was not submitted</p>	<p>Total Assessed: \$5,322</p> <p>Total Deferred: \$1,064 <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: \$4,258</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 the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On March 31, 2009, a tracking and managing system for all required regulatory reports, including semi-annual deviation reports and PCC, using additional contracted environmental staff was implemented;</p> <p>b. On May 18, 2009, a complete and accurate semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period was submitted; and</p> <p>c. On May 26, 2009, a revised PCC was submitted.</p>

until May 18, 2009 [30 TEX. ADMIN. CODE § 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 0865, General Terms and Conditions].		
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Additional ID No(s): CN0003A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	26-May-2009	Screening	2-Jun-2009	EPA Due	16-Feb-2010
	PCW	1-Jun-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	WTG Jameson, LP
Reg. Ent. Ref. No.	RN101246478
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	37728	No. of Violations	3
Docket No.	2009-0820-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kirk Scheppe
		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)	<i>Subtotal 1</i>	\$5,100
ADJUSTMENTS (+/-) TO SUBTOTAL 1		
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>		
Compliance History	22.0% Enhancement	<i>Subtotals 2, 3, & 7</i> \$1,122
Notes	Enhancement due to four similar and one non-similar NOVs within the last five years.	
Culpability	No 0.0% Enhancement	<i>Subtotal 4</i> \$0
Notes	The Respondent does not meet the culpability criteria.	
Good Faith Effort to Comply Total Adjustments		<i>Subtotal 5</i> \$900
Economic Benefit	0.0% Enhancement	<i>Subtotal 6</i> \$0
Total EB Amounts	\$19	
Approx. Cost of Compliance	\$1,000	<small>*Capped at the Total EB \$ Amount</small>
SUM OF SUBTOTALS 1-7	<i>Final Subtotal</i>	\$5,322
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	<i>Adjustment</i> \$0
<small>Reduces or enhances the Final Subtotal by the indicated percentage.</small>		
Notes		
	<i>Final Penalty Amount</i>	\$5,322
STATUTORY LIMIT ADJUSTMENT		<i>Final Assessed Penalty</i> \$5,322
DEFERRAL	20.0% Reduction	<i>Adjustment</i> -\$1,064
<small>Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)</small>		
Notes	Deferral offered for expedited settlement.	
PAYABLE PENALTY		\$4,258

Screening Date 2-Jun-2009
Respondent WTG Jameson, LP
Case ID No. 37728
Reg. Ent. Reference No. RN101246478
Media [Statute] Air
Enf. Coordinator Kirk Schoppe

Docket No. 2009-0820-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

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)	4	20%
	Other written NOVs	1	2%
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) 22%

>> **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

Enhancement due to four similar and one non-similar NOVs within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 22%

Screening Date 2-Jun-2009	Docket No. 2009-0820-AIR-E	PCW
Respondent WTG Jameson, LP	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 37728	<small>PCW Revision October 30, 2008</small>	
Reg. Ent. Reference No. RN101246478		
Media [Statute] Air		
Enf. Coordinator Kirk Schoppe		
Violation Number []		
Rule Cite(s)	30 Tex. Admin. Code § 122.146(1) and (2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. 0865, General Terms and Conditions and Special Terms and Conditions 13	
Violation Description	Failed to submit a complete and timely Permit Compliance Certification ("PCC") for the January 20, 2008 through January 19, 2009 reporting period. Specifically, the Respondent failed to include the period January 20, 2008 through July 19, 2008 in the report, failed to submit the report by February 18, 2009, and failed to include a signed certification of accuracy and completeness by a responsible official.	
	Base Penalty	\$10,000
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release Major Moderate Minor	
Actual	[] [] [] []	Percent [] 0%
Potential	[] [] [] []	
>> Programmatic Matrix		
	Falsification Major Moderate Minor	
	[] X [] []	Percent [] 25%
Matrix Notes	100% of the rule requirement was not met.	
	Adjustment	\$7,500
		\$2,500
Violation Events		
Number of Violation Events	[] 1	[] 88 Number of violation days
<small>mark only one with an x</small>	daily	[]
	weekly	[]
	monthly	[]
	quarterly	[]
	semiannual	[]
	annual	[]
single event	[] X	Violation Base Penalty [] \$2,500
One single event is recommended.		
Good Faith Efforts to Comply		
	10.0% Reduction	\$250
	<small>Before NOV NOV to EDRP/Settlement Offer</small>	
Extraordinary	[] []	
Ordinary	[] [] X	
N/A	[] (mark with x)	
Notes	The Respondent returned to compliance on May 26, 2009, the NOE is dated May 22, 2009.	
		Violation Subtotal [] \$2,250
Economic Benefit (EB) for this violation		
Statutory Limit Test		
Estimated EB Amount	[] \$7	Violation Final Penalty Total [] \$2,800
		This violation Final Assessed Penalty (adjusted for limits) [] \$2,800

