

**Executive Summary – Enforcement Matter – Case No. 43510**  
**Bravo Natural Gas, LLC**  
**RN100217462, RN100212414, and RN100211580**  
**Docket No. 2012-0326-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Sneed Plant (RN100217462, "Station 1"), located at 10531 Sneed Road, Stinnett, Moore County;

Burnett A Compressor Station (RN100212414, "Station 2"), located eleven miles south of Borger on State Highway 207, Carson County

Burnett Main and B Compressor Station (RN100211580, "Station 3") located eleven miles south of Borger on State Highway 207, Carson County

**Type of Operation:**

Natural gas compression stations

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** July 27, 2012

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$16,840

**Amount Deferred for Expedited Settlement:** \$3,368

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$13,472

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications, RN100217462 and RN100211580:**

Person/CN - Average

Site/RN - Average

**Compliance History Classifications, RN100212414:**

Person/CN - Average

Site/RN - High

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2002 and September 2011

**Executive Summary – Enforcement Matter – Case No. 43510**  
**Bravo Natural Gas, LLC**  
**RN100217462, RN100212414, and RN100211580**  
**Docket No. 2012-0326-AIR-E**

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** January 6, 2012

**Date(s) of NOE(s):** January 20, 2012

***Violation Information***

1. Failed to submit a Permit Compliance Certifications (“PCCs”) for Station 1 within 30 days after the end of the certification period. Specifically, the PCC for the certification period from February 1, 2010 through January 31, 2011 was due on March 2, 2011, but was not submitted until April 28, 2011 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit (“FOP”) No. O366/General Operating Permit (“GOP”) No. 514, Site-wide requirements (“SWR”) (b)(2) [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O366/GOP No. 514, SWR (b)(2)].
2. Failed to submit a semi-annual deviation report for Station 1 within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from February 1, 2011 through July 31, 2011 was due on August 30, 2011, but has not yet been submitted [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O366/GOP No. 514, SWR (b)(2)].
3. Failed to submit a PCC for Station 2 within 30 days after the end of the certification period. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O671/GOP No. 514, SWR (b)(2)].
4. Failed to submit a semi-annual deviation report for Station 2 within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O671/GOP No. 514, SWR (b)(2)].
5. Failed to submit a PCC for Station 3 within 30 days after the end of the certification period. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b)].

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**Bravo Natural Gas, LLC**  
**RN100217462, RN100212414, and RN100211580**  
**Docket No. 2012-0326-AIR-E**

6. Failed to submit an accurate PCC for Station 3. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 did not include all deviations [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(5), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O3161, GTC].

7. Failed to submit a semi-annual deviation report for Station 3 within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O3161, GTC].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By February 24, 2012, Respondent implemented policies and procedures at the Stations to ensure the timely submittal of PCCs and semi-annual deviation reports, including assigning all environmental reporting to one person in the corporate office, ensuring that all necessary data has been obtained so that reporting can be completed in advance of the due date, and creating a corporate compliance calendar with all reporting deadlines annotated.

**Technical Requirements:**

N/A

***Litigation Information***

**Date Petition(s) Filed:** N/A

**Date Answer(s) Filed:** N/A

**SOAH Referral Date:** N/A

**Hearing Date(s):** N/A

**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Kimberly Morales, Enforcement Division, Enforcement Team 5, MC R-12, (713) 422-8938; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

**TCEQ SEP Coordinator:** N/A

**Respondent:** Charles R. Stephenson, President and Chief Executive Officer, Bravo Natural Gas, LLC, 5550 South Lewis Avenue, Suite 301, Tulsa, Oklahoma 74105-7178  
John H. Hale, Vice President, Bravo Natural Gas, LLC, 5550 South Lewis Avenue, Suite 301, Tulsa, Oklahoma 74105-7178

**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	<b>Assigned</b>	23-Jan-2012			
	<b>PCW</b>	11-May-2012	<b>Screening</b>	7-Feb-2012	<b>EPA Due</b> 16-Oct-2012

