

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2009-0147-AIR-E **TCEQ ID:** RN100222660 **CASE NO.:** 37099
RESPONDENT NAME: Eagle Rock Field Services, L.P.

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: Station 149, 660 Haggard Road, Miami, Roberts County</p> <p>TYPE OF OPERATION: Natural gas compressor station</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input 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 June 22, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Steven Lopez, Enforcement Division, Enforcement Team 6, MC 128, (512) 239-1896; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Ms. Rachel M. Trainer, Environmental Manager, Eagle Rock Field Services, L.P., 16701 Greenspoint Park Drive, Suite 200, Houston, Texas 77060 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 checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: November 19, 2008 and January 28, 2009</p> <p>Date of NOV/NOE Relating to this Case: January 15, 2009 (NOE)</p> <p>Background Facts: This was a routine investigation and a record review.</p> <p>AIR</p> <p>1) Failure to submit the annual permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the July 1, 2007 through June 30, 2008 period was submitted on September 29, 2008, which was 91 days late [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-00821, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to pay outstanding air emissions late fees for Financial Administration Account Nos. 21006061 and 21006228 [30 TEX. ADMIN. CODE § 101.27(c)(1) and TEX. WATER CODE § 5.702].</p>	<p>Total Assessed: \$2,575</p> <p>Total Deferred: \$515 <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: \$2,060</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 Station:</p> <p>a. Submitted the annual PCC for the reporting period of July 1, 2007 through June 30, 2008, on September 29, 2008; and</p> <p>b. Submitted payments for all outstanding fees for Financial Administration Account Nos. 21006061 and 21006228, on February 10 and 17, 2009, respectively.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement improvements to reporting practices that address the late submittal of the July 1, 2007 through June 30, 2008 PCC and that are designed to prevent recurrence of same or similar incidents; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>

Additional ID No(s): 821



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	20-Jan-2009	Screening	28-Jan-2009	EPA Due	12-Oct-2009
	PCW	13-Apr-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	Eagle Rock Field Services, L.P.
Reg. Ent. Ref. No.	RN100222660
Facility/Site Region	1-Amarillo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	37099	No. of Violations	2
Docket No.	2009-0147-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Steven Lopez
		EC's Team	Enforcement Team 6
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: Enhancement for one previous NOV with same or similar violations and reduction for two notices of intent.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$31
Approx. Cost of Compliance	\$500

*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:

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 28-Jan-2009

Docket No. 2009-0147-AIR-E

PCW

Respondent Eagle Rock Field Services, L.P.

Policy Revision 2 (September 2002)

Case ID No. 37099

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100222660

Media [Statute] Air

Enf. Coordinator Steven Lopez

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 <i>(number of NOVs meeting criteria)</i>	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	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 <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events <i>(number of events)</i>	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were submitted)</i>	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	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) 3%

>> **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 for one previous NOV with same or similar violations and reduction for two notices of intent.

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

Screening Date 28-Jan-2009	Docket No. 2009-0147-AIR-E	PCW				
Respondent Eagle Rock Field Services, L.P.	<small>Policy Revision 2 (September 2002)</small>					
Case ID No. 37099	<small>PCW Revision October 30, 2008</small>					
Reg. Ent. Reference No. RN100222660						
Media [Statute] Air						
Enf. Coordinator Steven Lopez						
Violation Number <input type="text" value="1"/>						
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-00821, General Terms and Conditions, and Tex. Health & Safety Code § 382.085(b)					
Violation Description	Failed to submit the annual permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the July 1, 2007 through June 30, 2008 period was submitted on September 29, 2008, which was 91 days late.					
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"/>	x	<input type="text"/>	<input type="text"/>	
					Percent	<input type="text" value="25%"/>
Matrix Notes	100% of the rule requirement was not met.					
		Adjustment		<input type="text" value="\$7,500"/>		
				<input type="text" value="\$2,500"/>		
Violation Events						
		Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="70"/>	
<small>mark only one with an x</small>	daily	<input type="text"/>				
	weekly	<input type="text"/>				
	monthly	<input type="text"/>				
	quarterly	<input type="text"/>				
	semiannual	<input type="text"/>				
	annual	<input type="text"/>				
	single event	x				
				Violation Base Penalty	<input type="text" value="\$2,500"/>	
One single event is recommended based on documentation of the violation during the November 19, 2008 investigation.						
Good Faith Efforts to Comply			<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>		
		Before NOV	NOV to EDPRP/Settlement Offer			
Extraordinary	<input type="text"/>	<input type="text"/>				
Ordinary	<input type="text"/>	<input type="text"/>				
N/A	x	<small>(mark with x)</small>				
Notes	The Respondent does not meet the good faith criteria for this violation.					
		Violation Subtotal		<input type="text" value="\$2,500"/>		
Economic Benefit (EB) for this violation			Statutory Limit Test			
Estimated EB Amount		<input type="text" value="\$31"/>		Violation Final Penalty Total	<input type="text" value="\$2,575"/>	
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$2,575"/>		

