

**Executive Summary – Enforcement Matter – Case No. 50451
WTG Gas Processing, L.P.
RN100211473
Docket No. 2015-0654-AIR-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

East Vealmoor Gas Plant, 11703 East Farm-to-Markert 846, Coahoma, Howard County

Type of Operation:

Natural gas 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 2, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$52,500

Amount Deferred for Expedited Settlement: \$10,500

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$42,000

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

Executive Summary – Enforcement Matter – Case No. 50451
WTG Gas Processing, L.P.
RN100211473
Docket No. 2015-0654-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 6, 2015

Date(s) of NOE(s): April 14, 2015

Violation Information

1. Failed to prevent the loss of quality assured data due to periods of monitor downtime that exceeded 5% of the time that the Tail Gas Incinerator operated over the previous rolling 12-month period. Specifically, the Respondent lost quality-assured data when the monitor was down for 584 hours, exceeding 5% of the time that the Tail Gas Incinerator operated during the 12-month period from October 5, 2012 to October 4, 2013 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit (“FOP”) No. O3180, Special Terms and Conditions (“STC”) No. 9, and New Source Review (“NSR”) Permit No. 20137, Special Conditions (“SC”) No. 20].
2. Failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit. Specifically, the Respondent failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit for eight instances from October 5, 2012 to March 7, 2013 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 4].
3. Failed to maintain the minimum sulfur recovery efficiency. Specifically, the Respondent failed to maintain the minimum sulfur recovery efficiency of 94% when the sulfur processing is less than 3.00 long tons per day and 96% when sulfur processing is 5.00 long tons per day or greater between October 5, 2012 and March 7, 2013 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 5].
4. Failed to comply with the Maximum Allowable Emission Rates (“MAER”) for the Tail Gas Incinerator, Emission Point Number INC-1. Specifically, the Respondent exceeded the hydrogen sulfide (“H₂S”) MAER of 0.33 ton per year based on a rolling 12-month period for the 12-month periods ending on October 2012 through March 2013 and the sulfur dioxide (“SO₂”) MAER of 74.50 pounds per hour from October 2012 through March 2013, resulting in the unauthorized release of 0.55 ton of H₂S and 1,689.7 pounds of SO₂ [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 1].

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RN100211473
Docket No. 2015-0654-AIR-E**

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. On January 9, 2013, repaired the continuous emissions monitoring system for the Tail Gas Incinerator;
- b. On March 7, 2013, properly trained the Plant personnel on the proper procedures for complying with the incinerator firebox exit temperature limit and on the procedures for maintaining the minimum sulfur recovery efficiency; and
- c. On March 31, 2014, replaced the catalyst on the Sulfur Recovery Unit in order to comply with the MAER for the Tail Gas Incinerator.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Jennifer Nguyen, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-6160; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Michael K. Davis, Executive Vice-President, WTG Gas Processing, L.P., 211 North Colorado, Midland, Texas 79701

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	20-Apr-2015	Screening	28-Apr-2015	EPA Due	
	PCW	28-Apr-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	WTG Gas Processing, L.P.		
Reg. Ent. Ref. No.	RN100211473		
Facility/Site Region	7-Midland	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	50451	No. of Violations	4
Docket No.	2015-0654-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jennifer Nguyen
		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

Culpability Enhancement **Subtotal 4**

Notes

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

PAYABLE PENALTY

Screening Date 28-Apr-2015

Docket No. 2015-0654-AIR-E

PCW

Respondent WTG Gas Processing, L.P.

Policy Revision 4 (April 2014)

Case ID No. 50451

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211473

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

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>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	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	3	75%
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) 180%

>> 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 same/similar violations, five orders with denial of liability, and three orders without denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 180%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 28-Apr-2015

Docket No. 2015-0654-AIR-E

PCW

Respondent WTG Gas Processing, L.P.