<b>RESPONDENT/FACILITY INFORMATION</b>					
<b>Respondent</b>	Bravo Natural Gas, LLC (Sneed Plant)				
<b>Reg. Ent. Ref. No.</b>	RN100217462				
<b>Facility/Site Region</b>	1-Amarillo	<b>Major/Minor Source</b>	Major		

<b>CASE INFORMATION</b>					
<b>Enf./Case ID No.</b>	43510	<b>No. of Violations</b>	2		
<b>Docket No.</b>	2012-0326-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>	Kimberly Morales		
		<b>EC's Team</b>	Enforcement Team 5		
<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>	\$5,000
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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>	20.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$1,000
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<b>Notes</b>	Enhancement for four NOVs with same/similar violations.		
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<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondent does not meet the culpability criteria.		
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$500
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$57	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$1,750	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$5,500
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>			
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<b>Final Penalty Amount</b>	\$5,500
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$5,500
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$1,100
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

<b>Notes</b>	Deferral offered for expedited settlement.		
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<b>PAYABLE PENALTY</b>	\$4,400
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Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Sneed Plant)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217462

Media [Statute] Air

Enf. Coordinator Kimberly Morales

### 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> )	4	20%
	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) 20%

>> 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 four NOVs with same/similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Sneed Plant)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217462

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O366/General Operating Permit ("GOP") No. 514, Site-wide requirements ("SWR") (b)(2)

Violation Description Failed to submit a Permit Compliance Certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the certification period from February 1, 2010 through January 31, 2011 was due on March 2, 2011, but was not submitted until April 28, 2011.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		x			25%

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 57

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

Violation Base Penalty \$2,500

One single event is recommended for the one PCC that was submitted late.

Good Faith Efforts to Comply

10.0% Reduction

\$250

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

Notes The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$39

Violation Final Penalty Total \$2,750

This violation Final Assessed Penalty (adjusted for limits) \$2,750

# Economic Benefit Worksheet

**Respondent** Bravo Natural Gas, LLC (Sneed Plant)  
**Case ID No.** 43510  
**Req. Ent. Reference No.** RN100217462  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

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	\$750	2-Mar-2011	24-Feb-2012	0.98	\$37	n/a	\$37
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	2-Mar-2011	28-Apr-2011	0.16	\$2	n/a	\$2

**Notes for DELAYED costs**

Estimated expense to submit the PCC for the certification period from February 1, 2010 through January 31, 2011 and to implement measures and procedures to ensure the timely submittal of PCCs. The Date Required was the due date for the PCC. The Final Date of April 28, 2011 is the date the PCC was submitted. The Final Date of February 24, 2012 is the date that additional corrective measures were completed.

### 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

\$1,000

**TOTAL**

\$39

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Sneed Plant)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217462

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(C), Tex. Health & Safety Code § 382.085(b), and FOP No. 0366/GOP No. 514, SWR (b)(2)

Violation Description

Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from February 1, 2011 through July 31, 2011 was due on August 30, 2011, but has not yet been submitted.

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 25%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

161 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$2,500

One single event is recommended for the one report not submitted.

Good Faith Efforts to Comply

10.0% Reduction

\$250

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

Notes

The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$2,750

This violation Final Assessed Penalty (adjusted for limits) \$2,750

## Economic Benefit Worksheet

**Respondent** Bravo Natural Gas, LLC (Sneed Plant)  
**Case ID No.** 43510  
**Req. Ent. Reference No.** RN100217462  
**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	\$750	30-Aug-2011	24-Feb-2012	0.49	\$18	n/a	\$18
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 expense to implement measures and procedures to ensure the timely submittal of semi-annual deviation reports. The Date Required was the due date for the semi-annual report. The Final Date is the date that corrective measures were completed.

