

Page 1 of 3

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2010-1676-AIR-E **TCEQ ID:** RN100226414 **CASE NO.:** 40535  
**RESPONDENT NAME:** Enbridge G & P (North Texas) L.P.

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> <b>1660 AGREED ORDER</b>	<input type="checkbox"/> <b>FINDINGS AGREED ORDER</b>	<input type="checkbox"/> <b>FINDINGS ORDER FOLLOWING SOAH HEARING</b>
<input type="checkbox"/> <b>FINDINGS DEFAULT ORDER</b>	<input type="checkbox"/> <b>SHUTDOWN ORDER</b>	<input type="checkbox"/> <b>IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER</b>
<input type="checkbox"/> <b>AMENDED ORDER</b>	<input type="checkbox"/> <b>EMERGENCY ORDER</b>	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> <b>AIR</b>	<input type="checkbox"/> <b>MULTI-MEDIA (check all that apply)</b>	<input type="checkbox"/> <b>INDUSTRIAL AND HAZARDOUS WASTE</b>
<input type="checkbox"/> <b>PUBLIC WATER SUPPLY</b>	<input type="checkbox"/> <b>PETROLEUM STORAGE TANKS</b>	<input type="checkbox"/> <b>OCCUPATIONAL CERTIFICATION</b>
<input type="checkbox"/> <b>WATER QUALITY</b>	<input type="checkbox"/> <b>SEWAGE SLUDGE</b>	<input type="checkbox"/> <b>UNDERGROUND INJECTION CONTROL</b>
<input type="checkbox"/> <b>MUNICIPAL SOLID WASTE</b>	<input type="checkbox"/> <b>RADIOACTIVE WASTE</b>	<input type="checkbox"/> <b>DRY CLEANER REGISTRATION</b>
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Springtown Gas Processing Plant, 1302 North Main Street, Springtown, Parker County</p> <p><b>TYPE OF OPERATION:</b> Natural gas processing plant</p> <p><b>SMALL BUSINESS:</b>    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on March 14, 2011. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Ms. Allison Fischer, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0489; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Danny Bull, North Texas West District Manager, Enbridge G &amp; P (North Texas) L.P., 1302 North Main Street, Springtown, Texas 76082  Mr. Randall Burdorf, Environmental, Health, and Safety Manager, Enbridge G &amp; P (North Texas) L.P., 1302 North Main Street, Springtown, Texas 76082  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> July 22, 2010</p> <p><b>Date of NOV/NOE Relating to this Case:</b> September 8, 2010 (NOE)</p> <p><b>Background Facts:</b> This was a records review.</p> <p><b>AIR</b></p> <p>1) Failed to submit a required General Operating Permit ("GOP") application within 90 days after the issuance of a revised GOP. Specifically, the glycol dehydration system is subject to Compliance Assurance Monitoring ("CAM"), which required a GOP application to be submitted by January 17, 2007 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.504(a)(4)(A), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)].</p> <p>2) Failed to install the required glycol dehydration system condenser exhaust temperature monitor to record the exhaust temperature within 180 days after the issuance of a revised GOP. Specifically, the Respondent was to begin conducting CAM by April 7, 2007, but monitoring did not commence until after the required installation of the temperature monitor on April 1, 2008 [30 TEX. ADMIN. CODE §§ 122.143(4), 122.147(a)(1), and 122.504(a)(5)(G), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)].</p> <p>3) Failed to properly operate and maintain the glycol still condenser and vapor recovery unit and to take necessary corrective actions to restore</p>	<p><b>Total Assessed:</b> \$10,125</p> <p><b>Total Deferred:</b> \$2,025  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$8,100</p> <p><b>Compliance History Classifications:</b>                      Person/CN - Average                      Site/RN - High</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. By April 1, 2008, submitted the required application for the glycol dehydration system;</p> <p>b. By April 1, 2008, installed the required temperature monitor and began recording the glycol dehydration system condenser exhaust temperature on a daily basis;</p> <p>c. By November 29, 2008, completed the replacement of the glycol dehydration system condenser and the vapor recovery unit; and</p> <p>d. By January 29, 2009, submitted the semi-annual deviation reports for the December 29, 2006 through June 30, 2007 and December 29, 2007 through June 30, 2008 reporting periods.</p>

