

Executive Summary – Enforcement Matter – Case No. 42869

Davis Gas Processing, Inc.

RN100217686

Docket No. 2011-2008-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Big Lake Gas Plant, located six miles east of Big Lake and one mile south of United States

Highway 67, Reagan County

Type of Operation:

Natural gas compression and treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 4, 2012

Comments Received: No

Penalty Information

Total Penalty Assessed: \$14,161

Amount Deferred for Expedited Settlement: \$2,832

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$11,329

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and September 2011

Executive Summary – Enforcement Matter – Case No. 42869

Davis Gas Processing, Inc.

RN100217686

Docket No. 2011-2008-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: November 14, 2011

Date(s) of NOE(s): September 12, 2011; October 4, 2011; October 13, 2011; October 28, 2011; November 4, 2011; and November 30, 2011

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, Respondent released 4,988.94 pounds (“lbs”) of sulfur dioxide (“SO₂”), 82.40 lbs of carbon monoxide (“CO”), 53.00 lbs of hydrogen sulfide (“H₂S”), 51.23 lbs of volatile organic compounds (“VOC”), and 42.61 lbs of nitrogen oxides (“NO_x”) from the Plant Flare, Emissions Point Number (“EPN”) 17, during an emissions event (Incident No. 155062) that began on May 24, 2011 and lasted six hours and 30 minutes. The emissions event was caused when the acid gas compressor shut down from low suction pressure and the amine still pressure became too high. Since this emissions event was reported late, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, Special Conditions (“SC”) No. 1; Federal Operating Permit (“FOP”) No. O3060, Special Terms and Conditions (“STC”) No. 5 and General Terms and Conditions (“GTC”); and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to submit an initial notification for Incident No. 155062 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by May 25, 2011 at 2:00 p.m., but was not submitted until May 30, 2011 at 11:18 a.m. [30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to prevent unauthorized emissions. Specifically, Respondent released 960.99 lbs of SO₂, 21.47 lbs of CO, 10.00 lbs of H₂S, 6.23 lbs of VOC, and 2.92 lbs of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 156106) that began on June 23, 2011 and lasted one hour and 19 minutes. The emissions event occurred when the acid gas compressor shut down due to a high discharge temperature. Since this emissions event was reported late, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to submit an initial notification for Incident No. 156106 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by June 24, 2011 at 12:24 p.m., but was not submitted until June 24, 2011 at 2:22 p.m. [30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to prevent unauthorized emissions. Specifically, Respondent released 1,621.69 lbs of SO₂, 17.20 lbs of H₂S, 5.11 lbs of CO, 1.35 lbs of VOC, and 0.61 lb of NO_x from the

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Davis Gas Processing, Inc.
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August 8, 2011 and lasted one hour and 28 minutes. The emissions event occurred when the acid gas compressor shut down due to a third party power dip. Since this emissions event was reported late, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to submit an initial notification for Incident No. 157881 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by August 9, 2011 at 3:05 p.m., but was not submitted until August 10, 2011 at 4:35 p.m. [30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to prevent unauthorized emissions. Specifically, Respondent released 797.29 lbs of SO₂, 12.57 lbs of CO, 8.50 lbs of H₂S, 3.02 lbs of VOC, and 1.45 lbs of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 159321) that began on September 16, 2011 and lasted 50 minutes. The emissions event was caused when the acid gas compressor shut down due to low suction. Since this emissions event was reported late, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to submit an initial notification for Incident No. 159321 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by September 17, 2011 at 9:07 a.m., but was not submitted until September 17, 2011 at 2:19 p.m. [30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that:

- a. On May 24, 2011, operations personnel worked to reset the suction on the acid gas compressor and restart the compressor in order to minimize emissions and correct Incident No. 155062;
- b. On June 23, 2011, operations personnel replaced failed valves and cylinder rings, restarted the acid gas compressor, and repaired the residue gas analyzer and returned it to service in order to minimize emissions and correct Incident No. 156106;
- c. On August 8, 2011, operations personnel restarted the acid gas compressor once power was restored in order to minimize emissions and correct Incident No. 157881;

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d. By September 20, 2011, the plant foreman and environmental staff trained plant personnel on proper emissions event reporting procedures; and

e. On October 17, 2011, Respondent began automated control of the suction pressure by the Plant's process logic controller in order to prevent a recurrence of emissions events due to the same cause as Incident No. 159321.