Policy Revision 4 (April 2014)

Case ID No. 50451

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211473

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") No. O3180, Special Terms and Conditions ("STC") No. 9, and New Source Review ("NSR") Permit No. 20137, Special Conditions ("SC") No. 20

Violation Description Failed to prevent the loss of quality assured data due to periods of monitor downtime that exceeded 5% of the time that the Tail Gas Incinerator operated over the previous rolling 12-month period. Specifically, the Respondent lost quality-assured data when the monitor was down for 584 hours, exceeding 5% of the time that the Tail Gas Incinerator operated during the 12-month period from October 5, 2012 to October 4, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants that would 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 2 96 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

Two quarterly events are recommended for the instances of non-compliance that occurred from October 5, 2012 through January 9, 2013.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent completed corrective measures on January 9, 2013, before the April 14, 2015 Notice of Enforcement ("NOE").

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$26

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent WTG Gas Processing, L.P.
Case ID No. 50451
Reg. Ent. Reference No. RN100211473
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				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	5-Oct-2012	9-Jan-2013	0.26	\$26	n/a	\$26

Notes for DELAYED costs

Estimated cost to repair the continuous emissions monitoring system for the Tail Gas Incinerator. The Date Required is the first date of the recording period. The Final Date is the 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

\$2,000

TOTAL

\$26

Screening Date 28-Apr-2015

Docket No. 2015-0654-AIR-E

PCW

Respondent WTG Gas Processing, L.P.

Policy Revision 4 (April 2014)

Case ID No. 50451

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211473

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 03180, STC No. 9, and NSR Permit No. 20137, SC No. 4

Violation Description Failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit. Specifically, the Respondent failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit for eight instances from October 5, 2012 to March 7, 2013.

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 that 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 2 Number of violation days 8

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

Violation Base Penalty \$7,500

Two quarterly events are recommended for the instances of non-compliance that occurred from October 5, 2012 to March 7, 2013.

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 completed corrective measures on March 7, 2013, before the April 14, 2015 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent WTG Gas Processing, L.P.
Case ID No. 50451
Reg. Ent. Reference No. RN100211473
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	5-Oct-2012	7-Mar-2013	0.42	\$31	n/a	\$31
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 properly train the Plant personnel on the proper procedures for complying with the incinerator firebox exit temperature limit. The Date Required is the first date of the recording period. The Final Date is the 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

\$1,500

TOTAL

\$31

Screening Date 28-Apr-2015

Docket No. 2015-0654-AIR-E

PCW

Respondent WTG Gas Processing, L.P.

Policy Revision 4 (April 2014)

Case ID No. 50451

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211473

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 5

Violation Description

Failed to maintain the minimum sulfur recovery efficiency. Specifically, the Respondent failed to maintain the minimum sulfur recovery efficiency of 94% when the sulfur processing is less than 3.00 long tons per day and 96% when sulfur processing is 5.00 long tons per day or greater between October 5, 2012 and March 7, 2013.

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 that 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 2

146 Number of violation days

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

Violation Base Penalty \$7,500

Two quarterly events are recommended for the period of non-compliance from October 12, 2012 through March 7, 2013.

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 completed corrective measures on March 7, 2013, before the April 14, 2015 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent WTG Gas Processing, L.P.
Case ID No. 50451
Reg. Ent. Reference No. RN100211473
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	5-Oct-2012	7-Mar-2013	0.42	\$31	n/a	\$31
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 properly train the Plant personnel on the procedures for maintaining the minimum sulfur recovery efficiency. The Date Required is the first date of non-compliance. The Final Date is the 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 \$1,500 **TOTAL** \$31

Screening Date 28-Apr-2015

Docket No. 2015-0654-AIR-E

PCW

Respondent WTG Gas Processing, L.P.

Policy Revision 4 (April 2014)

Case ID No. 50451

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100211473

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 1

Violation Description

Failed to comply with the Maximum Allowable Emission Rates ("MAER") for the Tail Gas Incinerator, Emission Point Number INC-1. Specifically, the Respondent exceeded the hydrogen sulfide ("H2S") MAER of 0.33 ton per year based on a rolling 12-month period for the 12-month periods ending on October 2012 through March 2013 and the sulfur dioxide ("SO2") MAER of 74.50 pounds per hour from October 2012 through March 2013, resulting in the unauthorized release of 0.55 ton of H2S and 1,689.7 pounds of SO2.

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 that 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 2 181 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

Two quarterly events are recommended for the period of non-compliance from October 1, 2012 through March 31, 2013.