<p>normal operation as expeditiously as practicable to minimize the period of any malfunction. Specifically, the glycol still condenser exhaust temperature exceeded 130 degrees Fahrenheit for 105 days, prior to the voidance of the GOP [30 TEX. ADMIN. CODE §§ 116.615(9), 122.143(4), and 122.147(a)(5), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), Standard Permit Registration No. 72046, and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)].</p> <p>4) Failed to timely submit a semi-annual deviation report. Specifically, deviations occurred during the December 29, 2006 through June 30, 2007 reporting period, but a report was not submitted until July 28, 2008. Also, deviations occurred during the December 29, 2007 through June 30, 2008 reporting period, but a report was not submitted until January 29, 2009 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)].</p>		
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Additional ID No(s): Air Account PC0013U



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	<b>Assigned</b>	7-Sep-2010	<b>Screening</b>	15-Sep-2010	<b>EPA Due</b>	
	<b>PCW</b>	11-Oct-2010				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Enbridge G & P (North Texas) L.P.
<b>Reg. Ent. Ref. No.</b>	RN100226414
<b>Facility/Site Region</b>	4-Dallas/Fort Worth
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	40535	<b>No. of Violations</b>	4
<b>Docket No.</b>	2010-1676-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Kirk Schoppe
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$13,500</b>
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**ADJUSTMENTS (+/-) TO SUBTOTAL 1**  
 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	<b>0.0%</b> Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$0</b>
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Notes: No enhancement for Compliance History.

<b>Culpability</b>	<b>No</b>	<b>0.0%</b> Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$3,375</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$947  
 Approx. Cost of Compliance: \$46,250  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$10,125</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$10,125</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$10,125</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$2,025</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$8,100</b>
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Screening Date 15-Sep-2010

Docket No. 2010-1676-AIR-E

PCW

Respondent Enbridge G & P (North Texas) L.P.

Policy Revision 2 (September 2002)

Case ID No. 40535

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100226414

Media [Statute] Air

Enf. Coordinator Kirk Schoppe

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	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> )	0	0%
	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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No enhancement for Compliance History.

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

Screening Date 15-Sep-2010

Docket No. 2010-1676-AIR-E

PCW

Respondent Enbridge G & P (North Texas) L.P.

Policy Revision 2 (September 2002)

Case ID No. 40535

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100226414

Media [Statute] Air

Enf. Coordinator Kirk Schoppe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.504(a)(4)(A), Tex. Health & Safety Code § 382.085(b), and General Operating Permit ("GOP") No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)

Violation Description Failed to submit a required GOP application within 90 days after the issuance of a revised GOP. Specifically, the glycol dehydration system is subject to Compliance Assurance Monitoring ("CAM"), which required a GOP application to be submitted by January 17, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			25%

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 440

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$625

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

Notes The Respondent returned to compliance on April 1, 2008 and the NOE is dated September 8, 2010.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$15

Violation Final Penalty Total \$1,875

This violation Final Assessed Penalty (adjusted for limits) \$1,875

## Economic Benefit Worksheet

**Respondent** Enbridge G & P (North Texas) L.P.  
**Case ID No.** 40535  
**Reg. Ent. Reference No.** RN100226414  
**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	\$250	17-Jan-2007	1-Apr-2008	1.21	\$15	n/a	\$15
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 CAM applicability is included in the Respondent's GOP. The Date Required is based on the date CAM applicability should have been represented in the Respondent's GOP. The Final Date is the 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

\$250

**TOTAL**

\$15

Screening Date 15-Sep-2010

Docket No. 2010-1676-AIR-E

PCW

Respondent Enbridge G & P (North Texas) L.P.

Policy Revision 2 (September 2002)

Case ID No. 40535

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100226414

Media [Statute] Air

Enf. Coordinator Kirk Schoppe

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4), 122.147(a)(1), and 122.504(a)(5)(G), Tex. Health & Safety Code § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)

Violation Description

Failed to install the required glycol dehydration system condenser exhaust temperature monitor to record the exhaust temperature within 180 days after the issuance of a revised GOP. Specifically, the Respondent was to begin conducting CAM by April 7, 2007, but monitoring did not commence until after the required installation of the temperature monitor on April 1, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential			x	

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
				0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1 360 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$250

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

Notes The Respondent returned to compliance on April 1, 2008 and the NOE is dated September 8, 2010.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$750

This violation Final Assessed Penalty (adjusted for limits) \$750

# Economic Benefit Worksheet

**Respondent** Enbridge G & P (North Texas) L.P.  
**Case ID No.** 40535  
**Req. Ent. Reference No.** RN100226414  
**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
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	\$500	7-Apr-2007	1-Apr-2008	0.99	\$25	n/a	\$25
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 the installation of the required temperature monitor and to begin recording temperatures. The Date Required is based on the date CAM should have been conducted. The Final Date is the 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**

\$25

Screening Date 15-Sep-2010

Docket No. 2010-1676-AIR-E

PCW

Respondent Enbridge G & P (North Texas) L.P.