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: Richard D. Hatchett, Vice President, Davis Gas Processing, Inc., 211 North Colorado Street, Midland, Texas 79701

Bob Stewart, Environmental Coordinator, Davis Gas Processing, Inc., 211 North Colorado Street, Midland, Texas 79701

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	12-Dec-2011	Screening	28-Dec-2011	EPA Due	30-Jun-2012
	PCW	28-Dec-2011				

RESPONDENT/FACILITY INFORMATION	
Respondent	Davis Gas Processing, Inc.
Reg. Ent. Ref. No.	RN100217686
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	42869	No. of Violations	2
Docket No.	2011-2008-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **\$4,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **45.0%** Enhancement *Subtotals 2, 3, & 7* **\$1,800**

Notes: Enhancement for five NOVs with same/similar violations and one order with denial of liability.

Culpability **No** **0.0%** Enhancement *Subtotal 4* **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments *Subtotal 5* **\$999**

Economic Benefit **0.0%** Enhancement* *Subtotal 6* **\$0**

Total EB Amounts \$2
Approx. Cost of Compliance \$1,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 *Final Subtotal* **\$4,801**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** *Adjustment* **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$4,801**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **\$4,801**

DEFERRAL **20.0%** Reduction *Adjustment* **-\$960**

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

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY **\$3,841**

Screening Date 28-Dec-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 3 (September 2011)

Case ID No. 42869

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100217686

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>)	5	25%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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) 45%

>> **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 five NOVs with same/similar violations and one order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 45%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 45%

Screening Date 28-Dec-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 3 (September 2011)

Case ID No. 42869

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100217686

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); Permit No. 48944, Special Conditions No. 1; Federal Operating Permit No. 03060, Special Terms and Conditions No. 5 and General Terms and Conditions; and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 797.29 pounds ("lbs") of sulfur dioxide, 12.57 lbs of carbon monoxide, 8.50 lbs of hydrogen sulfide, 3.02 lbs of volatile organic compounds, and 1.45 lbs of nitrogen oxides from the Plant Flare, Emissions Point Number 17, during an emissions event (Incident No. 159321) that began on September 16, 2011 and lasted 50 minutes. The emissions event was caused when the acid gas compressor shut down due to low suction. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

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

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$937

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

Notes

The Respondent completed corrective actions on October 17, 2011, prior to the November 30, 2011 NOE.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$4,501

This violation Final Assessed Penalty (adjusted for limits) \$4,501

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
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				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)	\$500	16-Sep-2011	17-Oct-2011	0.08	\$2	n/a	\$2

Notes for DELAYED costs

Estimated cost to begin automated control of the suction pressure by the Plant's process logic controller. The Date Required is the date of the emissions event. The Final Date is the date that corrective actions 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

\$500

TOTAL

\$2

Screening Date 28-Dec-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 3 (September 2011)

Case ID No. 42869

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100217686

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 159321 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by September 17, 2011 at 9:07 a.m., but was not submitted until September 17, 2011 at 2:19 p.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirements.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$62

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

Notes The Respondent completed corrective actions on September 20, 2011, prior to the November 30, 2011 NOE.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$301

This violation Final Assessed Penalty (adjusted for limits) \$301

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Req. Ent. Reference No. RN100217686
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	17-Sep-2011	20-Sep-2011	0.01	\$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

Estimated cost to implement improvements to training, operation, or maintenance procedures designed to prevent the late submittal of emissions event notifications. The Date Required is the date the initial notification was due. The Final Date is the date that corrective actions 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	\$500	TOTAL	\$0
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Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	10-Oct-2011	Screening	28-Oct-2011	EPA Due	30-Jun-2012
	PCW	8-Nov-2011				

RESPONDENT/FACILITY INFORMATION

Respondent	Davis Gas Processing, Inc.				
Reg. Ent. Ref. No.	RN100217686				
Facility/Site Region	8-San Angelo	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	42869	No. of Violations	6
Docket No.	2011-2008-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$7,800**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **45.0%** Enhancement **Subtotals 2, 3, & 7** **\$3,510**

Notes: Enhancement for five NOV's with same/similar violations and one order with denial of liability.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$1,950**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts \$8
Approx. Cost of Compliance \$2,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$9,360**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$9,360**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$9,360**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$1,872**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY **\$7,488**

