

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2009-1670-AIR-E **TCEQ ID:** RN100211408 **CASE NO.:** 38540
RESPONDENT NAME: Regency Field Services 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: Waha Gas Plant, 2821 Waha Road, Cayanosa, Pecos 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 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 February 1, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Mike Perryman, Director of Environmental Affairs, Regency Field Services LLC, 401 Edwards Street, Suite 1320, Shreveport, Louisiana 71101 Mr. John S. Bosholm, Senior Vice President of Environmental Affairs, Regency Field Services LLC, 401 Edwards Street, Suite 1320, Shreveport, Louisiana 71101 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: August 11 through August 19, 2009</p> <p>Date of NOV/NOE Relating to this Case: August 25, 2009 (NOE)</p> <p>Background Facts: This was a record review investigation.</p> <p>AIR</p> <p>1) Failure to document all compliance assurance monitoring ("CAM") readings for compressor engines Waukesha Nos. 24 and 25 from August 5, 2008 through December 31, 2008 [30 TEX. ADMIN. CODE § 122.147(a)(3), 40 CODE OF FEDERAL REGULATIONS § 64.7(c), Federal Operating Permit No. O-02546, Special Terms and Conditions Nos. 6A & 6C, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to record all quarterly measurements of nitrogen oxides ("NO_x") and carbon monoxide ("CO") for compressor engine White No. 6 from July 31, 2008 through September 30, 2008 [30 TEX. ADMIN. CODE § 106.512(2)(C)(ii), Permit by Rule Registration No. 31232, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to record all quarterly measurements of NO_x and CO for compressor engines SVG Nos. 8 and 9 from July 31, 2008 through September 30, 2008 [30 TEX. ADMIN. CODE § 106.8, Permit Exemption Registration Nos. X-21634 and X-21635, Standard Exemption 6, Condition 6.(b)(3)(B) (Effective date July 20, 1992), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4) Failure to all record quarterly measurements of NO_x and CO for</p>	<p>Total Assessed: \$938</p> <p>Total Deferred: \$187 <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: \$751</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 October 1, 2008, assigned staff the responsibility to record NO_x and CO measurements for all the compressor engines; and</p> <p>b. On January 1, 2009, assigned staff to perform CAM satellite recorder maintenance for compressor engines Waukesha Nos. 24 and 25.</p>

<p>compressor engines Waukesha Nos. 24 and 25 from July 31, 2008 through September 30, 2008 [30 TEX. ADMIN. CODE § 106.8, Permit Exemption Registration No. 25624, Standard Exemption 6, Condition 6.(b)(3)(B) (Effective date May 4, 1994), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): PE0024Q



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	31-Aug-2009	Screening	12-Oct-2009	EPA Due	22-May-2010
	PCW	15-Oct-2009				

RESPONDENT/FACILITY INFORMATION			
Respondent	Regency Field Services LLC		
Reg. Ent. Ref. No.	RN100211408		
Facility/Site Region	7-Midland	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	38540	No. of Violations	4
Docket No.	2009-1670-AJR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Miriam Hall
		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 Total Adjustments **Subtotal 5**

Economic Benefit Enhancement **Subtotal 6**

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

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE Reduction **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 12-Oct-2009

Docket No. 2009-1670-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 2 (September 2002)

Case ID No. 38540

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211408

Media [Statute] Air

Enf. Coordinator Miriam Hall

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	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)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 59%

>> 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

The penalty was enhanced for three 1660 orders and was reduced for one Notice of Audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 59%

Screening Date 12-Oct-2009

Docket No. 2009-1670-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 2 (September 2002)

Case ID No. 38540

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211408

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 122.147(a)(3); 40 Code of Federal Regulations § 64.7(c); Federal Operating Permit No. O-02546, Special Terms and Conditions Nos. 6A & 6C; and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to document all compliance assurance monitoring ("CAM") readings for compressor engines Waukesha Nos. 24 and 25 from August 5, 2008 through December 31, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent met more than 70% of the rule requirement. Records are required to be kept for two years and 149 days out of 730 days (20.4%) were missing.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 2

149 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

One single event is recommended for each engine.

