

Executive Summary – Enforcement Matter – Case No. 45826

WTG Jameson, LP

RN101246478

Docket No. 2012-2691-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Jameson Gas Plant, 1000 Gas Plant Road, Silver, Coke County

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 26, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$21,264

Amount Deferred for Expedited Settlement: \$4,252

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$17,012

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Executive Summary – Enforcement Matter – Case No. 45826

WTG Jameson, LP

RN101246478

Docket No. 2012-2691-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 5, 2012 and November 9 and 12, 2012

Date(s) of NOE(s): October 10, 2012 and December 7, 2012

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, Respondent released 5,451.55 pounds ("lbs") of carbon monoxide ("CO"), 5,415.85 lbs of volatile organic compounds ("VOC"), 2,732.56 lbs of nitrogen oxides ("NO_x"), 1,054.52 lbs of sulfur dioxide ("SO₂"), and 11.21 lbs of hydrogen sulfide ("H₂S") from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 171853) that began on August 1, 2012, and lasted 72 hours. The emissions event occurred due to a malfunction with the condensate separator level controller. As the level controller malfunctioned, reading a level that was lower than actual, condensate backed up into the process, resulting in amine system treating problems and subsequent flaring. Since the emissions event was not properly reported, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [Federal Operating Permit ("FOP") No. O865, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, Respondent released 2,514.49 lbs of VOC, 2,396.64 lbs of CO, 1,206.93 lbs of SO₂, 1,201.72 lbs of NO_x, and 12.84 lbs of H₂S from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 172109) that began on August 7, 2012, and lasted 72 hours. The emissions event occurred during a period of higher than normal inlet gas flow rates while one of the inlet compression units was shutdown. This combination of events resulted in the need to flare excess gas. Since the emissions event was not properly reported, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [FOP No. O865, GTC and STC No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, Respondent released 1,819.08 lbs of CO, 1,061.85 lbs of VOC, 913.98 lbs of NO_x, and 579.65 lbs of SO₂ from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 170344) that began on June 21, 2012, and lasted 17 hours and 30 minutes. The emissions event occurred when hydrates formed in the Nitrogen Treating Unit and a total Plant shut down occurred. Since the emissions event was not properly reported, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [FOP No. O865, GTC and STC No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Executive Summary – Enforcement Matter – Case No. 45826
WTG Jameson, LP
RN101246478
Docket No. 2012-2691-AIR-E

4. Failed to report Incident Nos. 171853, 172109, and 170344 within 24 hours after discovery. Specifically, Incident No. 171853 was discovered on August 1, 2012 at 12:00 a.m. and the event was not reported until August 2, 2012 at 7:58 p.m.; Incident No. 172109 was discovered on August 7, 2012 at 12:00 a.m. and the event was not reported until August 9, 2012 at 3:11 p.m.; and Incident No. 170344 was discovered on June 21, 2012 at 2:15 p.m. and the event was not reported until June 26, 2012 at 11:36 p.m. [FOP No. 0865, GTC and STC No. 2.F., 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On August 11, 2012, Respondent conducted employee training on emissions event reporting requirements, installed a flare volume alarm, and made improvements to the operations software to ensure emissions events are properly reported and prevent the recurrence of emissions events similar to Incident Nos. 171853, 172109, and 170344.

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: Rebecca Johnson, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: J.L. Davis, President, WTG Jameson, LP, 211 North Colorado, 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	10-Dec-2012	Screening	14-Dec-2012	EPA Due	3-Sep-2013
	PCW	26-Apr-2013				

RESPONDENT/FACILITY INFORMATION	
Respondent	WTG Jameson, LP
Reg. Ent. Ref. No.	RN101246478
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	45826	No. of Violations	4
Docket No.	2012-2691-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rebecca Johnson
		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	\$15,750
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	60.0% Enhancement	Subtotals 2, 3, & 7	\$9,450
---------------------------	--------------------------	--------------------------------	----------------