Screening Date 28-Oct-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 2 (September 2002)

Case ID No. 42869

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217686

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>)	5	25%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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) 45%

>> **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 five NOVs with same/similar violations and one order with denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 45%

Screening Date 28-Oct-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 2 (September 2002)

Case ID No. 42869

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217686

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); Permit No. 48944, Special Conditions ("SC") No. 1; Federal Operating Permit ("FOP") No. O3060, Special Terms and Conditions ("STC") No. 5 and General Terms and Conditions ("GTC"); and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,988.94 pounds ("lbs") of sulfur dioxide ("SO2"), 82.40 lbs of carbon monoxide ("CO"), 53.00 lbs of hydrogen sulfide ("H2S"), 51.23 lbs of volatile organic compounds ("VOC"), and 42.61 lbs of nitrogen oxides ("NOx") from the Plant Flare, Emissions Point Number ("EPN") 17, during an emissions event (Incident No. 155062) that began on May 24, 2011 and lasted six hours and 30 minutes. The emissions event was caused when the acid gas compressor shut down from low suction pressure and the amine still pressure became too high. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (25%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (0%).

Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants which do 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 1 Number of violation days 1

Table with columns: Frequency (daily, weekly, monthly, quarterly, semiannual, annual, single event), mark only one with an x.

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$625

Table with columns: Extraordinary, Ordinary, N/A, Before NOV, NOV to EDRP/Settlement Offer.

Notes The Respondent completed corrective actions on May 24, 2011, prior to the October 4, 2011 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,000

This violation Final Assessed Penalty (adjusted for limits) \$3,000

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Req. Ent. Reference No. RN100217686
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				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)	\$500	24-May-2011	24-May-2011	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for operations personnel to reset the suction on the acid gas compressor and restart the compressor. The Date Required is the date of the emissions event. The Final Date is the date that corrective actions 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	\$500	TOTAL	\$0
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Screening Date 28-Oct-2011
Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Docket No. 2011-2008-AIR-E

PCW

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

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification for Incident No. 155062 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by May 25, 2011 at 2:00 p.m., but was not submitted until May 30, 2011 at 11:18 a.m.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1%"/>

Matrix Notes The Respondent met at least 70% of the rule requirements.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	(mark with x)

Notes The Respondent completed corrective actions on September 20, 2011, prior to the October 4, 2011 NOE.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	25-May-2011	20-Sep-2011	0.32	\$8	n/a	\$8
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 to implement improvements to training, operation, or maintenance procedures designed to prevent the late submittal of emissions event notifications. The Date Required is the date the initial notification was due. The Final Date is the date that corrective actions 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 \$500

TOTAL \$8

Screening Date 28-Oct-2011
Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Docket No. 2011-2008-AIR-E

PCW

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

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 960.99 lbs of SO₂, 21.47 lbs of CO, 10.00 lbs of H₂S, 6.23 lbs of VOC, and 2.92 lbs of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 156106) that began on June 23, 2011 and lasted one hour and 19 minutes. The emissions event occurred when the acid gas compressor shut down due to a high discharge temperature. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

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 do 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 1

1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly 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 completed corrective actions on June 23, 2011, prior to the October 28, 2011 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,000

This violation Final Assessed Penalty (adjusted for limits) \$3,000

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Req. Ent. Reference No. RN100217686
Media Air
Violation No. 3

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				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)	\$500	23-Jun-2011	23-Jun-2011	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for operations personnel to replace failed valves and cylinder rings, restart the acid gas compressor, and repair the residue gas analyzer and return it to service. The Date Required is the date of the emissions event. The Final Date is the date that corrective actions 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

\$500

TOTAL

\$0

Screening Date 28-Oct-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 2 (September 2002)

Case ID No. 42869

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217686

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 156106 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by June 24, 2011 at 12:24 p.m., but was not submitted until June 24, 2011 at 2:22 p.m.

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 met at least 70% of the rule requirements.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$25

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

Notes

The Respondent completed corrective actions on September 20, 2011, prior to the October 28, 2011 NOE.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$120

This violation Final Assessed Penalty (adjusted for limits) \$120

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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

Notes for DELAYED costs

The economic benefit for this violation is included in Violation No. 2.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 28-Oct-2011

Docket No. 2011-2008-AIR-E

PCW

Respondent Davis Gas Processing, Inc.