Good Faith Efforts to Comply

25.0% Reduction

\$50

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

Corrective actions were completed on January 1, 2009 and the NOE was issued on August 25, 2009.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$268

This violation Final Assessed Penalty (adjusted for limits) \$268

Economic Benefit Worksheet

Respondent Regency Field Services LLC
Case ID No. 38540
Reg. Ent. Reference No. RN100211408
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
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)	\$1,500	5-Aug-2008	1-Jan-2009	0.41	\$31	n/a	\$31

Notes for DELAYED costs
 The estimated cost of additional management oversight and performing maintenance on the satellite recorder from the first date of violation to the compliance date.

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
 (Empty box for notes)

Approx. Cost of Compliance \$1,500 **TOTAL** \$31

Screening Date 12-Oct-2009

Docket No. 2009-1670-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 2 (September 2002)

Case ID No. 38540

PCW Revision October 30, 2006

Reg. Ent. Reference No. RN100211408

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 106.512(2)(C)(ii), Permit By Rule Registration No. 31232, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to record all quarterly measurements of nitrogen oxides ("NOx") and carbon monoxide ("CO") for compressor engine White No. 6 from July 31, 2008 through September 30, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent met more than 70% of the rule requirement. Records are required to be kept for two years and 61 days out of 730 days (8.3%) were missing.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

61 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$25

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

Notes

Corrective actions were completed on October 1, 2008 and the NOE was Issued on August 25, 2009.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$13

Violation Final Penalty Total \$134

This violation Final Assessed Penalty (adjusted for limits) \$134

Economic Benefit Worksheet

Respondent Regency Field Services LLC
Case ID No. 38540
Reg. Ent. Reference No. RN100211408
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)	\$1,500	31-Jul-2008	1-Oct-2008	0.17	\$13	n/a	\$13

Notes for DELAYED costs

The estimated cost of additional management oversight from the first day of violation to the compliance date.

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

\$1,500

TOTAL

\$13

Screening Date 12-Oct-2009

Docket No. 2009-1670-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 2 (September 2002)

Case ID No. 38540

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211408

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 106.8; Permit Exemption Registration Nos. X-21634 and X-21635; Standard Exemption 6, Condition 6:(b)(3)(B) (Effective date July 20, 1992); and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to record all quarterly measurements of NOx and CO for compressor engines SVG Nos. 8 and 9 from July 31, 2008 through September 30, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
			x	1%

Matrix Notes: The Respondent met more than 70% of the rule requirement. Records are required to be kept for two years and 61 days out of 730 days (8.3%) were missing.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 2 Number of violation days 61

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

One single event is recommended for each engine.

Good Faith Efforts to Comply

	25.0% Reduction	
	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes: Corrective actions were completed on October 1, 2008 and the NOE was issued on August 25, 2009.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$268

This violation Final Assessed Penalty (adjusted for limits) \$268

Economic Benefit Worksheet

Respondent Regency Field Services LLC
Case ID No. 38540
Reg. Ent. Reference No. RN100211408
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
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Item Description 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

The economic benefit is included in Violation No. 2.

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

\$0

TOTAL

\$0

Screening Date 12-Oct-2009

Docket No. 2009-1670-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 2 (September 2002)

Case ID No. 38540

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211408

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 106.8; Permit Exemption Registration No. 25624; Standard Exemption 6, Condition 6.(b)(3)(B) (Effective date May 4, 1994); and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to record all quarterly measurements of NOx and CO for compressor engines Waukesha Nos. 24 and 25 from July 31, 2008 through September 30, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	1%

Matrix Notes

The Respondent met more than 70% of the rule requirement. Records are required to be kept for two years and 61 days out of 730 days (8.3%) were missing.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 2 Number of violation days 61

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
single event	x	

Violation Base Penalty \$200

One single event is recommended for each engine.

Good Faith Efforts to Comply

25.0% Reduction

\$50

	Before NOV	NOV to ED/PRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

Corrective actions were completed on October 1, 2008 and the NOE was issued on August 25, 2009.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$268

This violation Final Assessed Penalty (adjusted for limits) \$268

Economic Benefit Worksheet

Respondent Regency Field Services LLC
Case ID No. 38540
Reg. Ent. Reference No. RN100211408
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Item Description: 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

The economic benefit is included in Violation No. 2.