Policy Revision 2 (September 2002)

Case ID No. 40535

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100226414

Media [Statute] Air

Enf. Coordinator Kirk Schoppe

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.615(9), 122.143(4), and 122.147(a)(5), Tex. Health & Safety Code § 382.085(b), Standard Permit Registration No. 72046, and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1)

Violation Description

Failed to properly operate and maintain the glycol still condenser and vapor recovery unit and to take necessary corrective actions to restore normal operation as expeditiously as practicable to minimize the period of any malfunction. Specifically, the glycol still condenser exhaust temperature exceeded 130 degrees Fahrenheit for 105 days, prior to the voidance of the GOP.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

105 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

Two quarterly events are recommended based on the 105 days of non-compliance between April 12, 2008 and October 10, 2008.

Good Faith Efforts to Comply

25.0% Reduction

\$1,250

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

Notes The Respondent returned to compliance on November 29, 2008 and the NOE is dated September 8, 2010.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$869

Violation Final Penalty Total \$3,750

This violation Final Assessed Penalty (adjusted for limits) \$3,750

## Economic Benefit Worksheet

**Respondent** Enbridge G & P (North Texas) L.P.  
**Case ID No.** 40535  
**Reg. Ent. Reference No.** RN100226414  
**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				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)	\$45,000	11-Jul-2008	29-Nov-2008	0.39	\$869	n/a	\$869

Notes for DELAYED costs

Estimated cost to install a replacement glycol still condenser and vapor recovery unit. The Date Required is based on the first date of non-compliance. The 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

\$45,000

**TOTAL**

\$869

Screening Date 15-Sep-2010

Docket No. 2010-1676-AIR-E

PCW

Respondent Enbridge G & P (North Texas) L.P.

Policy Revision 2 (September 2002)

Case ID No. 40535

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100226414

Media [Statute] Air

Enf. Coordinator Kirk Schoppe

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4), 122.145(2)(C), Tex. Health & Safety Code § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, site-wide requirements (b)(1)

Violation Description Failed to timely submit a semi-annual deviation report. Specifically, deviations occurred during the December 29, 2006 through June 30, 2007 reporting period, but a report was not submitted until July 28, 2008. Also, deviations occurred during the December 29, 2007 through June 30, 2008 reporting period, but a report was not submitted until January 29, 2009.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			X		
100% of the rule requirement was not met.					

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2 548 Number of violation days

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

Violation Base Penalty \$5,000

Two single events are recommended for each delinquent semi-annual deviation report.

Good Faith Efforts to Comply

25.0% Reduction

\$1,250

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

Notes The Respondent returned to compliance on January 29, 2009 and the NOE is dated September 8, 2010.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$38

Violation Final Penalty Total \$3,750

This violation Final Assessed Penalty (adjusted for limits) \$3,750

## Economic Benefit Worksheet

**Respondent** Enbridge G & P (North Texas) L.P.  
**Case ID No.** 40535  
**Req. Ent. Reference No.** RN100226414  
**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**  
**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	\$500	30-Jul-2007	29-Jan-2009	1.50	\$38	n/a	\$38
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 two semi-annual deviation reports. Date required is the earliest of the two dates the reports 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

\$500

**TOTAL**

\$38

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603042623 Enbridge G & P (North Texas) L.P. Classification: AVERAGE Rating: 1.75  
Regulated Entity: RN100226414 SPRINGTOWN GAS PROCESSING PLANT Classification: HIGH Site Rating: 0.00

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	PC0013U
	AIR OPERATING PERMITS	PERMIT	3008
	AIR OPERATING PERMITS	PERMIT	3008
	AIR NEW SOURCE PERMITS	PERMIT	6170A
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	PC0013U
	AIR NEW SOURCE PERMITS	AFS NUM	4836700002
	AIR NEW SOURCE PERMITS	REGISTRATION	55517
	AIR NEW SOURCE PERMITS	REGISTRATION	72046
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	PC0013U