Economic Benefit Worksheet

Respondent: WTG Jameson, LP
Case ID No.: 37728
Reg. Ent. Reference No.: RN101246478
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	\$500	18-Feb-2009	26-May-2009	0.27	\$7	n/a	\$7
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 cost of preparation and submittal of annual compliance certification report. Date required is the date the report should have been submitted. Final date is the date the compliance report was received and a plan was implemented to ensure future compliance.

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	\$500	TOTAL	\$7
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Screening Date: 2-Jun-2009	Docket No.: 2009-0820-AIR-E	PCW	
Respondent: WTG Jameson, LP	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.: 37728	<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No.: RN101246478			
Media [Statute]: Air			
Enf. Coordinator: Kirk Schoppe			
Violation Number: 2			
Rule Cite(s):	30 Tex. Admin. Code § 122.145(2)(A), Tex. Health & Safety Code § 382.085(b), and FOP No. 0865, General Terms and Conditions		
Violation Description:	Failed to submit a complete semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period. Specifically, the Respondent failed to include the deviation for failing to conduct stack sampling for Emission Point Numbers E-31-1 and E-31-2.		
Base Penalty:		\$10,000	
>> Environmental, Property and Human Health Matrix			
OR	Harm		
	Major	Moderate	Minor
Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Percent: 0%
>> Programmatic Matrix			
Falsification			
Major	Moderate	Minor	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
			Percent: 1%
Matrix Notes	Less than 30% of the rule requirement was not met.		
Adjustment:		\$9,900	
			\$100
Violation Events			
Number of Violation Events:	1	Number of violation days:	88
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	Violation Base Penalty: \$100
	weekly	<input type="checkbox"/>	
	monthly	<input type="checkbox"/>	
	quarterly	<input type="checkbox"/>	
	semiannual	<input type="checkbox"/>	
	annual	<input type="checkbox"/>	
	single event	<input checked="" type="checkbox"/>	
One single event is recommended.			
Good Faith Efforts to Comply		25.0% Reduction	\$25
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>	
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
N/A	(mark with x)		
Notes:	The Respondent returned to compliance on May 18, 2009 and the NOE is dated May 22, 2009.		
Violation Subtotal:		\$75	
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount:	\$9	Violation Final Penalty Total:	\$97
This violation Final Assessed Penalty (adjusted for limits):			\$97

Economic Benefit Worksheet

Respondent: WTG Jameson, LP
Case ID No.: 37728
Reg. Ent. Reference No.: RN101246478
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$250	18-Aug-2008	18-May-2009	0.75	\$9	n/a	\$9
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 cost of preparation and submitat of semi-annual deviation report. Date required is the date the report should have been submitted. Final date is the date of compliance.