### 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
<b>ONE-TIME avoided costs [3]</b>				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$750

**TOTAL**

\$18



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	23-Jan-2012	<b>Screening</b>	7-Feb-2012	<b>EPA Due</b>	
	<b>PCW</b>	11-May-2012				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)
<b>Reg. Ent. Ref. No.</b>	RN100211580
<b>Facility/Site Region</b>	1-Amarillo
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	43510	<b>No. of Violations</b>	2
<b>Docket No.</b>	2012-0326-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>	Kimberly Morales
		<b>EC's Team</b>	Enforcement Team 5
<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>	\$2,600
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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>	0.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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**Notes** No adjustment for compliance history.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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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>	\$260
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$35
Approx. Cost of Compliance	\$1,000

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$2,340
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

**Notes**

<b>Final Penalty Amount</b>	\$2,340
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$2,340
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$468
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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>	\$1,872
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**Screening Date** 7-Feb-2012

**Docket No.** 2012-0326-AIR-E

**PCW**

**Respondent** Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)

Policy Revision 2 (September 2002)

**Case ID No.** 43510

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN100211580

**Media [Statute]** Air

**Enf. Coordinator** Kimberly Morales

### 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%
<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)**

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

**Adjustment Percentage (Subtotal 3)**

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

**Adjustment Percentage (Subtotal 7)**

>> **Compliance History Summary**

**Compliance History Notes**

No adjustment for compliance history.

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

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211580

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O3161, General Terms and Conditions ("GTC")

Violation Description Failed to submit a Permit Compliance Certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011.

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 25%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

29 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$2,500

One single event is recommended for the one PCC that was submitted late.

Good Faith Efforts to Comply

10.0% Reduction

\$250

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

Notes The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$35

Violation Final Penalty Total \$2,250

This violation Final Assessed Penalty (adjusted for limits) \$2,250

## Economic Benefit Worksheet

**Respondent** Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)  
**Case ID No.** 43510  
**Reg. Ent. Reference No.** RN100211580  
**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				0.00	\$0	n/a	\$0
Training/Sampling	\$750	30-Mar-2011	24-Feb-2012	0.91	\$34	n/a	\$34
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Mar-2011	28-Apr-2011	0.08	\$1	n/a	\$1

**Notes for DELAYED costs**

Estimated expense to submit the PCC for the certification period from March 1, 2010 through February 28, 2011 and to implement measures and procedures to ensure the timely and accurate submittal of PCCs. The Date Required was the due date for the PCC. The Final Date of April 28, 2011 is the date the PCC was submitted. The Final Date of February 24, 2012 is the date that additional corrective measures were completed.

### 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**

<b>Approx. Cost of Compliance</b>	\$1,000	<b>TOTAL</b>	\$35
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Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211580

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.146(5), Tex. Health & Safety Code § 382.085(b), and FOP No. O3161, GTC

Violation Description

Failed to submit an accurate PCC. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 did not include all deviations.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
			X

Percent 1%

Matrix Notes

The Respondent failed to meet less than 30% of the rule requirement.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

314 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 for the one PCC that was inaccurate.

Good Faith Efforts to Comply

10.0% Reduction

\$10

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

Notes

The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$90

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$90

This violation Final Assessed Penalty (adjusted for limits) \$90

## Economic Benefit Worksheet

**Respondent** Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)  
**Case ID No.** 43510  
**Reg. Ent. Reference No.** RN100211580  
**Media** Air  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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

The Economic Benefit ("EB") for Violation No. 2 is included in the EB for Violation No. 1

### 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



# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

<b>TCEQ</b>				
<b>DATES</b>	<b>Assigned</b>	23-Jan-2012	<b>Screening</b>	7-Feb-2012
	<b>PCW</b>	11-May-2012	<b>EPA Due</b>	

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)		
<b>Reg. Ent. Ref. No.</b>	RN100211580		
<b>Facility/Site Region</b>	1-Amarillo	<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	43510	<b>No. of Violations</b>	1
<b>Docket No.</b>	2012-0326-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>	Kimberly Morales
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$3,750
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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>	0.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustment for compliance history.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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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>	\$375
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$15	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$750	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$3,375
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$3,375
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$3,375
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$675
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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>	\$2,700
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**Screening Date** 7-Feb-2012

