

Executive Summary – Enforcement Matter – Case No. 50500

Regency Field Services LLC

RN100217843

Docket No. 2015-0707-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Tippett Gas Plant, located six miles south of McCamey on State Highway 1901, Crockett 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: October 16, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$11,475

Amount Deferred for Expedited Settlement: \$2,295

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$9,180

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: N/A

Applicable Penalty Policy: April 2014

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Regency Field Services LLC
RN100217843
Docket No. 2015-0707-AIR-E

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: February 20, 2015
Date(s) of NOE(s): April 10, 2015

Violation Information

Failed to comply with the maximum allowable emissions rates. Specifically, the Respondent exceeded the volatile organic compounds ("VOC") annual emissions rate of 0.02 ton per year ("tpy"), the carbon monoxide ("CO") annual emissions rate of 0.26 tpy, and the nitrogen oxides ("NOx") annual emissions rate of 0.31 tpy based on a rolling 12-month period at the Glycol Dehydrator Reboiler, Emission Point Number ("EPN") D-1, for the 12-month periods ending from May 2013 through September 2014, resulting in 0.05 ton of unauthorized VOC, 0.84 ton of unauthorized CO, and 0.99 ton of unauthorized NOx [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), 116.615(2), and 122.143(4), Federal Operating Permit No. O3190, Special Terms and Conditions No. 11, Standard Permit Registration No. 107048, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By April 5, 2014, the Respondent performed pipeline pigging and re-routed the piping from the Glycol Dehydrator Reboiler, EPN D-1, to the Acid Gas Flare from below ground-level to above ground-level at the Plant.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, submit written certification demonstrating compliance with the VOC, CO, and NOx annual emissions rates in Standard Permit Registration No. 107048 for the Glycol Dehydrator Reboiler, EPN D-1 or submit an administratively complete standard permit amendment application to increase VOC, CO, and NOx annual emissions rates for EPN D-1;
- b. If a standard permit amendment application is submitted, respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the application within 30 days after the date of such requests, or by any other deadline specified in writing;

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- c. If a standard permit amendment application is submitted, then within 45 days, submit written certification that an administratively complete standard permit amendment application has been submitted; and
- d. If a standard permit amendment application is submitted, then within 180 days, submit written certification that either a standard permit amendment has been obtained or that unauthorized operation has ceased until such time that appropriate authorization is obtained.

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: Raime Hayes-Falero, Enforcement Division, Enforcement Team 4, MC R-12, (713) 767-3567; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Greg McIlwain, Vice President of Operations, Regency Field Services LLC, 600 North Marienfeld, Suite 700, Midland, Texas 79701
Michael McCracken, Director of Operations, Regency Field Services LLC, 600 North Marienfeld, Suite 700, Midland, Texas 79701
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	13-Apr-2015	Screening	6-May-2015	EPA Due	7-Oct-2015
	PCW	12-May-2015				

RESPONDENT/FACILITY INFORMATION	
Respondent	Regency Field Services LLC
Reg. Ent. Ref. No.	RN100217843
Facility/Site Region	8-San Angelo
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	50500	No. of Violations	1
Docket No.	2015-0707-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raime Hayes-Falero
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$11,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1	
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History	2.0% Enhancement Subtotals 2, 3, & 7 \$225

Notes: Enhancement for one NOV with dissimilar violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$1,891	*Capped at the Total EB \$ Amount	
Estimated Cost of Compliance	\$23,000		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$11,475
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Notes:		Final Penalty Amount	\$11,475
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$11,475
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DEFERRAL	20.0% Reduction	Adjustment	-\$2,295
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Notes:	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$9,180
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Screening Date 6-May-2015

Docket No. 2015-0707-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 4 (April 2014)

Case ID No. 50500

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100217843

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

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	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of 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>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 2%

>> 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 one NOV with dissimilar violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 2%

Screening Date 6-May-2015

Docket No. 2015-0707-AIR-E

PCW

Respondent Regency Field Services LLC

Policy Revision 4 (April 2014)

Case ID No. 50500

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100217843

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.115(c), 116.615(2), and 122.143(4), Federal Operating Permit No. 03190, Special Terms and Conditions No. 11, Standard Permit Registration No. 107048, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the maximum allowable emissions rates. Specifically, the Respondent exceeded the volatile organic compounds ("VOC") annual emissions rate of 0.02 ton per year ("tpy"), the carbon monoxide ("CO") annual emissions rate of 0.26 tpy, and the nitrogen oxides ("NOx") annual emissions rate of 0.31 tpy based on a rolling 12-month period at the Glycol Dehydrator Reboiler, Emissions Point Number D-1, for the 12-month periods ending from May 2013 through September 2014, resulting in 0.05 ton of unauthorized VOC, 0.84 ton of unauthorized CO, and 0.99 ton of unauthorized NOx.

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 3 517 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	X
annual	
single event	

mark only one with an x

Violation Base Penalty \$11,250

Three semiannual events are recommended for the period from May 1, 2013 through September 30, 2014.