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 completed corrective measures on March 31, 2014, before the April 14, 2015 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$174

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent WTG Gas Processing, L.P.
Case ID No. 50451
Reg. Ent. Reference No. RN100211473
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	\$5,000	1-Oct-2012	31-Mar-2013	0.50	\$8	\$165	\$174
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

Estimated cost to replace the catalyst on the Sulfur Recovery Unit in order to comply with the MAER for the Tail Gas Incinerator. The Date Required is the first date of non-compliance. The Final Date is the 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

\$174

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN600125439, RN100211473, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN600125439, WTG Gas Processing, L.P. **Classification:** SATISFACTORY **Rating:** 15.89

Regulated Entity: RN100211473, EAST VEALMOOR GAS PLANT **Classification:** SATISFACTORY **Rating:** 51.15

Complexity Points: 10 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 11703 EAST FARM-TO-MARKET 846, COAHOMA, TX, HOWARD COUNTY

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HT0016G

AIR NEW SOURCE PERMITS PERMIT 5301

AIR NEW SOURCE PERMITS PERMIT 20137

AIR NEW SOURCE PERMITS REGISTRATION 47146

AIR NEW SOURCE PERMITS AFS NUM 4822700003

AIR EMISSIONS INVENTORY ACCOUNT NUMBER HT0016G

AIR OPERATING PERMITS PERMIT 3180

AIR NEW SOURCE PERMITS PERMIT 8461

AIR NEW SOURCE PERMITS REGISTRATION 37218

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HT0016G

AIR NEW SOURCE PERMITS REGISTRATION 91700

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

Date Compliance History Report Prepared: April 23, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 23, 2010 to April 23, 2015

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

Name: Jennifer Nguyen

Phone: (512) 239-6160

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: 06/18/2010 ADMINORDER 2009-1371-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR Permit No. 20137 PERMIT

Description: Failed to maintain records of sulfur dioxide ("SO2") emissions, stack oxygen concentration, and exhaust flow. Specifically, the Respondent has failed to maintain records from the Tail Gas Incinerator (EPN INC-1) for the January 13, 2008 through January 12, 2009 certification period.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR Permit No. 20137 SC No. 10 PERMIT

Description: Failed to maintain an emission rate below the allowable 1.0 grams per horsepower hour ("g/hp-hr") limit for carbon monoxide ("CO") from the Waukesha L7042 Engine (Emission Point Number ("EPN") CM16). Specifically, the Respondent exceeded the permitted CO emission limit from January 2008 through August 2009.

- 2 Effective Date: 09/26/2010 ADMINORDER 2010-0219-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 16F PERMIT
Description: Failure to conduct stack testing every five years. The incinerator stack testing should have been conducted by October 24, 2008, but was not completed until November 17, 2009.
Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct biennial engine testing on Emission Point Numbers ("EPN") CM-31 and CM-32 for nitrogen oxides and carbon monoxide. The testing was required to have been conducted by July 26, 2009, but the test was not completed until January 4, 2010, for CM-31 and on January 5, 2010 for CM-32.
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
Description: Failure to report all instances of deviation. Specifically, the Respondent did not report two deviations in its January 13, 2009 through July 12, 2009 and July 13, 2009 through October 4, 2009 deviation reports.
- 3 Effective Date: 06/20/2011 ADMINORDER 2010-1796-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failed to report emissions event within 24 hours after discovery of the event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit 20137, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions. Since this event was avoidable and reported late, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit 20137, Special Condition 1 PERMIT
Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions. Since this event was avoidable and reported late, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- 4 Effective Date: 08/27/2011 ADMINORDER 2011-0283-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter A 112.3(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions and exceeded the net ground level concentration of 0.4 ppmv of SO2 during an emissions event (Incident No. 147325) which began on November 12, 2010.
- 5 Effective Date: 10/02/2011 ADMINORDER 2011-0122-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit 20137 Special Conditions No 5 PERMIT
Description: Failure to maintain a minimum 94% sulfur recovery efficiency from the Sulfur Recovery Unit ("SRU"). Specifically, there were 19 days between June 10, 2010 and August 12, 2010, in which the sulfur recovery of the SRU ranged from 89.7% to 93.8%.
- 6 Effective Date: 10/27/2012 ADMINORDER 2012-0294-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O3180, STC 1.A. OP
NSR Permit No. 21037, SC 4 PERMIT

Description: Failed to maintain O2 concentrations at or above three percent in the TGI stack.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O3180, STC 1.A. OP
NSR Permit No. 5301 PERMIT

Description: Failed to monitor with a continuous sensor the O2 content at the inlet of the catalytic converter of the engine identified as EPN CM-21.