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 \$250 **TOTAL** \$9

Screening Date 2-Jun-2009	Docket No. 2009-0820-AIR-E	PCW		
Respondent WTG Jameson, LP	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 37728	<i>PCW Revision October 30, 2008</i>			
Reg. Ent. Reference No. RN101246478				
Media [Statute] Air				
Enf. Coordinator Kirk Schoppe				
Violation Number 3				
Rule Cite(s)	30 Tex. Admin. Code § 122.145(2)(C), Tex. Health & Safety Code § 382.085(b), and FOP No. 0885: General Terms and Conditions			
Violation Description	Failed to submit a timely semi-annual deviation report for the period July 20, 2008 through January 19, 2009. Specifically, the report was due by February 18, 2009 but was not submitted until May 18, 2009.			
Base Penalty		\$10,000		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Percent	0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Percent	25%	
Matrix Notes	100% of the rule requirement was not met.			
Adjustment		\$7,500		
		\$2,500		
Violation Events				
Number of Violation Events		1	Number of violation days	
		88		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	Violation Base Penalty	
	weekly	<input type="checkbox"/>		
	monthly	<input type="checkbox"/>		
	quarterly	<input type="checkbox"/>		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
	single event	<input checked="" type="checkbox"/>		
		\$2,500		
One single event is recommended.				
Good Faith Efforts to Comply		25.0% Reduction	\$625	
		Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
N/A	(mark with x)			
Notes	The Respondent returned to compliance on May 18, 2009 and the NOE is dated May 22, 2009.			
Violation Subtotal		\$1,875		
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	\$3	Violation Final Penalty Total	\$2,425	
		This violation Final Assessed Penalty (adjusted for limits)		
		\$2,425		

Economic Benefit Worksheet

Respondent: WTG Jameson, LP
 Case ID No: 37728
 Reg. Ent. Reference No: RN101246478
 Media: Air
 Violation No: 3

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
 Item Description: 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	\$250	18-Feb-2009	18-May-2009	0.24	\$3	n/a	\$3
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 cost of preparation and submittal of semi-annual deviation report. Date required is the date the report should have been submitted. Final date is the date of compliance.

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

\$250

TOTAL

\$3

Compliance History Report

Customer/Respondent/Owner-Operator: CN602679813 WTG Jameson, LP Classification: AVERAGE Rating: 2.63
 Regulated Entity: RN101246478 JAMESON GAS PLANT Classification: AVERAGE Site Rating: 0.67

ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT	9941
	AIR NEW SOURCE PERMITS	PERMIT	8425
	AIR NEW SOURCE PERMITS	PERMIT	13430
	AIR NEW SOURCE PERMITS	PERMIT	17140
	AIR NEW SOURCE PERMITS	PERMIT	38792
	AIR NEW SOURCE PERMITS	PERMIT	44641
	AIR NEW SOURCE PERMITS	PERMIT	48204
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CN0003A
	AIR NEW SOURCE PERMITS	PERMIT	52491
	AIR NEW SOURCE PERMITS	PERMIT	52966
	AIR NEW SOURCE PERMITS	AFS NUM	4808100001
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX687
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX372M1
	AIR NEW SOURCE PERMITS	PERMIT	55477
	AIR NEW SOURCE PERMITS	PERMIT	53545
	AIR NEW SOURCE PERMITS	PERMIT	53544
	AIR NEW SOURCE PERMITS	PERMIT	52489
	AIR NEW SOURCE PERMITS	PERMIT	52490
	AIR NEW SOURCE PERMITS	PERMIT	52554
	AIR NEW SOURCE PERMITS	PERMIT	53757
	AIR OPERATING PERMITS	PERMIT	2428
	AIR OPERATING PERMITS	ACCOUNT NUMBER	CN0003A
	AIR OPERATING PERMITS	PERMIT	865

Location: 1000 GAS PLANT ROAD, SILVER, TX, 76949

TCEQ Region: REGION 08 - SAN ANGELO

Date Compliance History Prepared: May 27, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 27, 2004 to May 27, 2009