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 \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,891

Violation Final Penalty Total \$11,475

This violation Final Assessed Penalty (adjusted for limits) \$11,475

Economic Benefit Worksheet

Respondent Regency Field Services LLC
Case ID No. 50500
Reg. Ent. Reference No. RN100217843
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
<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	\$18,000	1-May-2013	5-Apr-2014	0.93	\$56	\$1,115	\$1,170
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	\$5,000	1-May-2013	18-Mar-2016	2.88	\$721	n/a	\$721
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to perform pipeline pigging and re-route the piping from the Glycol Dehydrator Reboiler, Emission Point No. D-1, to the Acid Gas Flare from below ground-level to above ground-level. The second estimated cost is for the cost to amend the Standard Permit Registration No. 107048. The Date Required is date the violation began. The April 5, 2014 Final Date is the date pipeline pigging and pipeline re-routing were completed and the March 18, 2016 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	\$23,000	TOTAL	\$1,891
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Compliance History Report

PUBLISHED Compliance History Report for CN603263823, RN100217843, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator:	CN603263823, Regency Field Services LLC	Classification:	SATISFACTORY	Rating:	2.60
Regulated Entity:	RN100217843, TIPPETT GAS PLANT	Classification:	SATISFACTORY	Rating:	1.00
Complexity Points:	7	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	6 MI S OF MCCAMEY ON HWY 1901, CROCKETT COUNTY, TX				
TCEQ Region:	REGION 08 - SAN ANGELO				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CZ0012K	AIR OPERATING PERMITS PERMIT 3190
AIR NEW SOURCE PERMITS REGISTRATION 22036	AIR NEW SOURCE PERMITS REGISTRATION 22585
AIR NEW SOURCE PERMITS ACCOUNT NUMBER CZ0012K	AIR NEW SOURCE PERMITS REGISTRATION 50905
AIR NEW SOURCE PERMITS PERMIT 73614	AIR NEW SOURCE PERMITS REGISTRATION 107048
AIR NEW SOURCE PERMITS AFS NUM 4810500003	AIR EMISSIONS INVENTORY ACCOUNT NUMBER CZ0012K

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: June 17, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 15, 2010 to June 15, 2015

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

Name: Raime Hayes-Falero

Phone: (713) 767-3567

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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 03, 2010	(843322)
Item 2	July 19, 2011	(937750)
Item 3	August 14, 2012	(1027109)

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
REGENCY FIELD SERVICES LLC
RN100217843

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

AGREED ORDER
DOCKET NO. 2015-0707-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Regency Field Services LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a natural gas processing plant located six miles south of McCamey on State Highway 1901 in Crockett County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 15, 2015.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Eleven Thousand Four Hundred Seventy-Five Dollars (\$11,475) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Nine Thousand One Hundred Eighty Dollars (\$9,180) of the administrative penalty and Two Thousand Two

Hundred Ninety-Five Dollars (\$2,295) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that by April 5, 2014, the Respondent performed pipeline pigging and re-routed the piping from the Glycol Dehydrator Reboiler, Emission Point Number ("EPN") D-1, to the Acid Gas Flare from below ground-level to above ground-level at the Plant.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to comply with the maximum allowable emissions rates, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), 116.615(2), and 122.143(4), Federal Operating Permit No. O3190, Special Terms and Conditions No. 11, Standard Permit Registration No. 107048, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on February 20, 2015. Specifically, the Respondent exceeded the volatile organic compounds ("VOC") annual emissions rate of 0.02 ton per year ("tpy"), the carbon monoxide ("CO") annual emissions rate of 0.26 tpy, and the nitrogen oxides ("NOx") annual emissions rate of 0.31 tpy based on a rolling 12-month period at the Glycol Dehydrator Reboiler, EPN D-1, for the 12-month periods ending from May 2013 through September 2014, resulting in 0.05 ton of unauthorized VOC, 0.84 ton of unauthorized CO, and 0.99 ton of unauthorized NOx.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Regency Field Services LLC, Docket No. 2015-0707-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit written certification demonstrating compliance with the VOC, CO, and NOx annual emissions rates in Standard Permit Registration No. 107048 for the Glycol Dehydrator Reboiler, EPN D-1, as described in Ordering Provision No. 2.e. below, or submit an administratively complete standard permit amendment application to increase VOC, CO, and NOx annual emissions rates for EPN D-1, in accordance with 30 TEX. ADMIN. CODE § 116.111, to:

Air Permits Division, MC 163
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
 - b. If a standard permit amendment application is submitted, respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the application within 30 days after the date of such requests, or by any other deadline specified in writing;
 - c. If a standard permit amendment application is submitted, then within 45 days after the effective date of this Agreed Order, submit written certification that an administratively complete standard permit amendment application has been submitted as described in Ordering Provision No. 2.e. below;
 - d. If a standard permit amendment application is submitted, then within 180 days after the effective date of this Agreed Order, submit written certification that either a standard permit amendment has been obtained or that unauthorized operation has ceased until such time that appropriate authorization is obtained; and
 - e. The certifications required by Ordering Provision Nos. 2.a., 2.c., and 2.d. shall be accompanied by detailed supporting documentation including photographs,

receipts, and/or other records, and 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
San Angelo Regional Office
Texas Commission on Environmental Quality
622 South Oakes, Suite K
San Angelo, Texas 76903-7035

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. 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.

7. 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.
8. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Order is the date it is signed by the Commission or the Executive Director. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

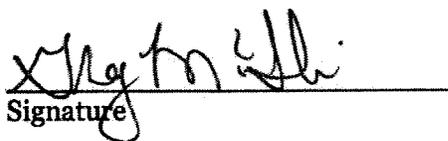
12/4/15
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

9/15/15
Date

GREG MCLWAIN
Name (Printed or typed)
Authorized Representative of
Regency Field Services LLC

V. P. OPERATIONS
Title

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