Policy Revision 2 (September 2002)

Case ID No. 42869

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100217686

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,621.69 lbs of SO2, 17.20 lbs of H2S, 5.11 lbs of CO, 1.35 lbs of VOC, and 0.61 lb of NOx from the Plant Flare, EPN 17, during an emissions event (Incident No. 157881) that began on August 8, 2011 and lasted one hour and 28 minutes. The emissions event occurred when the acid gas compressor shut down due to a third party power dip. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

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 do 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 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly 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 completed corrective actions on August 8, 2011, prior to the November 30, 2011 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,000

This violation Final Assessed Penalty (adjusted for limits) \$3,000

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Req. Ent. Reference No. RN100217686
Media Air
Violation No. 5

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)	\$500	8-Aug-2011	8-Aug-2011	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for operations personnel to restart the acid gas compressor once power had been restored. The Date Required is the date of the emissions event. The Final Date is the date that corrective actions were completed.

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

\$0

Screening Date 28-Oct-2011
Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Docket No. 2011-2008-AIR-E

PCW

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

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 157881 within 24 hours after discovery of the emissions event. Specifically, the initial notification was due by August 9, 2011 at 3:05 p.m., but was not submitted until August 10, 2011 at 4:35 p.m.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>

Percent

Matrix Notes

The Respondent met at least 70% of the rule requirements.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>
N/A	<input type="text"/> (mark with x)	

Notes: The Respondent completed corrective actions on September 20, 2011, prior to the November 30, 2011 NOE.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Davis Gas Processing, Inc.
Case ID No. 42869
Reg. Ent. Reference No. RN100217686
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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

Notes for DELAYED costs

The economic benefit for this violation is included in Violation No. 2.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Compliance History

Customer/Respondent/Owner-Operator: CN601282502 Davis Gas Processing, Inc. Classification: AVERAGE Rating: 4.90

Regulated Entity: RN100217686 BIG LAKE GAS PLANT Classification: AVERAGE Site Rating: 10.13

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	RC0001Q
AIR OPERATING PERMITS	PERMIT	380
AIR OPERATING PERMITS	PERMIT	3060
AIR OPERATING PERMITS	PERMIT	3060
AIR NEW SOURCE PERMITS	AFS NUM	4838300003
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	RC0009A
AIR NEW SOURCE PERMITS	PERMIT	48944
AIR NEW SOURCE PERMITS	REGISTRATION	49802
AIR NEW SOURCE PERMITS	AFS NUM	4838300019
AIR NEW SOURCE PERMITS	REGISTRATION	90541
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	RC0009A
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	RC0001Q

Location: SIX MILES EAST OF BIG LAKE AND ONE MILE SOUTH OF US HIGHWAY 67, REAGAN COUNTY, TEXAS

TCEQ Region: REGION 08 - SAN ANGELO

Date Compliance History Prepared: January 06, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 06, 2007 to January 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.

Effective Date: 05/22/2011

ADMINORDER 2009-1782-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GOP No O-00380, Site-wide (b)(1) and (2) OP

Description: Failed to certify compliance with the terms and conditions of the Title V permit for at least each 12 month period no later than 30 days after the end of the reporting period. Specifically, the annual certification for the period of August 5, 2008 through August 4, 2009 was due no later than September 3, 2009, and was not submitted until September 21, 2009.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GOP Number O3060, General Terms B2 OP

Description: Failed to submit deviation reports no later than 30 days after the end of the reporting period. Specifically, the deviation report for the period of August 5, 2008 through February 4, 2009 was due no later than March 6, 2009 and was not submitted until June 25, 2009; the deviation report for the reporting period of February 5, 2009 through August 4, 2009 was due no later than September 3, 2009 and was not submitted until September 21, 2009.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.390
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.764(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.765(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.771(d)(1)(i)(D)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 48944 Special Condition No. 1 PERMIT

Description: Failed to maintain compliance with the maximum allowable emissions rate table for volatile organic compounds ("VOC") at the dehydration unit [emission point number ("EPN") 12 EG Still Vent]. Specifically, the triethylene glycol emissions from the dehydration unit required a modification of the control process on November 1, 2002, and this change did not occur until August 19, 2009. During the time period from November 1, 2002 until August 19, 2009, the following VOC emissions were released....

