

Executive Summary – Enforcement Matter – Case No. 49375

DCP Midstream, LP

RN100222330

Docket No. 2014-1410-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Goldsmith Gas Plant, located approximately 1.1 miles west of the intersection of State Highway 158 and Farm-to-Market Road 866, near Goldsmith, Ector 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: April 3, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$89,817

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$89,817

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: Yes, \$14,750

Applicable Penalty Policy: April 2014

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DCP Midstream, LP
RN100222330
Docket No. 2014-1410-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 17, 2014

Date(s) of NOE(s): August 18, 2014

Violation Information

1. Failed to submit an initial notification for Incident No. 184427 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2585, Special Terms and Conditions ("STC") No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to identify the agency-established Emission Point Number ("EPN") for all emission points [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(D) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to submit an initial notification for Incident No. 184928 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to submit an initial notification for Incident No. 185559 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222. [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No.

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O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to submit an initial notification for Incident No. 187074 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to submit an initial notification for Incident No. 188502 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

11. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

12. Failed to submit an initial notification for Incident No. 180546 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

13. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, New Source Review ("NSR") Permit Nos. 676A and PSDTX1246, Special Conditions ("SC") No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

14. Failed to submit an initial notification for Incident No. 188503 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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15. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

16. Failed to submit an initial notification for Incident No. 177067 within 24 hours after discovery of the emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

17. Failed to prevent unauthorized emissions. Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

a. By March 31, 2013, cleaned and insulated the hydrocarbon regulator in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 177067;

b. By August 31, 2013, installed an inlet cooler to reduce the temperature of combustion air in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 185559;

c. By November 9, 2013, installed a signal amplifier to ensure the turbine motor operates consistently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184928;

d. By December 10, 2013, provided training to Plant staff on the reporting requirements of 30 TEX. ADMIN. CODE ch. 101 emphasizing the 24-hour initial notification requirement in order to ensure that initial notifications for emissions events are reported in a timely manner;

e. By January 31, 2014, hired a new contractor to handle emissions events reporting in order to ensure that final reports for reportable emissions events include all required information; and

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RN100222330
Docket No. 2014-1410-AIR-E

f. By May 4, 2014, repaired the failed steam pressure controller and installed valves to prevent backflow of water into the steam system in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184427.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 187074, 188502, 180546, and 188503; and
- b. Within 45 days, submit written certification to demonstrate compliance with Ordering Provision 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: David Carney, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-2583; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Quentin Mendenhall, Environmental Manager, DCP Midstream, LP, 10 Desta Drive, Suite 400 West, Midland, Texas 79705
Renny R. Mooring, Director, DCP Midstream, LP, 10 Desta Drive, Suite 400 West, Midland, Texas 79705
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	25-Aug-2014	Screening	22-Sep-2014	EPA Due	15-May-2015
	PCW	13-Jan-2015				

RESPONDENT/FACILITY INFORMATION	
Respondent	DCP Midstream, LP
Reg. Ent. Ref. No.	RN100222330
Facility/Site Region	7-Midland
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	49375	No. of Violations	17
Docket No.	2014-1410-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	David Carney
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for two agreed orders with denial of liability and one agreed order without denial of liability. Reduction for two notices of intent to conduct an audit and two disclosures of violations.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
Estimated Cost of Compliance *Capped at the Total EB \$ Amount

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 22-Sep-2014

Docket No. 2014-1410-AIR-E

PCW

Respondent DCP Midstream, LP

Policy Revision 4 (April 2014)

Case ID No. 49375

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100222330

Media [Statute] Air

Enf. Coordinator David Carney

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>)	2	40%
	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	1	25%
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 judgments 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>)	2	-2%
	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>)	2	-4%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 59%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two agreed orders with denial of liability and one agreed order without denial of liability. Reduction for two notices of intent to conduct an audit and two disclosures of violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 59%

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2585, Special Terms and Conditions ("STC") No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification for Incident No. 184427 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 184427 was due by June 19, 2013 at 1:57 p.m., but was not submitted until June 19, 2013 at 2:18 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 At least 70% of the rule requirement was met.

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 NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes The Respondent came into compliance on December 10, 2013, prior to the Notice of Enforcement ("NOE") dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$24

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
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

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	\$1,000	19-Jun-2013	10-Dec-2013	0.48	\$24	n/a	\$24
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 provide training to Plant staff on the reporting requirements of 30 Tex. Admin. Code ch. 101 emphasizing the 24-hour initial notification requirement in order to ensure that initial notifications for emissions events are reported in a timely manner. The Date Required is the date the initial notification was due and the Final Date is the compliance date.