Location: 1302 N MAIN ST, SPRINGTOWN, TX, 76082

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: September 08, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 08, 2005 to September 08, 2010

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

Name: Kirk Schoppe Phone: (512) 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: 9/1/2010 Repeat Violator: NO

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.  
N/A
- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
  - 1 12/21/2005 (438175)
  - 2 04/19/2006 (462030)
  - 3 04/27/2007 (555208)
  - 4 05/30/2008 (681327)
  - 5 08/25/2008 (699640)
  - 6 08/18/2009 (765659)
  - 7 08/31/2010 (844851)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)  
N/A
- F. Environmental audits.  
N/A
- G. Type of environmental management systems (EMSs).  
N/A
- H. Voluntary on-site compliance assessment dates.  
N/A
- I. Participation in a voluntary pollution reduction program.  
N/A

J. Early compliance.  
N/A

Sites Outside of Texas  
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
ENBRIDGE G & P (NORTH  
TEXAS) L.P.  
RN100226414

§  
§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2010-1676-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 Enbridge G & P (North Texas) L.P. ("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 1302 North Main Street in Springtown, Parker 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 September 13, 2010.
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 Ten Thousand One Hundred Twenty-Five Dollars (\$10,125) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand One Hundred Dollars (\$8,100) of the administrative penalty and Two Thousand Twenty-Five Dollars (\$2,025) 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. By April 1, 2008, submitted the required application for the glycol dehydration system;
  - b. By April 1, 2008, installed the required temperature monitor and began recording the glycol dehydration system condenser exhaust temperature on a daily basis;
  - c. By November 29, 2008, completed the replacement of the glycol dehydration system condenser and the vapor recovery unit; and
  - d. By January 29, 2009, submitted the semi-annual deviation reports for the December 29, 2006 through June 30, 2007 and December 29, 2007 through June 30, 2008 reporting periods.
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 required General Operating Permit ("GOP") application within 90 days after the issuance of a revised GOP, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.504(a)(4)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1), as documented during an investigation conducted on July 22, 2010. Specifically, the glycol dehydration system is subject to Compliance Assurance Monitoring ("CAM"), which required a GOP application to be submitted by January 17, 2007.
2. Failed to install the required glycol dehydration system condenser exhaust temperature monitor to record the exhaust temperature within 180 days after the issuance of a revised GOP, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4), 122.147(a)(1), and 122.504(a)(5)(G), TEX. HEALTH & SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1), as documented during an investigation conducted on July 22, 2010. Specifically, the Respondent was to begin conducting CAM by April 7, 2007, but monitoring did not commence until after the required installation of the temperature monitor on April 1, 2008.
3. Failed to properly operate and maintain the glycol still condenser and vapor recovery unit and to take necessary corrective actions to restore normal operation as expeditiously as practicable to minimize the period of any malfunction, in violation of 30 TEX. ADMIN. CODE §§ 116.615(9), 122.143(4), and 122.147(a)(5), TEX. HEALTH & SAFETY CODE § 382.085(b), Standard Permit Registration No. 72046, and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1), as documented during an investigation conducted on July 22, 2010. Specifically, the glycol still condenser exhaust temperature exceeded 130 degrees Fahrenheit for 105 days, prior to the voidance of the GOP.
4. Failed to timely submit a semi-annual deviation report, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and GOP No. 00442/Oil and Gas GOP No. 514, Site-wide requirements (b)(1), as documented during an investigation conducted on July 22, 2010. Specifically, deviations occurred during the December 29, 2006 through June 30, 2007 reporting period, but a report was not submitted until July 28, 2008. Also, deviations occurred during the December 29, 2007 through June 30, 2008 reporting period, but a report was not submitted until January 29, 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: Enbridge G & P (North Texas) L.P., Docket No. 2010-1676-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 separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
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

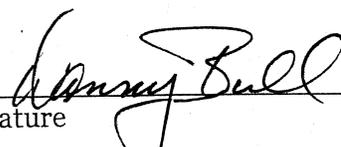
2/14/2011  
\_\_\_\_\_  
Date

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

12-15-2010  
\_\_\_\_\_  
Date

Danny Bull  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Enbridge G & P (North Texas) L.P.

North Texas West District  
\_\_\_\_\_  
Title Manager

**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.