**Docket No.** 2012-0326-AIR-E

**PCW**

**Respondent** Bravo Natural Gas, LLC (Burnett Main and B Com)

Policy Revision 3 (September 2011)

**Case ID No.** 43510

PCW Revision August 3, 2011

**Reg. Ent. Reference No.** RN100211580

**Media [Statute]** Air

**Enf. Coordinator** Kimberly Morales

### 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 adjustment for compliance history.

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

>> **Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 0%

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett Main and B Compressor Static)

Policy Revision 3 (September 2011)

Case ID No. 43510

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100211580

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(C), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit No. O3161, General Terms and Conditions

Violation Description Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 15.0%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

130 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
Single event	X

mark only one with an x

Violation Base Penalty \$3,750

One single event is recommended for the one report not submitted.

Good Faith Efforts to Comply

10.0% Reduction

\$375

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

Notes

The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$15

Violation Final Penalty Total \$3,375

This violation Final Assessed Penalty (adjusted for limits) \$3,375

# Economic Benefit Worksheet

**Respondent:** Bravo Natural Gas, LLC (Burnett Main and B Compressor Station)  
**Case ID No.:** 43510  
**Reg. Ent. Reference No.:** RN100211580  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

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	\$750	30-Sep-2011	24-Feb-2012	0.40	\$15	n/a	\$15
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 expense to implement measures and procedures to ensure the timely submittal of semi-annual deviation reports. The Date Required was the due date for the semi-annual report. The Final Date is the date that corrective measures were completed.

### 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

\$750

**TOTAL**

\$15



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	Assigned	23-Jan-2012		
	PCW	11-May-2012	Screening	7-Feb-2012
			EPA Due	

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Bravo Natural Gas, LLC (Burnett A Compressor Station)		
<b>Reg. Ent. Ref. No.</b>	RN100212414		
<b>Facility/Site Region</b>	1-Amarillo	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	43510	<b>No. of Violations</b>	1
<b>Docket No.</b>	2012-0326-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>	Kimberly Morales
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$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    
 Approx. Cost of Compliance    
 \*Capped at the Total EB \$ Amount

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

**Notes**

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  Reduction **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes**

**PAYABLE PENALTY**

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett A Compressor Station)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100212414

Media [Statute] Air

Enf. Coordinator Kimberly Morales

### 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 adjustment for compliance history.

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

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett A Compressor Station)

Policy Revision 2 (September 2002)

Case ID No. 43510

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100212414

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit No. O671/General Operating Permit No. 514; Site-wide requirements (b)(2)

Violation Description Failed to submit a Permit Compliance Certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011.

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 25%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

29 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$2,500

One single event is recommended for the one PCC that was submitted late.

Good Faith Efforts to Comply

10.0% Reduction

\$250

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$35

Violation Final Penalty Total \$2,250

This violation Final Assessed Penalty (adjusted for limits) \$2,250

# Economic Benefit Worksheet

**Respondent** Bravo Natural Gas, LLC (Burnett A Compressor Station)  
**Case ID No.** 43510  
**Reg. Ent. Reference No.** RN100212414  
**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				0.00	\$0	n/a	\$0
Training/Sampling	\$750	30-Mar-2011	24-Feb-2012	0.91	\$34	n/a	\$34
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Mar-2011	28-Apr-2011	0.08	\$1	n/a	\$1

**Notes for DELAYED costs**

Estimated expense to submit the PCC for the certification period from March 1, 2010 through February 28, 2011 and to implement measures and procedures to ensure the timely submittal of PCCs. The Date Required was the due date for the PCC. The Final Date of April 28, 2011 is the date the PCC was submitted. The Final Date of February 24, 2012 is the date that additional corrective measures were completed.