Economic Benefit Worksheet

Respondent Eagle Rock Field Services, L.P.
Case ID No. 37099
Reg. Ent. Reference No. RN100222660
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	30-Jul-2008	28-Oct-2009	1.25	\$31	n/a	\$31
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 for additional oversight and management practices designed to ensure proper reporting practices are followed. The Date Required is the due date of the report. The Final Date is the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [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 \$31

Screening Date 28-Jan-2009	Docket No. 2009-0147-AIR-E	PCW																
Respondent Eagle Rock Field Services, L.P.	<small>Policy Revision 2 (September 2002)</small>																	
Case ID No. 37099	<small>PCW Revision October 30, 2008</small>																	
Reg. Ent. Reference No. RN100222660																		
Media [Statute] Air																		
Enf. Coordinator Steven Lopez																		
Violation Number <input type="text" value="2"/>																		
Rule Cite(s)	30 Tex. Admin. Code § 101.27(c)(1) and Tex. Water Code § 5.702																	
Violation Description	Failed to pay outstanding air emissions late fees for Financial Administration Account Nos. 21006061 and 21006228.																	
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 type="text"/>	<input type="text"/>	<input type="text"/>														
Percent				<input type="text" value="0%"/>														
Matrix Notes	<input style="width:100%; height: 40px;" type="text"/>																	
Adjustment				<input type="text" value="\$10,000"/>														
				<input type="text" value="\$0"/>														
Violation Events																		
	Number of Violation Events	<input type="text"/>	Number of violation days	<input type="text"/>														
<small>mark only one with an x</small>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: center;">daily</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">weekly</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">monthly</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">quarterly</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">semiannual</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">annual</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	weekly	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>		Violation Base Penalty
daily	<input type="text"/>																	
weekly	<input type="text"/>																	
monthly	<input type="text"/>																	
quarterly	<input type="text"/>																	
semiannual	<input type="text"/>																	
annual	<input type="text"/>																	
single event	<input type="text"/>																	
				<input type="text" value="\$0"/>														
No administrative penalty is recommended because penalty and interest will be assessed at the next billing.																		
Good Faith Efforts to Comply			0.0% Reduction	<input type="text" value="\$0"/>														
		Before NOV	NOV to EDPRP/Settlement Offer															
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>															
Ordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>															
N/A	<input type="text"/>	(mark with x)																
Notes	<input style="width:100%; height: 40px;" type="text"/>																	
Violation Subtotal				<input type="text" value="\$0"/>														
Economic Benefit (EB) for this violation			Statutory Limit Test															
Estimated EB Amount	<input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$0"/>															
This violation Final Assessed Penalty (adjusted for limits)			<input type="text" value="\$0"/>															

Economic Benefit Worksheet

Respondent Eagle Rock Field Services, L.P.
Case ID No. 37099
Reg. Ent. Reference No. RN100222660
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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

NA

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [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