Notes	Enhancement for three orders 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	\$3,936
--	-------------------	----------------

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

Total EB Amounts	\$17	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$2,500	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$21,264
-----------------------------	-----------------------	-----------------

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
--------------	--

Final Penalty Amount	\$21,264
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$21,264
-----------------------------------	-------------------------------	-----------------

DEFERRAL	20.0% Reduction	Adjustment	-\$4,252
-----------------	------------------------	-------------------	-----------------

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	\$17,012
------------------------	-----------------

Screening Date 14-Dec-2012

Docket No. 2012-2691-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 3 (September 2011)

Case ID No. 45826

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

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>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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) 60%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three orders with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 60%

Screening Date 14-Dec-2012
Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
Media [Statute] Air
Enf. Coordinator Rebecca Johnson

Docket No. 2012-2691-AIR-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number 1

Rule Cite(s) Federal Operating Permit ("FOP") No. 0865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,451.55 pounds ("lbs") of carbon monoxide ("CO"), 5,415.85 lbs of volatile organic compounds ("VOC"), 2,732.56 lbs of nitrogen oxides ("NOx"), 1,054.52 lbs of sulfur dioxide ("SO2"), and 11.21 lbs of hydrogen sulfide ("H2S") from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 171853) that began on August 1, 2012, and lasted 72 hours. The emissions event occurred due to a malfunction with the condensate separator level controller. As the level controller malfunctioned, reading a level that was lower than actual, condensate backed up into the process, resulting in amine system treating problems and subsequent flaring. Since the emissions event was not properly reported, 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			Percent
		Major	Moderate	Minor	
	Actual		X		30.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$1,875

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

Notes: The Respondent completed corrective actions on August 11, 2012, prior to the December 7, 2012 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$10,125

This violation Final Assessed Penalty (adjusted for limits) \$10,125

Economic Benefit Worksheet

Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The Economic Benefit for this violation is included in Violation No. 3.

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 14-Dec-2012
Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
Media [Statute] Air
Enf. Coordinator Rebecca Johnson

Docket No. 2012-2691-AIR-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number

Rule Cite(s)

FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,514.49 lbs of VOC, 2,396.64 lbs of CO, 1,206.93 lbs of SO₂, 1,201.72 lbs of NO_x, and 12.84 lbs of H₂S from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 172109) that began on August 7, 2012, and lasted 72 hours. The emissions event occurred during a period of higher than normal inlet gas flow rates while one of the inlet compression units was shutdown. This combination of events resulted in the need to flare excess gas. Since the emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text" value="15.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

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 this violation.

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 checked="" type="checkbox"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

One quarterly 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 August 11, 2012, prior to the December 7, 2012 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 WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
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
<small>No commas or \$</small>							

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. 3.

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 14-Dec-2012
Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
Media [Statute] Air
Enf. Coordinator Rebecca Johnson

Docket No. 2012-2691-AIR-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number
Rule Cite(s)

FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,819.08 lbs of CO, 1,061.85 lbs of VOC, 913.98 lbs of NOx, and 579.65 lbs of SO2 from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 170344) that began on June 21, 2012, and lasted 17 hours and 30 minutes. The emissions event occurred when hydrates formed in the Nitrogen Treating Unit and a total Plant shut down occurred. Since the emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>
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 type="text"/>

Percent

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 this violation.