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	\$1,000	TOTAL	\$24
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Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b)(1)(D) and 122.143(4), FOP No. 02585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to identify the agency-established Emissions Point Number ("EPN") for all emission points involved in the emissions events in the final reports for Incident Nos. 184427 and 185559.

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="0.0%"/>
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 checked="" type="checkbox"/>	<input type="text" value="1.0%"/>

Matrix Notes

At least 70% of the rule requirement was met.

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

Two single events are recommended for the two incomplete reports.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDRP/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 came into compliance by January 31, 2014, prior to the NOE dated August 18, 2014.

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 DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)	\$5,000	2-Jul-2013	31-Jan-2014	0.58	\$146	n/a	\$146

Notes for DELAYED costs

Estimated cost to hire a new contractor to handle emissions events reporting in order to ensure that final reports for reportable emissions events include all required information. The Date Required is the date that the final report was due and the Final Date is the compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$146

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), FOP No. 02585, STC No. 8, Standard Permit No. 73563, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,705.31 pounds ("lbs") of sulfur dioxide ("SO2"), 1,095.79 lbs of volatile organic compounds ("VOC"), 498.28 lbs of carbon monoxide ("CO"), 72.8 lbs of hydrogen sulfide ("H2S"), and 21.31 lbs of nitrogen oxides ("NOx") from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 184427) that began on June 18, 2013 and lasted one hour and 34 minutes. The emissions event occurred when a steam pressure controller failed and allowed water to backflow into the steam system, causing a Plant shutdown which led to a surge of gas to the General Electric de Laval Turbine, Unit ID No. TUR-B3, causing it to trip offline and resulting in flaring of natural gas. 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

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

Reduction \$937

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

Notes

The Respondent came into compliance on May 4, 2014, prior to the NOE dated August 18, 2014.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$88

Violation Final Penalty Total \$5,026

This violation Final Assessed Penalty (adjusted for limits) \$5,026

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN10022330
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)	\$2,000	18-Jun-2013	4-May-2014	0.88	\$88	n/a	\$88

Notes for DELAYED costs

Estimated cost to repair the failed steam pressure controller and install valves to prevent backflow of water into the steam system in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184427. The Date Required is the date of the emissions event and the Final Date is the compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$88

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 02585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 184928 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 184928 was due by June 30, 2013 at 6:25 a.m., but was not submitted until July 1, 2013 at 9:23 a.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

1 Number of violation days

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

Notes: The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
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				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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014

Docket No. 2014-1410-AIR-E

PCW

Respondent DCP Midstream, LP

Policy Revision 4 (April 2014)

Case ID No. 49375

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100222330

Media [Statute] Air

Enf. Coordinator David Carney

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), FOP No. 02585, STC No. 8, Standard Permit No. 73563, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 15,916.5 lbs of SO2, 2,644.78 lbs of VOC, 1,274.98 lbs of CO, 172.8 lbs of H2S, and 161.6 lbs of NOx from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 184928) that began on June 29, 2013 and lasted three hours and 16 minutes. The emissions event occurred when slow electrical signals to the Inlet Compression Turbine, Unit ID No. TUR-A3, caused it to trip offline, which resulted in an increase of system pressure that led to flaring of natural gas. 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 30.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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 the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction

\$1,875

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

Notes

The Respondent came into compliance on November 9, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$82

Violation Final Penalty Total \$10,050

This violation Final Assessed Penalty (adjusted for limits) \$10,050

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 5

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)	\$4,486	29-Jun-2013	9-Nov-2013	0.36	\$82	n/a	\$82

Notes for DELAYED costs

Actual cost to install a signal amplifier to ensure the turbine motor operates consistently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184928. The Date Required is the date of the emissions event and the Final Date is the compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,486

TOTAL

\$82

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification for Incident No. 185559 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 185559 was due by July 14, 2013 at 6:15 p.m., but was not submitted until July 16, 2013 at 4:58 p.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			X	1.0%

Matrix Notes At least 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 2 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$62

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

Notes The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
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
<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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number

Rule Cite(s)

30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 856.06 lbs of SO₂, 122.4 lbs of VOC, and 9.29 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 185559) that began on July 13, 2013 and lasted three hours. The emissions event occurred when high ambient temperatures caused the Inlet Compression Turbine, Unit ID No. TUR-A3, to decrease fuel intake, which resulted in an increase in system pressure that led to flaring of natural gas. 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

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

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 the violation.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty

One quarterly event is recommended.

Good Faith Efforts to Comply

Reduction

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

Notes

The Respondent came into compliance on August 31, 2014, after the NOE dated August 18, 2014.