**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

\$1,000

**TOTAL**

\$35



# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	23-Jan-2012	<b>Screening</b>	7-Feb-2012	<b>EPA Due</b>	
	<b>PCW</b>	11-May-2012				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Bravo Natural Gas, LLC (Burnett A Compressor Station)		
<b>Reg. Ent. Ref. No.</b>	RN100212414		
<b>Facility/Site Region</b>	1-Amarillo	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	43510	<b>No. of Violations</b>	1
<b>Docket No.</b>	2012-0326-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>	Kimberly Morales
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$3,750
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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>	0.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustment for compliance history.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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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>	\$375
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$15
Approx. Cost of Compliance	\$750

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$3,375
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$3,375
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$3,375
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$675
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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>	\$2,700
------------------------	---------

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett A Compressor St

Policy Revision 3 (September 2011)

Case ID No. 43510

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100212414

Media [Statute] Air

Enf. Coordinator Kimberly Morales

### 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 adjustment for compliance history.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 0%

Screening Date 7-Feb-2012

Docket No. 2012-0326-AIR-E

PCW

Respondent Bravo Natural Gas, LLC (Burnett A Compressor Station)

Policy Revision 3 (September 2011)

Case ID No. 43510

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100212414

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(C), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit No. O671/General Operating Permit No. 514, Site-wide requirements (b)(2)

Violation Description

Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 15.0%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

130 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$3,750

One single event is recommended for the one report not submitted.

Good Faith Efforts to Comply

10.0% Reduction

\$375

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

Notes

The Respondent completed corrective measures by February 24, 2012, after the January 20, 2012 NOE.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$15

Violation Final Penalty Total \$3,375

This violation Final Assessed Penalty (adjusted for limits) \$3,375

# Economic Benefit Worksheet

**Respondent:** Bravo Natural Gas, LLC (Burnett A Compressor Station)  
**Case ID No.:** 43510  
**Req. Ent. Reference No.:** RN100212414  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

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	\$750	30-Sep-2011	24-Feb-2012	0.40	\$15	n/a	\$15
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 expense to implement measures and procedures to ensure the timely submittal of semi-annual deviation reports. The Date Required was the due date for the semi-annual report. The Final Date is the date that corrective measures were completed.

### 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

\$750

**TOTAL**

\$15

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603830407 Bravo Natural Gas, LLC Classification: AVERAGE Rating: 12.77

Regulated Entity: RN100211580 BURNETT MAIN AND B COMPRESSOR STATION Classification: AVERAGE Site Rating: 0.43

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	CF0094I
AIR OPERATING PERMITS	PERMIT	3161
AIR NEW SOURCE PERMITS	REGISTRATION	26745
AIR NEW SOURCE PERMITS	REGISTRATION	26744
AIR NEW SOURCE PERMITS	REGISTRATION	31316
AIR NEW SOURCE PERMITS	PERMIT	47943
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CF0094I
AIR NEW SOURCE PERMITS	REGISTRATION	55549
AIR NEW SOURCE PERMITS	AFS NUM	4806500046
AIR NEW SOURCE PERMITS	REGISTRATION	55546
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	CF0094I

Location: ELEVEN MILES SOUTH OF BORGER ON STATE HIGHWAY 207, CARSON COUNTY, TEXAS

TCEQ Region: REGION 01 - AMARILLO

Date Compliance History Prepared: February 06, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 06, 2007 to February 06, 2012

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

Name: Kimberly Morales Phone: (713) 422-8938

## 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. If YES, when did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 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 04/17/2008 (646558)

2 07/02/2009 (760619)

3 12/23/2009 (785915)

4 08/17/2011 (906591)

5 01/20/2012 (977385)

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

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603830407 Bravo Natural Gas, LLC Classification: AVERAGE Rating: 12.77

Regulated Entity: RN100212414 BURNETT A COMPRESSOR STATION Classification: HIGH Site Rating: 0.00

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	CF0089B
AIR OPERATING PERMITS	PERMIT	671
AIR NEW SOURCE PERMITS	AFS NUM	4806500044
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CF0089B
AIR NEW SOURCE PERMITS	REGISTRATION	45964
AIR NEW SOURCE PERMITS	REGISTRATION	45971
AIR NEW SOURCE PERMITS	REGISTRATION	45965
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	CF0089B