NA

Approx. Cost of Compliance \$0

TOTAL \$0

Compliance History Report

Customer/Respondent/Owner-Operator:	CN602959397 Eagle Rock Field Services, L.P.	Classification: AVERAGE	Rating: 1.94
Regulated Entity:	RN100222660 STATION 149	Classification: AVERAGE	Site Rating: 0.50
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	RH0008Q
	AIR OPERATING PERMITS	PERMIT	O-00821
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	RH0008Q
	AIR NEW SOURCE PERMITS	REGISTRATION	50945
	AIR NEW SOURCE PERMITS	REGISTRATION	86579
	AIR NEW SOURCE PERMITS	AFS NUM	4839300003
Location:	660 Haggard Road, Miami, Roberts County		
TCEQ Region:	REGION 01 - AMARILLO		
Date Compliance History Prepared:	January 28, 2009		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	January 28, 2004 to January 28, 2009		

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

Name: Steven Lopez Phone: 512-239-1896

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? Eagle Rock Field Services, L.P.
4. If Yes, who was/were the prior owner(s)? ONEOK Field Services Company
5. When did the change(s) in ownership occur? 01/04/2006
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	07/31/2004	(283430)
2	07/01/2005	(396613)
3	08/02/2006	(487898)
4	02/14/2007	(538519)
5	01/10/2008	(600995)
6	01/15/2009	(707744)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	07/01/2005	(396613)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
Description:	Failure to comply with the maximum emissions rates of permit no. 50945		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A)		

Description: Failure to include all instances of deviations in the deviation report

F. Environmental audits.

Notice of Intent Date: 04/05/2004 (274659)
No DOV Associated

Notice of Intent Date: 07/22/2008 (704577)
No DOV Associated

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
EAGLE ROCK FIELD SERVICES, L.P.	§	
RN100222660	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-0147-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 Eagle Rock Field Services, L.P. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE chs. 7 and 5. 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 compressor station at 660 Haggard Road in Miami, Roberts County, Texas (the "Station").
2. The Station 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 January 20, 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 Two Thousand Five Hundred Seventy-Five Dollars (\$2,575) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Sixty Dollars (\$2,060) of the

administrative penalty and Five Hundred Fifteen Dollars (\$515) 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 Station:
 - a. Submitted the annual permit compliance certification ("PCC") for the reporting period of July 1, 2007 through June 30, 2008, on September 29, 2008; and
 - b. Submitted payments for all outstanding fees for Financial Administration Account Nos. 21006061 and 21006228, on February 10 and 17, 2009, respectively.
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 Station, the Respondent is alleged to have:

1. Failed to submit the annual PCC within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-00821, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on November 19, 2008. Specifically, the PCC for the July 1, 2007 through June 30, 2008 period was submitted on September 29, 2008, which was 91 days late.
2. Failed to pay outstanding air emissions late fees for Financial Administration Account Nos. 21006061 and 21006228, in violation of 30 TEX. ADMIN. CODE § 101.27(c)(1) and TEX. WATER CODE § 5.702, as documented during a record review conducted on January 28, 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: Eagle Rock Field Services, L.P., Docket No. 2009-0147-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement improvements to reporting practices that address the late submittal of the July 1, 2007 through June 30, 2008 PCC and that are designed to prevent recurrence of same or similar incidents; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

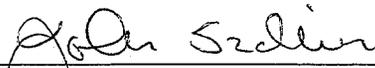
Air Section Manager
Amarillo Regional Office
Texas Commission on Environmental Quality
3918 Canyon Drive
Amarillo, Texas 79109-4933

3. 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 Station operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This 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.
7. 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.
8. 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

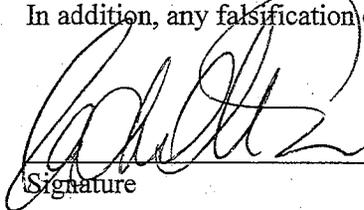
5/27/2009
Date

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 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

04/22/2009
Date

Rachel M. Trainer
Name (Printed or typed)
Authorized Representative of
Eagle Rock Field Services, L.P.

Environmental Manager
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.