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 checked="" type="text" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One quarterly 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="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	(mark with x)

Notes: The Respondent completed corrective actions on August 11, 2012, prior to the October 10, 2012 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 WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
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	\$500	21-Jun-2012	11-Aug-2012	0.14	\$3	n/a	\$3
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	21-Jun-2012	11-Aug-2012	0.14	\$10	n/a	\$10

Notes for DELAYED costs

Estimated cost to conduct employee training, install a flare volume alarm, and make improvements to operations software to prevent the recurrence of similar emissions events. The Date Required is the date the first emissions event began. The Final Date is the date 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

\$2,000

TOTAL

\$14

Screening Date 14-Dec-2012
Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
Media [Statute] Air
Enf. Coordinator Rebecca Johnson

Docket No. 2012-2691-AIR-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number 4

Rule Cite(s) FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 2.F., 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report Incident Nos. 171853, 172109, and 170344 within 24 hours after discovery. Specifically, Incident No. 171853 was discovered on August 1, 2012 at 12:00 a.m. and the event was not reported until August 2, 2012 at 7:58 p.m.; Incident No. 172109 was discovered on August 7, 2012 at 12:00 a.m. and the event was not reported until August 9, 2012 at 3:11 p.m.; and Incident No. 170344 was discovered on June 21, 2012 at 2:15 p.m. and the event was not reported until June 26, 2012 at 11:36 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 failed to comply with less than 30% of the rule requirements.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 3 Number of violation days 6

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$750

Three single events are recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$187

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

Notes The Respondent completed corrective actions on August 11, 2012, prior to the October 10, 2012 and December 7, 2012 NOEs.

Violation Subtotal \$563

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$1,013

This violation Final Assessed Penalty (adjusted for limits) \$1,013

Economic Benefit Worksheet

Respondent WTG Jameson, LP
Case ID No. 45826
Reg. Ent. Reference No. RN101246478
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
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	22-Jun-2012	11-Aug-2012	0.14	\$3	n/a	\$3
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 conducted employee training on emissions event reporting requirements to ensure emissions events are properly reported. The Date Required is the earliest date an initial notification was due. The Final Date is the date 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

\$3



Compliance History Report

PUBLISHED Compliance History Report for CN602679813, RN101246478, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator:	CN602679813, WTG Jameson, LP	Classification:	SATISFACTORY	Rating:	10.38
Regulated Entity:	RN101246478, JAMESON GAS PLANT	Classification:	SATISFACTORY	Rating:	27.42
Complexity Points:	15	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	1000 GAS PLANT ROAD, SILVER, COKE COUNTY, TX				
TCEQ Region:	REGION 08 - SAN ANGELO				

ID Number(s):

AIR NEW SOURCE PERMITS PERMIT 9941	AIR NEW SOURCE PERMITS PERMIT 8425
AIR NEW SOURCE PERMITS REGISTRATION 38792	AIR NEW SOURCE PERMITS REGISTRATION 44641
AIR NEW SOURCE PERMITS REGISTRATION 48204	AIR NEW SOURCE PERMITS ACCOUNT NUMBER CN0003A
AIR NEW SOURCE PERMITS REGISTRATION 52491	AIR NEW SOURCE PERMITS REGISTRATION 52966
AIR NEW SOURCE PERMITS AFS NUM 4808100001	AIR NEW SOURCE PERMITS EPA PERMIT PSDTX687
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX372M1	AIR NEW SOURCE PERMITS PERMIT 55477
AIR NEW SOURCE PERMITS REGISTRATION 53545	AIR NEW SOURCE PERMITS REGISTRATION 53544
AIR NEW SOURCE PERMITS REGISTRATION 52489	AIR NEW SOURCE PERMITS REGISTRATION 52490
AIR NEW SOURCE PERMITS REGISTRATION 52554	AIR NEW SOURCE PERMITS REGISTRATION 53757
AIR NEW SOURCE PERMITS REGISTRATION 89323	AIR NEW SOURCE PERMITS REGISTRATION 90828
AIR OPERATING PERMITS PERMIT 2428	AIR OPERATING PERMITS ACCOUNT NUMBER CN0003A
AIR OPERATING PERMITS PERMIT 865	AIR EMISSIONS INVENTORY ACCOUNT NUMBER CN0003A

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

Date Compliance History Report Prepared: January 04, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 04, 2008 to January 04, 2013

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Rebecca Johnson

Phone: (361) 825-3423

Site and Owner/Operator History:

- 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 for #2, who is the current owner/operator? N/A
- 4) If YES for #2, 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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 11/27/2009 ADMINORDER 2008-0979-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SOP O865, Special Condition 3 OP
Description: Failed to conduct quarterly observations for visible emissions from all stationary vents for emission units in

operation.