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

\$0

TOTAL

\$0

Compliance History Report

Customer/Respondent/Owner-Operator: CN603263823 Regency Field Services LLC Classification: AVERAGE Rating: 3.32
 Regulated Entity: RN100211408 WAHA GAS PLANT Classification: AVERAGE Site Rating: 11.53

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	PE0024Q
	AIR OPERATING PERMITS	PERMIT	2546
	AIR NEW SOURCE PERMITS	PERMIT	19048
	AIR NEW SOURCE PERMITS	PERMIT	21496
	AIR NEW SOURCE PERMITS	PERMIT	21632
	AIR NEW SOURCE PERMITS	PERMIT	21633
	AIR NEW SOURCE PERMITS	PERMIT	21634
	AIR NEW SOURCE PERMITS	PERMIT	21635
	AIR NEW SOURCE PERMITS	PERMIT	23187
	AIR NEW SOURCE PERMITS	PERMIT	22611
	AIR NEW SOURCE PERMITS	PERMIT	22614
	AIR NEW SOURCE PERMITS	PERMIT	23404
	AIR NEW SOURCE PERMITS	PERMIT	24502
	AIR NEW SOURCE PERMITS	PERMIT	31232
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	PE0024Q
	AIR NEW SOURCE PERMITS	REGISTRATION	53463
	AIR NEW SOURCE PERMITS	AFS NUM	4837100014
	AIR NEW SOURCE PERMITS	PERMIT	74857
	AIR NEW SOURCE PERMITS	REGISTRATION	85370
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	PE0024Q

Location: 2821 WAHA ROAD, COYANOSA, TX, 79730

TCEQ Region: REGION 07 - MIDLAND

Date Compliance History Prepared: October 22, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 22, 2004 to October 22, 2009

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

Name: Miriam Hall Phone: (512) 239-1044

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: 9/1/2009 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.

Effective Date: 03/11/2005 ADMINORDER 2003-0148-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GG 60.334(b)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the custom fuel monitoring schedule for four gas turbines at the facility, for the time periods ending in March and September 2001, and March 2002.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to comply with quarterly testing requirements for NOx and CO for EPNs Wau23, Wau24, Wau25, Wau26, IRSVG10-7, IRSVG12-8, IRSVG12-9, and White-6 for the quarterly time period ending March 31, 2002 and EPNs IRSVG10-7, IRSVG12-8, IRSVG12-9, and White-6 for the quarterly time period ending June 30, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failed to notify the TCEQ regarding upset events within 24 hours of their occurrence on August 1 and 21, 2001.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to obtain regulatory authority to emit 30 pounds of NOx, 324 pounds of methane and 459 pounds of natural gas hydrocarbons on August 1 and 21, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to calculate and report emissions for 6 emission points (FIN ENG-52, EPN ENG-52; FIN SAREB-13, EPN 13; FIN SAREB-14, EPN 14; FIN GLYCOL-17, EPN 17; FIN HEART-18, EPN18; and FIN BOILER-21, EPN 21), in accordance with TCEQ RG-360 document "How to Complete an Emission Inventory 2000 Guidance" for calendar year 2000

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to provide supporting documentation for thirteen emission points. (See detailed description for complete description)

Effective Date: 12/30/2005

ADMINORDER 2005-0035-AIR-E

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.160(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain a Prevention of Significant Deterioration (PSD) permit prior to construction and operation of a major modification at a major stationary source.