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 DCP Midstream, LP
Case ID No. 49375
Req. Ent. Reference No. RN100222330
Media Air
Violation No. 7

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)	\$700,594	13-Jul-2013	31-Aug-2013	0.13	\$4,703	n/a	\$4,703

Notes for DELAYED costs

Actual cost to install an inlet cooler to reduce the temperature of combustion air in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 185559. The Date Required is the date of the emissions event and the Final Date is the compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$700,594

TOTAL

\$4,703

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 8

Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 187074 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 187074 was due by August 21, 2013 at 12:00 a.m., but was not submitted until August 21, 2013 at 3:42 a.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

1 Number of violation days

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 NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes: The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 8

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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), FOP No. 02585, STC No. 8, Standard Permit No. 73563, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 19,802.72 lbs of SO₂, 3,213.43 lbs of VOC, 1,798.5 lbs of NO_x, 1,793.08 lbs of CO, and 214.99 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 187074) that began on August 20, 2013 and lasted three hours and 25 minutes. The emissions event occurred when the Inlet Compression Turbine, Unit ID No. TUR-A3, was shut down for emergency repairs; the shutdown of the turbine resulted in an increase in system pressure that led to flaring of natural gas. 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			Percent
		Major	Moderate	Minor	
	Actual		x		30.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0.0%

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 the 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

Reduction \$0

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

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$523

Violation Final Penalty Total \$11,925

This violation Final Assessed Penalty (adjusted for limits) \$11,925

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 9

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

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)	\$5,000	20-Aug-2013	22-Sep-2015	2.09	\$523	n/a	\$523

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 187074. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$523

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 10

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 188502 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 188502 was due by September 21, 2013 at 12:00 a.m., but was not submitted until September 21, 2013 at 5:11 a.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

At least 70% of the rule requirement was met.

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

Notes

The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 10

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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 11

Rule Cite(s)

30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), FOP No. 02585, STC No. 8, Standard Permit No. 73563, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 14,058.8 lbs of SO₂, 2,939.91 lbs of VOC, and 152.63 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 188502) that began on September 20, 2013 and lasted 21 hours and 44 minutes. The emissions event occurred when the Plant experienced flaring of natural gas after being started back up following an emergency shutdown; the flaring was caused by the Sulfur Recovery Unit ("SRU") not being online when operations were restarted. 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			Percent
		Major	Moderate	Minor	
	Actual		x		30.0%
	Potential				

>> Programmatic Matrix

	Major	Moderate	Minor	Percent
Falsification				0.0%

Matrix Notes

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 the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$501

Violation Final Penalty Total \$11,925

This violation Final Assessed Penalty (adjusted for limits) \$11,925

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 11

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)	\$5,000	20-Sep-2013	22-Sep-2015	2.01	\$501	n/a	\$501

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 188502. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$501

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

V12
Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 02585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 180546 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 180546 was due by March 16, 2013 at 7:01 p.m., but was not submitted until March 18, 2013 at 11:16 a.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="text" value="x"/>

Percent

Matrix Notes

At least 70% of the rule requirement was met.

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="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/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 came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

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 DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 12

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

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic Benefit included in Violation No. 1.

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

\$0

TOTAL

\$0

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. 02585, STC No. 8, New Source Review ("NSR") Permit Nos. 676A and PSDTX1246, Special Conditions ("SC") No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,257.65 lbs of SO₂, 111.37 lbs of H₂S, 75.34 lbs of CO, 8.77 lbs of NO_x, and 1.32 lbs of VOC from the Acid Gas Flare, EPN FLR01, during an emissions event (Incident No. 180546) that began on March 15, 2013 and lasted 2 hours. The emissions event occurred when the Plant experienced flaring of acid gas after being started back up following a shutdown; the flaring was caused by the SRU not being online when operations were restarted. 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			Percent
		Major	Moderate	Minor	
Actual			X		30.0%
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

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 the 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

0.0%

Reduction \$0

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

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$631

Violation Final Penalty Total \$11,925

This violation Final Assessed Penalty (adjusted for limits) \$11,925

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 13

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)	\$5,000	15-Mar-2013	22-Sep-2015	2.52	\$631	n/a	\$631

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 180546. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$631

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 14

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 02585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification for Incident No. 188503 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 188503 was due by September 21, 2013 at 12:01 a.m., but was not submitted until September 21, 2013 at 6:09 a.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	1.0%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events Number of violation days

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

Reduction \$62

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

Notes The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

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 DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 14

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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014
 Respondent DCP Midstream, LP
 Case ID No. 49375

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100222330

Media [Statute] Air

Enf. Coordinator David Carney

Violation Number 15

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 31,121 lbs of SO₂, 337.88 lbs of H₂S, 265.6 lbs of CO, 97.61 lbs of NO_x, and 4.23 lbs of VOC from the Acid Gas Flare, EPN FLR01, during an emissions event (Incident No. 188503) that began on September 20, 2013 and lasted 22 hours and 58 minutes. The emissions event occurred when the Plant experienced flaring of acid gas after being started back up following an emergency shutdown; the flaring was caused by the SRU not being online when operations were restarted. 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			Percent
		Major	Moderate	Minor	
	Actual	x			100.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$25,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$501

Violation Final Penalty Total \$39,750

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 15

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)	\$5,000	20-Sep-2013	22-Sep-2015	2.01	\$501	n/a	\$501

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 188503. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$501

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 16

Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 02585, STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 177067 within 24 hours after discovery of the emissions event. Specifically, the initial notification for Incident No. 177067 was due by December 11, 2012 at 12:00 a.m., but was not submitted until December 11, 2012 at 5:34 p.m.