Location: ELEVEN MILES SOUTH OF BORGER ON STATE HIGHWAY 207, CARSON COUNTY, TEXAS

TCEQ Region: REGION 01 - AMARILLO

Date Compliance History Prepared: February 06, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 06, 2007 to February 06, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Kimberly Morales Phone: (713) 422-8938

## 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? YES
3. If YES, who is the current owner/operator? Bravo Natural Gas, LLC, OWNER OPERATOR since 07/01/2010
4. If YES, who was/were the prior owner(s)/operator(s)? ConocoPhillips Company, OWNER OPERATOR, 12/31/2002 to 7/1/2010
5. If YES, when did the change(s) in owner or operator occur? 7/1/2010
6. Rating Date: 9/1/2011 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 04/17/2008 (646469)

2 07/06/2009 (710335)

3 04/16/2010 (799353)

4 08/17/2011 (948748)

5 01/20/2012 (977320)

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

N/A

E. Environmental audits.

N/A

F. Type of environmental management systems (EMSs).

N/A

G. 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

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603830407 Bravo Natural Gas, LLC Classification: AVERAGE Rating: 12.77

Regulated Entity: RN100217462 SNEED PLANT Classification: AVERAGE Site Rating: 2.25

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	MR0026R
AIR OPERATING PERMITS	PERMIT	366
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	64515
AIR NEW SOURCE PERMITS	AFS NUM	4834100026
AIR NEW SOURCE PERMITS	REGISTRATION	72520
AIR NEW SOURCE PERMITS	REGISTRATION	72528
AIR NEW SOURCE PERMITS	REGISTRATION	35725
AIR NEW SOURCE PERMITS	REGISTRATION	33648
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	MR0026R

Location: 10531 SNEED ROAD, STINNETT, MOORE COUNTY TEXAS

TCEQ Region: REGION 01 - AMARILLO

Date Compliance History Prepared: February 06, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 06, 2007 to February 06, 2012

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

Name: Kimberly Morales Phone: (713) 422-8938

## 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? YES
3. If YES, who is the current owner/operator? Bravo Natural Gas, LLC, OWNER OPERATOR since 07/01/2010
4. If YES, who was/were the prior owner(s)/operator(s)? Anadarko Gathering Company, OWNER OPERATOR, until 7/1/2010  
ConocoPhillips Company, OWNER OPERATOR, 2/1/2005 to 7/1/2010
5. If YES, when did the change(s) in owner or operator occur? 7/1/2010
6. Rating Date: 9/1/2011 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 04/12/2007 (538793)
- 2 03/06/2008 (637182)
- 3 05/15/2008 (671104)
- 4 07/30/2009 (763234)
- 5 09/30/2009 (777759)
- 6 08/11/2010 (830357)
- 7 04/06/2011 (906502)
- 8 01/20/2012 (976241)

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

Date: 04/13/2007 (538793) CN603830407  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)  
Description: Company submitted an inaccurate Annual Compliance Certification for the period of 2/01/2006 through 01/31/2007

Date: 03/07/2008 (637182) CN603830407  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
Description: Conoco Phillips is not in compliance with all of the applicable State (30 TAC Chapters 101 through 122) rules and regulations which were reviewed during this investigation. The company failed to submit a deviation report by the required 30 day timeframe. An NOV will be issued for this violation.

Date: 07/31/2009 (763234) CN603830407  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
GOP O-000366 OP  
Description: Conoco Phillips failed to submit a Certification by Responsible Official form with a deviation report. The report was submitted on August 29, 2008 for the certification period February 01, 2008 through July 31, 2008.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)  
O-000366 OP  
Description: Failed to submit an accurate end date for a certification period on an ACC. The company reported that the end date for the certification period was July 31, 2009. The actual end date was January 31, 2009.