Classification: Moderate

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

Rqmt Prov: SOP O865, Special Condition 7 OP

Description: Failed to conduct weekly visible emissions observations and to keep appropriate records for the acid gas flare (EPN 384).

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 5 PERMIT

Description: Failed to calculate the the mass rate of hydrogen sulfide ("H2S") in pounds per hour ("lbs/hr") that is sent to the acid gas flare (EPN 384) at least daily and to calculate the total annual quantity at the end of each calender year in tons per year, in order to determine compliance with sulfur dioxide emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit # 55477, Special Condition 5 PERMIT

Description: Failed to conduct initial stack sampling for carbon monoxide ("CO") and nitrogen oxide ("NOx") on two of the four engines (EPN Nos. E-31-1, E-31-2, E-31-3 and E-31-4) authorized under the permit, within 180 days of the issuance of the permit on November 6, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit #55477, Special Condition 6 PERMIT

Description: Failed to conduct evaluations of the engine performance of EPN Nos. E-31-1, E-31-2, E-31-3 and E-31-4 within 360 days after the issuance of the permit, and quarterly thereafter, by measuring the NOx, CO and oxygen content of the exhaust and using the results to calculate emissions of NOx and CO in lbs/hr.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)
5C THSC Chapter 382 382.085(b)

Description: Failed to conduct testing for NOx and CO emissions from engine EPN Nos. E-1, E-44-1A, E-2 and E-44-1B at least biannually.

Classification: Moderate

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

Description: Failed to change oxygen sensors quarterly, and to perform required emissions testing within seven days of oxygen sensor replacements for EPN Nos. E-1, E-2, E-3, E-44-1A, E-44-1B, E-45-1B, 36-6, 36-7 and 36-8.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.147(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to install, calibrate, maintain and operate a monitoring system for engines that are subject to Compliance Assurance Monitoring ("CAM") requirements.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.221(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit a significant revision for SOP O865 to the TCEQ in a timely manner.

Classification: Minor

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

Description: Failed to report, in writing, to the TCEQ all instances of deviations documented in the investigation, in all deviation reports from the July 20, 2005 through January 19, 2006 reporting period to the present.

2

Effective Date: 11/27/2009 ADMINORDER 2009-0820-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 13 OP

Description: Failed to submit a complete and timely PCC for the January 20, 2008 through January 19, 2009 reporting period, as documented during an investigation conducted on May 19, 2009. Specifically, the Respondent failed to include the period January 20, 2008 through July 19, 2008 in the report, failed to submit the report by February 18, 2009, and failed to include a signed certification of accuracy and completeness by a responsible official.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a complete semi-annual deviation report for the January 20, 2008 through July 19, 2008 reporting period, as documented during an investigation conducted on May 19, 2009. Specifically, the Respondent failed to include the deviation for failing to conduct stack sampling for Emission Point Numbers E-31-1 and E-31-2.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a timely semi-annual deviation report for the period July 20, 2008 through January 19, 2009. Specifically, the report was due by February 18, 2009 but was not submitted until May 18, 2009.