Base Penalty \$25,000

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

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			X

Percent 1.0%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

1 **Number of violation days**

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 NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes

The Respondent came into compliance on December 10, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 16

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

Economic Benefit included in Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 22-Sep-2014
Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media [Statute] Air
Enf. Coordinator David Carney

Docket No. 2014-1410-AIR-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 17

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 730.95 lbs of SO2 and 28.37 lbs of H2S from the SRU Tail Gas Incinerator, EPN INCIN, during an emissions event (Incident No. 177067) that began on December 10, 2012 and lasted 14 hours. The emissions event occurred when cold weather caused the regulator controlling hydrocarbon flashback into the amine surge tank to fail and allow an excess amount of hydrocarbons, leading the amine feed pumps to trip offline, which then resulted in the flaring of natural gas. 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			Percent
		Major	Moderate	Minor	
	Actual			X	15.0%
	Potential				

>> 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 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

Reduction \$937

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

Notes The Respondent came into compliance on March 31, 2013, prior to the NOE dated August 18, 2014.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$30

Violation Final Penalty Total \$5,026

This violation Final Assessed Penalty (adjusted for limits) \$5,026

Economic Benefit Worksheet

Respondent DCP Midstream, LP
Case ID No. 49375
Reg. Ent. Reference No. RN100222330
Media Air
Violation No. 17

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)	\$2,000	10-Dec-2012	31-Mar-2013	0.30	\$30	n/a	\$30

Notes for DELAYED costs

Estimated cost to clean and insulate the hydrocarbon regulator in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 177067. The Date Required is the date of the emissions event and the Final Date is the compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$30



Compliance History Report

PUBLISHED Compliance History Report for CN601229917, RN100222330, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	CN601229917, DCP Midstream, LP	Classification: SATISFACTORY	Rating: 4.97
Regulated Entity:	RN100222330, Goldsmith Gas Plant	Classification: SATISFACTORY	Rating: 14.95
Complexity Points:	14	Repeat Violator: NO	
CH Group:	03 - Oil and Gas Extraction		
Location:	1.1 MILES WEST OF THE INTERSECTION OF TEXAS STATE HIGHWAY 158 AND FARM-TO-MARKET ROAD 866 NEAR GOLDSMITH, TEXAS, ECTOR COUNTY		
TCEQ Region:	REGION 07 - MIDLAND		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER EB0053J	AIR OPERATING PERMITS PERMIT 2585
AIR NEW SOURCE PERMITS REGISTRATION 10321	AIR NEW SOURCE PERMITS REGISTRATION 10532
AIR NEW SOURCE PERMITS REGISTRATION 12612A	AIR NEW SOURCE PERMITS PERMIT 676A
AIR NEW SOURCE PERMITS ACCOUNT NUMBER EB0053J	AIR NEW SOURCE PERMITS REGISTRATION 54944
AIR NEW SOURCE PERMITS REGISTRATION 73563	AIR NEW SOURCE PERMITS AFS NUM 4813500022
AIR NEW SOURCE PERMITS REGISTRATION 73567	AIR NEW SOURCE PERMITS REGISTRATION 76810
AIR NEW SOURCE PERMITS REGISTRATION 85276	AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1246
AIR EMISSIONS INVENTORY ACCOUNT NUMBER EB0053J	

Compliance History Period:	September 01, 2008 to August 31, 2013	Rating Year:	2013	Rating Date:	09/01/2013
Date Compliance History Report Prepared:	September 25, 2014				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	August 28, 2009 to August 28, 2014				

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

Name: TCEQ Staff Member **Phone:** (512) 239-2583

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: 02/05/2011 ADMINORDER 2010-1511-AIR-E (1660 Order-Agreed Order With Denial)
 - Classification: Moderate
 - Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 - Rqmt Prov: Permit 676A Special Condition 1 PERMIT
 SOP O2585 Special Terms and Conditions 7 PERMIT
 - Description: Failed to maintain compliance with the 481.70 pounds per hour ("lbs/hr") sulfur dioxide ("SO2") permitted emission limit for the tail gas incinerator stack. Specifically, the Respondent exceeded the permitted limit by at least 9

lbs/hr for 253 hourly instances during the January 1, 2009 through December 31, 2009 reporting period; resulting in the unauthorized release of 2,277 lbs of SO₂.