Effective Date: 04/14/2006

ADMINORDER 2005-1529-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.160(a)
30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter C 122.210(a)
40 CFR Chapter 52, SubChapter C, PT 52, SubPT A 52.21(a)(2)(iii)
5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to obtain NSR and Prevention of Significant Deterioration ("PSD") permits, and failed to revise Federal Operating Permit ("FOP") O2546.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report all deviations for each emission unit addressed in the FOP.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	12/13/2004	(341644)
2	08/10/2005	(341815)
3	02/02/2006	(449562)
4	02/14/2006	(455459)
5	02/14/2006	(455582)
6	05/22/2006	(333249)
7	08/25/2006	(497563)
8	05/29/2007	(561783)
9	08/29/2007	(568584)
10	01/11/2008	(613999)
11	01/11/2008	(614195)

12	01/25/2008	(615940)
13	02/29/2008	(637527)
14	05/29/2008	(557784)
15	07/06/2009	(760544)
16	07/06/2009	(760592)
17	07/06/2009	(760605)
18	07/07/2009	(746965)
19	07/07/2009	(760190)
20	07/07/2009	(760359)
21	07/07/2009	(760715)
22	07/07/2009	(760912)
23	07/07/2009	(760931)
24	07/07/2009	(760942)
25	07/07/2009	(760951)
26	07/07/2009	(760985)
27	07/07/2009	(760988)
28	07/07/2009	(761007)
29	07/07/2009	(761037)
30	07/13/2009	(761278)
31	07/13/2009	(761297)
32	07/13/2009	(761310)
33	07/31/2009	(764020)
34	08/24/2009	(760586)
35	08/25/2009	(765614)

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

N/A

F. Environmental audits.

Notice of Intent Date: 09/23/2009 (778221)

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
ENFORCEMENT ACTION
CONCERNING
REGENCY FIELD SERVICES LLC
RN100211408**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2009-1670-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 Regency Field Services 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 a natural gas processing plant at 2821 Waha Road in Cayanosa, Pecos 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 August 30, 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 Nine Hundred Thirty-Eight Dollars (\$938) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Hundred Fifty-One Dollars (\$751) of the administrative penalty and One Hundred Eighty-Seven Dollars (\$187) 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 October 1, 2008, assigned staff the responsibility to record nitrogen oxides ("NO_x") and carbon monoxide ("CO") measurements for all the compressor engines; and
 - b. On January 1, 2009, assigned staff to perform compliance assurance monitoring ("CAM") satellite recorder maintenance for compressor engines Waukesha Nos. 24 and 25.
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 document all CAM readings for compressor engines Waukesha Nos. 24 and 25 from August 5, 2008 through December 31, 2008, in violation of 30 TEX. ADMIN. CODE § 122.147(a)(3); 40 CODE OF FEDERAL REGULATIONS § 64.7(c); Federal Operating Permit No. O-02546, Special Terms and Conditions Nos. 6A & 6C; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on August 11 through 19, 2009.
2. Failed to record all quarterly measurements of NO_x and CO for compressor engine White No. 6 from July 31, 2008 through September 30, 2008, in violation of 30 TEX. ADMIN. CODE § 106.512(2)(C)(ii), Permit By Rule Registration No. 31232, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on August 11 through 19, 2009.

3. Failed to record all quarterly measurements of NO_x and CO for compressor engines SVG Nos. 8 and 9 from July 31, 2008 through September 30, 2008, in violation of 30 TEX. ADMIN. CODE § 106.8; Permit Exemption Registration Nos. X-21634 and X-21635; Standard Exemption 6, Condition 6.(b)(3)(B) (Effective date July 20, 1992); and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on August 11 through 19, 2009.
4. Failed to all record quarterly measurements of NO_x and CO for compressor engines Waukesha Nos. 24 and 25 from July 31, 2008 through September 30, 2008, in violation of 30 TEX. ADMIN. CODE § 106.8; Permit Exemption Registration No. 25624; Standard Exemption 6, Condition 6.(b)(3)(B) (Effective date May 4, 1994); and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on August 11 through 19, 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: Regency Field Services LLC, Docket No. 2009-1670-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

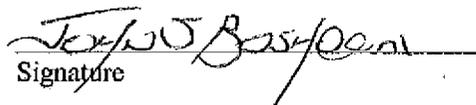
Date 1/19/2010

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 6 NOV 09

Name (Printed or typed)
Authorized Representative of
Regency Field Services LLC

SR. VICE PRESIDENT
ENVIRONMENTAL, HEALTH & SAFETY
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.