3 Effective Date: 12/04/2010 ADMINORDER 2010-0826-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 5 PA

Description: Failed to submit an alternate sampling facility design for approval within 180 days after the permit was issued, as documented during an investigation conducted on April 9, 2010. Specifically, NSRP 55477 was issued on November 6, 2003 and no sampling platform has been constructed for Unit 650 [Emission Point No. ("EPN") E-31-1] and Unit 651 (EPN E-31-2) nor has the Respondent submitted an alternate sampling facility design

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	November 14, 2008	(708069)
Item 2	August 18, 2010	(849228)
Item 3	August 10, 2012	(1023654)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WTG JAMESON, LP
RN101246478

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2012-2691-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 WTG Jameson, LP ("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 a natural gas processing plant at 1000 Gas Plant Road in Silver, Coke 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 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 October 15, 2012 and December 12, 2012.
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 Twenty-One Thousand Two Hundred Sixty-Four Dollars (\$21,264) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seventeen Thousand Twelve Dollars (\$17,012) of the administrative penalty and Four Thousand

Two Hundred Fifty-Two Dollars (\$4,252) 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 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 on August 11, 2012, the Respondent conducted employee training on emissions event reporting requirements, installed a flare volume alarm, and made improvements to the operations software to ensure emissions events are properly reported and prevent the recurrence of emissions events similar to Incident Nos. 171853, 172109, and 170344.
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 Federal Operating Permit ("FOP") No. O865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 9, 2012. Specifically, the Respondent released 5,451.55 pounds ("lbs") of carbon monoxide ("CO"), 5,415.85 lbs of volatile organic compounds ("VOC"), 2,732.56 lbs of nitrogen oxides ("NO_x"), 1,054.52 lbs of sulfur dioxide ("SO₂"), and 11.21 lbs of hydrogen sulfide ("H₂S") from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 171853) that began on August 1, 2012, and lasted 72 hours. The emissions event occurred due to a malfunction with the condensate separator level controller. As the level controller malfunctioned, reading a level that was lower than actual, condensate backed up into the process, resulting in amine system treating problems and subsequent flaring.

Since the emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

2. Failed to prevent unauthorized emissions, in violation of FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 12, 2012. Specifically, the Respondent released 2,514.49 lbs of VOC, 2,396.64 lbs of CO, 1,206.93 lbs of SO₂, 1,201.72 lbs of NO_x, and 12.84 lbs of H₂S from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 172109) that began on August 7, 2012, and lasted 72 hours. The emissions event occurred during a period of higher than normal inlet gas flow rates while one of the inlet compression units was shutdown. This combination of events resulted in the need to flare excess gas. Since the emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. Failed to prevent unauthorized emissions, in violation of FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 9, Standard Permit Registration No. 53757, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on September 5, 2012. Specifically, the Respondent released 1,819.08 lbs of CO, 1,061.85 lbs of VOC, 913.98 lbs of NO_x, and 579.65 lbs of SO₂ from the High Pressure Flare and the Low Pressure Flare during an emissions event (Incident No. 170344) that began on June 21, 2012, and lasted 17 hours and 30 minutes. The emissions event occurred when hydrates formed in the Nitrogen Treating Unit and a total Plant shut down occurred. Since the emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. Failed to report Incident Nos. 171853, 172109, and 170344 within 24 hours after discovery, in violation of FOP No. O865, General Terms and Conditions and Special Terms and Conditions No. 2.F., 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during record reviews conducted on September 5, 2012, November 9, 2012, and November 12, 2012. Specifically, Incident No. 171853 was discovered on August 1, 2012 at 12:00 a.m. and the event was not reported until August 2, 2012 at 7:58 p.m.; Incident No. 172109 was discovered on August 7, 2012 at 12:00 a.m. and the event was not reported until August 9, 2012 at 3:11 p.m.; and Incident No. 170344 was discovered on June 21, 2012 at 2:15 p.m. and the event was not reported until June 26, 2012 at 11:36 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: WTG Jameson, LP, Docket No. 2012-2691-AIR-E" to:

Financial Administration Division, Revenue Operations 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Dawkins
For the Executive Director

8/13/13
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.

J.L. Davis
Signature

May 31, 2013
Date

J.L. Davis
Name (Printed or typed)
Authorized Representative of
WTG Jameson, LP

President
Title

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