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: SOP Number O2585 Gen. Terms & Conditions PERMIT

Description: Failed to include all instances of deviations in the semi-annual deviation report for the period of January 1, 2009 through June 30, 2009. Specifically, the Respondent failed to include deviations for 194 instances when the temperature in the combustion chamber of the tail gas incinerator fell below 1,200 degrees Fahrenheit between February 26, 2009 through March 9, 2009.

2 Effective Date: 03/07/2011 ADMINORDER 2009-1821-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the initial notification for a reportable emissions event (Incident Number 115063) within 24 hours after discovery of the incident.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit Number 676A General Condition 8 PERMIT

Standard Permit, General Condition 8 PERMIT

Description: Failed to prevent the discharge of unauthorized emissions resulting from 28 emissions events associated with the B-Turbine

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the initial notifications for Emissions Event Incidents Number 119050 and 121907 within 24 hours after discovery of the incidents.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the final report for reportable Emissions Event (Incident Number 121907) within 2 weeks after the end of the incident.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT

Standard Permit, General Condition 8 PERMIT

Description: Failed to prevent the discharge of unauthorized emissions resulting from 20 emissions events associated with the A-Turbine.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the initial notification for a reportable emissions event (Incident No. 128688) within 24 hours after discovery of the incident.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT

Standard Permit, General Condition 8 PERMIT

Description: Failed to prevent the discharge of unauthorized emissions resulting from 30 emissions events associated with the A-Turbine.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Standard Permit, General Condition 8 PERMIT

Description: Failed to prevent the discharge of unauthorized emissions resulting from 19 emissions events associated with the B-Turbine

3 Effective Date: 06/13/2013 ADMINORDER 2012-2393-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Standard Permit PERMIT

Description: Failure to comply with the emissions rate for nitrogen oxides, carbon monoxide, sulfur dioxide, volatile organic compounds, and hydrogen sulfide as authorized by Standard Permit Number 73563 in the Standard Permit Emissions Rate Table. The regulated entity failed to provide an acceptable affirmative defense for this emissions event since the unauthorized emissions resulted from human error that was preventable.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Standard Permit PERMIT

Description: Failure to comply with the emissions rate for nitrogen oxides, carbon monoxide, sulfur dioxide, volatile organic compounds, and hydrogen sulfide as authorized by Standard Permit Number 73563 in the Standard Permit Emissions Rate Table. The regulated entity failed to provide an acceptable affirmative defense for this emissions event since the unauthorized emissions resulted from human error that was preventable.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Standard Permit PERMIT

Description: Failure to comply with the emissions rate for nitrogen oxides, carbon monoxide, sulfur dioxide, volatile organic compounds, and hydrogen sulfide as authorized by Standard Permit Number 73563 in the Standard Permit Emissions Rate Table. The regulated entity failed to provide an acceptable affirmative defense for this emissions event since the unauthorized emissions resulted from human error that was preventable.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	September 23, 2009	(777059)
Item 2	October 14, 2009	(779227)
Item 3	December 02, 2009	(784085)
Item 4	December 03, 2009	(784325)
Item 5	January 12, 2010	(788058)
Item 6	January 13, 2010	(788269)
Item 7	January 15, 2010	(788457)
Item 8	January 27, 2010	(789774)
Item 9	January 28, 2010	(789962)
Item 10	January 29, 2010	(790207)
Item 11	February 01, 2010	(790391)
Item 12	February 02, 2010	(790481)
Item 13	February 03, 2010	(790685)
Item 14	February 04, 2010	(790922)
Item 15	January 21, 2011	(892502)
Item 16	March 01, 2011	(900925)
Item 17	May 24, 2011	(921474)
Item 18	September 01, 2011	(950270)
Item 19	September 07, 2011	(952285)
Item 20	September 09, 2011	(955622)
Item 21	September 23, 2011	(957450)
Item 22	September 26, 2011	(957346)
Item 23	September 30, 2011	(958101)
Item 24	October 13, 2011	(962401)
Item 25	October 17, 2011	(962680)
Item 26	October 24, 2011	(963446)
Item 27	October 31, 2011	(964212)
Item 28	November 30, 2011	(969901)
Item 29	March 02, 2012	(989848)
Item 30	March 06, 2012	(990012)
Item 31	March 08, 2012	(990339)
Item 32	March 09, 2012	(993540)