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter F 122.503(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-00380 Site-wide requirements (b)(5) OP

Description: Failed to submit an application for a new Authorization to Operate under the GOP. Specifically, the change from ethylene glycol to triethylene glycol required an application for a new authorization to operate on November 1, 2002. The new permit was not granted until October 5, 2009.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 514 Site-wide requirements (b)(1)&(2) OP

Description: Failed to report all instances of deviations no later than 30 days after the end of the reporting period. Specifically, the deviation report for the reporting period of August 5, 2002 through February 4, 2003, failed to include the deviation of the change in use from ethylene glycol to triethylene glycol on November 1, 2002; it was not included in a report until September 21, 2009 (2,391 days late)

Classification: Moderate

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

Description: Failed to submit a complete and accurate Emissions Inventory ("EI"). Specifically, the EI for the years 2002 through 2007 and 2009 did not contain accurate information.

Classification: Minor

Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 101, SubChapter A 101.27(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to pay outstanding air emissions fees for Financial Administration Account No. 21004388.

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	02/27/2007	(542296)
2	04/05/2007	(556272)
3	05/30/2007	(562287)
4	09/17/2007	(567772)
5	08/07/2007	(569790)
6	08/07/2007	(571432)
7	09/06/2007	(593483)
8	09/12/2007	(594228)
9	09/19/2008	(703255)
10	09/19/2008	(703292)
11	12/19/2008	(721960)
12	05/19/2009	(746168)
13	06/16/2009	(749639)
14	10/21/2009	(777227)
15	10/12/2009	(777778)
16	12/28/2009	(786618)
17	02/24/2010	(793085)
18	03/29/2010	(797344)
19	04/20/2010	(799429)
20	05/11/2010	(801667)
21	06/16/2010	(827138)
22	01/12/2011	(887342)
23	01/21/2011	(890688)
24	03/10/2011	(899589)
25	05/27/2011	(922519)
26	06/17/2011	(923666)

27 07/01/2011 (936444)
 28 07/11/2011 (937461)
 29 07/15/2011 (941051)
 30 10/04/2011 (944129)
 31 10/28/2011 (962119)
 32 11/30/2011 (965017)
 33 11/30/2011 (968555)

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

Date: 08/03/2007 (567772)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
 5C THC Chapter 382, SubChapter A 382.014
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to submit a 2006 Emissions Inventory: Category B19(g)(3)

Date: 08/07/2007 (569790) CN601282502
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 112, SubChapter B 112.32
 Description: Failure to prevent emissions of hydrogen sulfide from sources operated at the Big Lake Gas Plant from exceeding a net ground level concentration of 0.12 ppm averaged over a 30-minute period

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Permit No 48944, Special Condition 6 PERMIT
 Description: Failure to maintain records of all H2S leaks, repairs, and replacements made to process piping, valves, pumps, and compressors in H2S service

Date: 09/19/2008 (703292) CN601282502
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
 Description: Failure to notify the TCEQ of a reportable emissions event within 24 hours after the discovery of the event

Date: 09/19/2008 (703255) CN601282502
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 Description: Failure to report all instances of deviations, the probable cause of the deviations, and any corrective actions or preventative measures taken for each emission unit addressed in the GOP

Date: 05/27/2011 (922519) CN601282502
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to submit the compliance certification within 30 days after the end of the certification period.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to submit a deviation report within 30 days after the end of the reporting period.

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
DAVIS GAS PROCESSING, INC.
RN100217686**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2011-2008-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 Davis Gas Processing, Inc. ("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 compression and treatment plant located six miles east of Big Lake and one mile south of United States Highway 67 in Reagan 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 notices of the violations alleged in Section II ("Allegations") on or about October 9, November 2, and December 5, 2011.
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 Fourteen Thousand One Hundred Sixty-One Dollars (\$14,161) is assessed by the Commission in settlement of the violations alleged in