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

Name: Kirk Schoppe Phone: 239 - 0489

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A

5. When did the change(s) in owner or operator occur?

N/A

6. Rating Date: 9/1/2008 Repeat Violator: NO

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 09/03/2004 (290921)
- 2 03/21/2005 (372137)
- 3 05/18/2005 (379679)
- 4 02/22/2006 (456545)
- 5 05/25/2007 (561623)
- 6 07/12/2007 (567585)
- 7 09/05/2007 (573315)
- 8 09/13/2007 (593893)
- 9 05/20/2008 (654951)
- 10 11/14/2008 (708069)
- 11 05/22/2009 (746425)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 05/18/2005 (379679) CN602679813
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 Description: Failure to include reportable and non-reportable emission events in deviation reports

Date: 02/21/2006 (456545)
 Self Report? NO Classification: Minor
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.775(e)(1)
 Description: Failure to submit MACT Subpart HH periodic reports within 60 calendar days

Date: 05/25/2007 (561623) CN602679813
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 Description: Failure to report, in writing to the TCEQ, all instances of deviations, the probable cause of the deviations, and any corrective actions or preventative measures taken for each emission unit addressed in the SOP Number O865 for the July 20, 2006 through January 19, 2007 period

Date: 07/18/2007 (567585)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
 5C THC Chapter 382, SubChapter A 382.014
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to submit a 2006 Emissions Inventory; Category B19(g)(3)

Date: 05/22/2009 (746425) CN602679813
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 5 PA
Special Condition 9 OP

Description: Failure to conduct stack sampling for EPN E-31-1 and E-31-2 in accordance with
Permit Number 55477, Special Condition 5

F. Environmental audits.

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
ENFORCEMENT ACTION
CONCERNING
WTG JAMESON, LP
RN101246478

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2009-0820-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 WTG Jameson, LP ("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 a natural gas processing plant at 1000 Gas Plant Road in Silver, Coke 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 27, 2009.
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 Five Thousand Three Hundred Twenty-Two Dollars (\$5,322) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Two Hundred Fifty-Eight Dollars (\$4,258) of the administrative penalty and One Thousand Sixty-Four Dollars (\$1,064) 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 Respondent has implemented the following corrective measures at the Plant:
 - a. On March 31, 2009, a tracking and managing system for all required regulatory reports, including semi-annual deviation reports and Permit Compliance Certification ("PCC"), using additional contracted environmental staff was implemented;
 - b. On May 18, 2009, a complete and accurate semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period was submitted; and
 - c. On May 26, 2009, a revised PCC was submitted.
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:

1. Failed to submit a complete and timely PCC for the January 20, 2008 through January 19, 2009 reporting period, in violation of 30 TEX. ADMIN. CODE § 122.146(1) and (2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O865, General Terms and Conditions and Special Terms and Conditions 13, as documented during an investigation conducted on May 19, 2009. Specifically, the Respondent failed to include the period January 20, 2008 through July 19, 2008 in the report, failed to submit the report by February 18, 2009, and failed to include a signed certification of accuracy and completeness by a responsible official.

2. Failed to submit a complete semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O865, General Terms and Conditions, as documented during an investigation conducted on May 19, 2009. Specifically, the Respondent failed to include the deviation for failing to conduct stack sampling for Emission Point Numbers E-31-1 and E-31-2.
3. Failed to submit a timely semi-annual deviation report for the period July 20, 2008 through January 19, 2009, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O865, General Terms and Conditions, as documented during an investigation conducted on May 19, 2009. Specifically, the report was due by February 18, 2009 but was not submitted until May 18, 2009.

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: WTG Jameson, LP, Docket No. 2009-0820-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 Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.

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



For the Executive Director

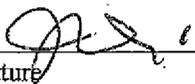
Date 10/12/2009

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.



Signature

Date 9-3-2009

J.L. Davis
Name (Printed or typed)
Authorized Representative of
WTG Jameson, LP

President
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.