Item 33	March 12, 2012	(993654)
Item 34	March 14, 2012	(993946)
Item 35	March 16, 2012	(994495)
Item 36	July 13, 2012	(1020034)
Item 37	July 19, 2012	(1020890)
Item 38	July 20, 2012	(1021083)
Item 39	July 27, 2012	(1021773)
Item 40	August 03, 2012	(1023054)
Item 41	September 04, 2012	(1028160)
Item 42	September 18, 2012	(1034484)
Item 43	October 18, 2012	(1041105)
Item 44	October 22, 2012	(1041183)
Item 45	December 10, 2012	(1050904)
Item 46	December 12, 2012	(1051349)
Item 47	December 13, 2012	(1051383)
Item 48	January 10, 2013	(1053432)
Item 49	May 02, 2013	(1087825)
Item 50	July 15, 2013	(1102449)
Item 51	August 01, 2013	(1105234)
Item 52	August 13, 2013	(1103445)
Item 53	August 16, 2013	(1113612)
Item 54	July 07, 2014	(1179242)
Item 55	July 14, 2014	(1179737)

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:

Notice of Intent Date: 09/23/2010 (869950)

Disclosure Date: 11/17/2010

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter O 106.352(5)
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP SC8

Description: Failure to register with the Commission, using Form PI-7 along with supporting documentation that all requirements of PBR No. 106.352 will be met, before operation begins.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.132(e)
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Gen. Conds.

Description: Failure to submit a Title V permit revision. DCP discovered that LACT Tank No. 2 at the Goldsmith Gas Plant has been operated without being incorporated into Title V Permit No. O-2585.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP SC8

Description: Failure to register with the Commission, using Form PI-7 along with supporting documentation that all requirements of Standard Exemption 66 will be met, before operation begins.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.132(e)
30 TAC Chapter 122, SubChapter C 122.210(a)
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Gen. Conds. and SC8

Description: Failure to register with the Commission, using Form PI-7 along with supporting documentation that all requirements of Standard Exemption 66 will be met, before operation begins. Specifically, this is for facilities handling sour gas.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Gen. Conds.

Description: Failure to ensure that all permit information is complete. TANK-8 was formerly a pressurized vessel, but triggered NSPS Subpart Kb requirements approx. 10 yrs ago when it was converted to atmospheric service. Although NSPS Subpart Kb applicability was accurately represented in the application for the Title V General Operating Permit, now void, DCP discovered pursuant to the audit that Kb applicability for the tank is not reflected in the current Site Operating Permit, No. O-2585.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.132(e)
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Gen. Conds.

Description: Failure to submit a Title V permit revision. On January 27, 2011, DCP disclosed under the Audit Act that the following fuel storage tanks at the Goldsmith Gas Plant have been operated without being incorporated into Title V Permit No. O-2585: a 270-gallon diesel storage tank, a 10,000-gallon gasoline tank, and a 2,200-gallon diesel tank.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145
30 TAC Chapter 122, SubChapter B 122.146
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Gen. Conds.

Description: Failed to include the violations disclosed in this Appendix as deviations in the Title V deviation reports and annual certification reports submitted for the Goldsmith Gas Plant for the approximately 5-year period covering 2006 through 6-30-10. Although DCP discovered the disclosed violations only through an audit which went above and beyond the reasonable inquiry required by 30 TAC 122.165(b), out of an abundance of caution, DCP is disclosing as violations the lack of deviation reporting.

Notice of Intent Date: 12/20/2012 (1089141)

Disclosure Date: 07/30/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 106, SubChapter A 106.6(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Special Conditions 2, 4, and 5

Description: Failed to report 11 reportable emission events and failed to create final records for the emission events. Additionally, there were 122 emission events that were required to be recorded, but were not identified or recorded until discovered as a result of this audit. The period of this disclosure is from January 1, 2010 through May 31, 2013.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 106, SubChapter A 106.6(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Special Conditions 2, 4, and 5
PERMIT Standard Permit

Description: Failed to identify and record 32 emission events that were required to be recorded.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 106, SubChapter A 106.6(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Special Conditions 2, 4, and 5
PERMIT Standard Permit

Description: Failed to report 4 reportable emission events and failed to create final records for the emission events. Additionally, there were 8 emission events that were required to be recorded, but were not identified or recorded until discovered as a result of this audit. The period of this disclosure is from January 1, 2010 through May 31, 2013.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145

30 TAC Chapter 122, SubChapter B 122.146

5C THSC Chapter 382 382.085

2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: OP Special Condition 7

Description: Failed to include the violations disclosed in the preliminary disclosure of violations as deviations in the Title V reports submitted for Goldsmith Gas Plant for the period covering January 1, 2010 through May 31, 2013.