Section II ("Allegations"). The Respondent has paid Eleven Thousand Three Hundred Twenty-Nine Dollars (\$11,329) of the administrative penalty and Two Thousand Eight Hundred Thirty-Two Dollars (\$2,832) 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:
 - a. On May 24, 2011, operations personnel worked to reset the suction on the acid gas compressor and restart the compressor in order to minimize emissions and correct Incident No. 155062;
 - b. On June 23, 2011, operations personnel replaced failed valves and cylinder rings, restarted the acid gas compressor, and repaired the residue gas analyzer and returned it to service in order to minimize emissions and correct Incident No. 156106;
 - c. On August 8, 2011, operations personnel restarted the acid gas compressor once power was restored in order to minimize emissions and correct Incident No. 157881;
 - d. By September 20, 2011, the plant foreman and environmental staff trained plant personnel on proper emissions event reporting procedures; and
 - e. On October 17, 2011, the Respondent began automated control of the suction pressure by the Plant's process logic controller in order to prevent a recurrence of emissions events due to the same cause as Incident No. 159321.
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 prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, Special Conditions ("SC") No. 1; Federal Operating Permit ("FOP") No. O3060, Special Terms and Conditions ("STC") No. 5 and General Terms and Conditions ("GTC"); and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on September 12, 2011. Specifically, the Respondent released 4,988.94 pounds ("lbs") of sulfur dioxide ("SO₂"), 82.40 lbs of carbon monoxide ("CO"), 53.00 lbs of hydrogen sulfide ("H₂S"), 51.23 lbs of volatile organic compounds ("VOC"), and 42.61 lbs of nitrogen oxides ("NO_x") from the Plant Flare, Emissions Point Number ("EPN") 17, during an emissions event (Incident No. 155062) that began on May 24, 2011 and lasted six hours and 30 minutes. The emissions event was caused when the acid gas compressor shut down from low suction pressure and the amine still pressure became too high. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
2. Failed to submit an initial notification for Incident No. 155062 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on September 12, 2011. Specifically, the initial notification was due by May 25, 2011 at 2:00 p.m., but was not submitted until May 30, 2011 at 11:18 a.m.
3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on October 13, 2011. Specifically, the Respondent released 960.99 lbs of SO₂, 21.47 lbs of CO, 10.00 lbs of H₂S, 6.23 lbs of VOC, and 2.92 lbs of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 156106) that began on June 23, 2011 and lasted one hour and 19 minutes. The emissions event occurred when the acid gas compressor shut down due to a high discharge temperature. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. Failed to submit an initial notification for Incident No. 156106 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on October 13, 2011. Specifically, the initial notification was due by June 24, 2011 at 12:24 p.m., but was not submitted until June 24, 2011 at 2:22 p.m.
5. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 4, 2011. Specifically, the Respondent released 1,621.69 lbs of SO₂, 17.20 lbs of H₂S, 5.11 lbs of CO, 1.35 lbs of VOC, and 0.61 lb of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 157881) that began on August 8, 2011 and lasted one hour and 28 minutes. The emissions event occurred when

the acid gas compressor shut down due to a third party power dip. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

6. Failed to submit an initial notification for Incident No. 157881 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 4, 2011. Specifically, the initial notification was due by August 9, 2011 at 3:05 p.m., but was not submitted until August 10, 2011 at 4:35 p.m.
7. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); Permit No. 48944, SC No. 1; FOP No. O3060, STC No. 5 and GTC; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 14, 2011. Specifically, the Respondent released 797.29 lbs of SO₂, 12.57 lbs of CO, 8.50 lbs of H₂S, 3.02 lbs of VOC, and 1.45 lbs of NO_x from the Plant Flare, EPN 17, during an emissions event (Incident No. 159321) that began on September 16, 2011 and lasted 50 minutes. The emissions event was caused when the acid gas compressor shut down due to low suction. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
8. Failed to submit an initial notification for Incident No. 159321 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 14, 2011. Specifically, the initial notification was due by September 17, 2011 at 9:07 a.m., but was not submitted until September 17, 2011 at 2:19 p.m.

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: Davis Gas Processing, Inc., Docket No. 2011-2008-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

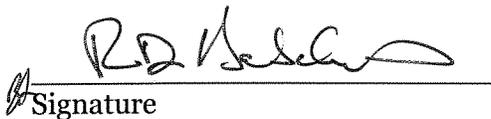
5/21/12
Date

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

3/22/2012
Date

Richard D. Hatchett
Name (Printed or typed)
Authorized Representative of
Davis Gas Processing, Inc.

Vice President
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.