Date: 08/11/2010 (830357) CN603830407  
Self Report? NO Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.775(c)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to submit initial notification of area source status under MACT HH by deadline  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)  
5C THSC Chapter 382 382.085(b)

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

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  
BRAVO NATURAL GAS, LLC  
RN100217462, RN100212414,  
AND RN100211580

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY  
§

**AGREED ORDER**  
**DOCKET NO. 2012-0326-AIR-E**

**I. JURISDICTION AND STIPULATIONS**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Bravo Natural Gas, 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 together stipulate that:

1. The Respondent owns and operates three natural gas compression stations (collectively known as the "Stations"):
  - a. Sneed Plant located at 10531 Sneed Road in Stinnett, Moore County, Texas ("Station 1"); and
  - b. Burnett A Compressor Station ("Station 2") and Burnett Main and B Compressor Station ("Station 3") located eleven miles south of Borger on State Highway 207 in Carson County, Texas.
2. The Stations consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director 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 notices of the violations alleged in Section II ("Allegations") on or about January 25, 2012.

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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 Sixteen Thousand Eight Hundred Forty Dollars (\$16,840) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Thirteen Thousand Four Hundred Seventy-Two Dollars (\$13,472) of the administrative penalty and Three Thousand Three Hundred Sixty-Eight Dollars (\$3,368) 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 agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that by February 24, 2012, the Respondent implemented policies and procedures at the Stations to ensure the timely submittal of Permit Compliance Certifications ("PCCs") and semi-annual deviation reports, including assigning all environmental reporting to one person in the corporate office, ensuring that all necessary data has been obtained so that reporting can be completed in advance of the due date, and creating a corporate compliance calendar with all reporting deadlines annotated.
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 Stations, the Respondent is alleged to have:

1. Failed to submit a PCC for Station 1 within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O366/General

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- Operating Permit ("GOP") No. 514, Site-wide requirements ("SWR") (b)(2), as documented during a record review conducted on January 6, 2012. Specifically, the PCC for the certification period from February 1, 2010 through January 31, 2011 was due on March 2, 2011, but was not submitted until April 28, 2011.
2. Failed to submit a semi-annual deviation report for Station 1 within 30 days after the end of the reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O366/GOP No. 514, SWR (b)(2), as documented during a record review conducted on January 6, 2012. Specifically, the semi-annual deviation report for the reporting period from February 1, 2011 through July 31, 2011 was due on August 30, 2011, but has not yet been submitted.
  3. Failed to submit a PCC for Station 2 within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O671/GOP No. 514, SWR (b)(2), as documented during a record review conducted on January 6, 2012. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011.
  4. Failed to submit a semi-annual deviation report for Station 2 within 30 days after the end of the reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O671/GOP No. 514, SWR (b)(2), as documented during a record review conducted on January 6, 2012. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted.
  5. Failed to submit a PCC for Station 3 within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O3161, General Terms and Conditions ("GTC"), as documented during a record review conducted on January 6, 2012. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 was due on March 30, 2011, but was not submitted until April 28, 2011.
  6. Failed to submit an accurate PCC for Station 3, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(5), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O3161, GTC, as documented during a record review conducted on January 6, 2012. Specifically, the PCC for the certification period from March 1, 2010 through February 28, 2011 did not include all deviations.
  7. Failed to submit a semi-annual deviation report for Station 3 within 30 days after the end of the reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O3161, GTC, as documented during a record review conducted on January 6, 2012. Specifically, the semi-annual deviation report for the reporting period from March 1, 2011 through August 31, 2011 was due on September 30, 2011, but has not yet been submitted.

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### 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: Bravo Natural Gas, LLC, Docket No. 2012-0326-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 operations at the Stations 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.

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## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

8/10/12  
\_\_\_\_\_  
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

5/23/12  
\_\_\_\_\_  
Date

CHARLES R. STEPHENSON  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Bravo Natural Gas, LLC

President & CEO  
\_\_\_\_\_  
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.