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
DCP MIDSTREAM, LP
RN100222330

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2014-1410-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding DCP Midstream, 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 presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a natural gas processing plant located approximately 1.1 miles west of the intersection of Texas State Highway 158 and Farm-to-Market Road 866 near Goldsmith, Ector County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE §382.003(12).
3. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 184427 was due by June 19, 2013 at 1:57 p.m., but was not submitted until June 19, 2013 at 2:18 p.m.
4. During a record review conducted on July 17, 2014, TCEQ staff documented that the final reports for Incident Nos. 184427 and 185559 did not identify the agency-established Emissions Point Number ("EPN") for all emission points involved in the emissions events.
5. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 6,705.31 pounds ("lbs") of sulfur dioxide ("SO₂"), 1,095.79 lbs of volatile organic compounds ("VOC"), 498.28 lbs of carbon monoxide ("CO"), 72.8 lbs of hydrogen sulfide ("H₂S"), and 21.31 lbs of nitrogen oxides ("NO_x") from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 184427) that began on June 18, 2013 and lasted one hour and 34 minutes. The emissions event occurred when a steam pressure controller failed and allowed water to backflow into the steam system, causing a Plant shutdown which led to a surge of gas to the General Electric de Laval Turbine, Unit ID No. TUR-B3, causing it to trip offline and resulting in flaring of natural gas. The TCEQ determined that the emissions event was reported late.
6. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 184928 was due by June 30, 2013 at 6:25 a.m., but was not submitted until July 1, 2013 at 9:23 a.m.
7. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 15,916.5 lbs of SO₂, 2,644.78 lbs of VOC, 1,274.98 lbs of CO, 172.8 lbs of H₂S, and 161.6 lbs of NO_x from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 184928) that began on June 29, 2013 and lasted three hours and 16 minutes. The emissions event occurred when slow electrical signals to the Inlet Compression Turbine, Unit ID No. TUR-A3, caused it to trip offline, which resulted in an increase of system pressure that led to flaring of natural gas. The TCEQ determined that the emissions event was reported late.
8. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 185559 was due by July 14, 2013 at 6:15 p.m., but was not submitted until July 16, 2013 at 4:58 p.m.
9. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 856.06 lbs of SO₂, 122.4 lbs of VOC, and 9.29 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 185559) that began on July 13, 2013 and lasted three hours. The emissions event occurred when high ambient temperatures caused the Inlet Compression Turbine, Unit ID No. TUR-A3, to decrease fuel intake, which resulted in an increase in system pressure

- that led to flaring of natural gas. The TCEQ determined that the emissions event was reported late.
10. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 187074 was due by August 21, 2013 at 12:00 a.m., but was not submitted until August 21, 2013 at 3:42 a.m.
 11. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 19,802.72 lbs of SO₂, 3,213.43 lbs of VOC, 1,798.5 lbs of NO_x, 1,793.08 lbs of CO, and 214.99 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 187074) that began on August 20, 2013 and lasted three hours and 25 minutes. The emissions event occurred when the Inlet Compression Turbine, Unit ID No. TUR-A3, was shut down for emergency repairs; the shutdown of the turbine resulted in an increase in system pressure that led to flaring of natural gas. The TCEQ determined that the emissions event was reported late.
 12. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 188502 was due by September 21, 2013 at 12:00 a.m., but was not submitted until September 21, 2013 at 5:11 a.m.
 13. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 14,058.8 lbs of SO₂, 2,939.91 lbs of VOC, and 152.63 lbs of H₂S from the Residue Compression Flare, EPN FLR03, during an emissions event (Incident No. 188502) that began on September 20, 2013 and lasted 21 hours and 44 minutes. The emissions event occurred when the Plant experienced flaring of natural gas after being started back up following an emergency shutdown; the flaring was caused by the Sulfur Recovery Unit ("SRU") not being online when operations were restarted. The TCEQ determined that the emissions event was reported late.
 14. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 180546 was due by March 16, 2013 at 7:01 p.m., but was not submitted until March 18, 2013 at 11:16 a.m.
 15. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 10,257.65 lbs of SO₂, 111.37 lbs of H₂S, 75.34 lbs of CO, 8.77 lbs of NO_x, and 1.32 lbs of VOC from the Acid Gas Flare, EPN FLR01, during an emissions event (Incident No. 180546) that began on March 15, 2013 and lasted 2 hours. The emissions event occurred when the Plant experienced flaring of acid gas after being started back up following a shutdown; the flaring was caused by the SRU not being online when operations were restarted. The TCEQ determined that the emissions event was reported late.
 16. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 188503 was due by September 21, 2013 at 12:01 a.m., but was not submitted until September 21, 2013 at 6:09 a.m.

17. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 31,121 lbs of SO₂, 337.88 lbs of H₂S, 265.6 lbs of CO, 97.61 lbs of NO_x, and 4.23 lbs of VOC from the Acid Gas Flare, EPN FLR01, during an emissions event (Incident No. 188503) that began on September 20, 2013 and lasted 22 hours and 58 minutes. The emissions event occurred when the Plant experienced flaring of acid gas after being started back up following an emergency shutdown; the flaring was caused by the SRU not being online when operations were restarted. The TCEQ determined that the emissions event was reported late.
18. During a record review conducted on July 17, 2014, TCEQ staff documented that the initial notification for Incident No. 177067 was due by December 11, 2012 at 12:00 a.m., but was not submitted until December 11, 2012 at 5:34 p.m.
19. During a record review conducted on July 17, 2014, TCEQ staff documented that the Respondent released 730.95 lbs of SO₂ and 28.37 lbs of H₂S from the SRU Tail Gas Incinerator, EPN INCIN, during an emissions event (Incident No. 177067) that began on December 10, 2012 and lasted 14 hours. The emissions event occurred when cold weather caused the regulator controlling hydrocarbon flashback into the amine surge tank to fail and allow an excess amount of hydrocarbons, leading the amine feed pumps to trip offline, which then resulted in the flaring of natural gas. The TCEQ determined that the emissions event was reported late.
20. The Respondent received notice of the violations on August 21, 2014.
21. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By March 31, 2013, cleaned and insulated the hydrocarbon regulator in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 177067;
 - b. By August 31, 2013, installed an inlet cooler to reduce the temperature of combustion air in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 185559;
 - c. By November 9, 2013, installed a signal amplifier to ensure the turbine motor operates consistently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184928;
 - d. By December 10, 2013, provided training to Plant staff on the reporting requirements of 30 TEX. ADMIN. CODE ch. 101 emphasizing the 24-hour initial notification requirement in order to ensure that initial notifications for emissions events are reported in a timely manner;

- e. By January 31, 2014, hired a new contractor to handle emissions events reporting in order to ensure that final reports for reportable emissions events include all required information; and
- f. By May 4, 2014, repaired the failed steam pressure controller and installed valves to prevent backflow of water into the steam system in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 184427.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to submit an initial notification for Incident No. 184427 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2585, Special Terms and Conditions ("STC") No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to identify the agency-established EPN for all emission points, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(D) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to submit an initial notification for Incident No. 184928 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
7. As evidenced by Findings of Fact No. 8, the Respondent failed to submit an initial notification for Incident No. 185559 within 24 hours after discovery of the emissions

event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).

8. As evidenced by Findings of Fact No. 9, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
9. As evidenced by Findings of Fact No. 10, the Respondent failed to submit an initial notification for Incident No. 187074 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
10. As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
11. As evidenced by Findings of Fact No. 12, the Respondent failed to submit an initial notification for Incident No. 188502 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
12. As evidenced by Findings of Fact No. 13, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), FOP No. O2585, STC No. 8, Standard Permit No. 73563, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
13. As evidenced by Findings of Fact No. 14, the Respondent failed to submit an initial notification for Incident No. 180546 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
14. As evidenced by Findings of Fact No. 15, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, New Source Review ("NSR") Permit Nos. 676A and PSDTX1246, Special Conditions ("SC") No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

15. As evidenced by Findings of Fact No. 16, the Respondent failed to submit an initial notification for Incident No. 188503 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
16. As evidenced by Findings of Fact No. 17, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
17. As evidenced by Findings of Fact No. 18, the Respondent failed to submit an initial notification for Incident No. 177067 within 24 hours after discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2585, STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b).
18. As evidenced by Findings of Fact No. 19, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP No. O2585, STC No. 8, NSR Permit Nos. 676A and PSDTX1246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
19. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
20. An administrative penalty in the amount of Eighty-Nine Thousand Eight Hundred Seventeen Dollars (\$89,817) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Eighty-Nine Thousand Eight Hundred Seventeen Dollar (\$89,817) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Eighty-Nine Thousand Eight Hundred Seventeen Dollars (\$89,817) as set forth in Section II, Paragraph 20 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and

conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: DCP Midstream, LP, Docket No. 2014-1410-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 Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 187074, 188502, 180546, and 188503; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Midland Regional Office
Texas Commission on Environmental Quality
9900 W. IH-20, Ste. 100
Midland, Texas 79706

3. 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.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.
8. 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.
9. 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.

10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Perma Monica J
For the Executive Director

5/29/15
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of DCP Midstream, LP. I am authorized to agree to the attached Agreed Order on behalf of DCP Midstream, LP, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, DCP Midstream, LP waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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.

RR Mearring
Signature

2-10-2015
Date

Renny R. Mearring
Name (Printed or typed)
Authorized Representative of
DCP Midstream, LP

Director
Title

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