Classification: Minor

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: FOP No. O3180, GTC OP
FOP No. O3180, STC 1.A. OP

Description: Failed to report all instances of deviations in the semi-annual deviation report.

7 Effective Date: 11/11/2012 ADMINORDER 2012-0564-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Minor

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

Description: Failure to determine if event is a reportable event within 24 hours of discovery of the emission event.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to comply with emission limits stated in the MAERT, Special Condition No. 1 of NSR Permit No. 20137.

8 Effective Date: 10/18/2013 ADMINORDER 2013-0119-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Description: Failed to report an emissions event within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE §101.201(a)(1)(A) and 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE §385.085(b), as documented during an investigation conducted on November 27, 2012 and November 28, 2012.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §116.115(c), TEX. HEALTH & SAFETY CODE §382.085(b), and New Source Review ("NSR") Permit No. 20137, Special Conditions 1, as documented during an investigation conducted on November 27, 2012 and November 28, 2012. Specifically, all of the Plant's residue gas could not be accepted by a third party transmission pipeline which caused excess residue gas to be flared at the Emergency Process Flare, Emission Point No

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §116.115(c), TEX. HEALTH & SAFETY CODE §382.085(b), and NSR Permit No. 20137, Special Conditions 1, as documented during an investigation conducted on November 27, 2012 and November 28, 2012. Specifically, all of the Plant's residue gas could not be accepted by a third party transmission pipeline which caused excess residue gas to be flared at the Emergency Process Flare, EPN F2, and led to the unauthorized releas

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §116.115(c), TEX. HEALTH & SAFETY CODE §382.085(b), and NSR Permit No. 20137, Special Conditions 1, as documented during an investigation conducted on November 27, 2012 and November 28, 2012. Specifically, a refrigeration compressor malfunction shutdown

increased the need to flare additional residue gas and all of the Plant's residue gas could not be accepted by a third party transmission pipeline which caused exc
Classification: Moderate

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

Description: Failed to maintain the sulfur recovery efficiency, in violation of 30 TEX. ADMIN. CODE §116.115(c), TEX. HEALTH & SAFETY CODE §382.085(b), NSR Permit No. 20137, Special Conditions 5, as documented during an investigation conducted on November 26 through November 28, 2012. Specifically, on December 13, 2011 and December 16, 2011, the Respondent had a sulfur recovery efficiency of 95.9

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 30, 2010	(843462)
Item 2	December 21, 2010	(885115)
Item 3	January 07, 2011	(887592)
Item 4	January 30, 2012	(982740)
Item 5	January 31, 2012	(982792)
Item 6	June 01, 2012	(1008788)
Item 7	June 27, 2012	(1014947)
Item 8	September 17, 2012	(1031425)
Item 9	November 20, 2012	(1046213)
Item 10	April 23, 2014	(1159856)
Item 11	May 19, 2014	(1158049)
Item 12	June 16, 2014	(1159859)
Item 13	January 12, 2015	(1216111)

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.

1	Date:	04/14/2015 (1191759)	CN600125439
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition No. 18 OP	
	Description:	Failure to record and maintain hourly oxygen (O2) concentration as required by Special Condition No. 18 of NSR Permit No. 20137.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition No. 19 PERMIT	
	Description:	Failure to calculate and record tail gas incinerator exhaust stack flow as required by Special Condition No. 19 of NSR Permit No. 20137.	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition No. 16 (C) PERMIT	
	Description:	Failure to record and monitor the hourly average incinerator stack SO2 concentration as required by Special Condition No. 16 (C) of NSR Permit No. 20137.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WTG GAS PROCESSING, L.P.
RN100211473

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2015-0654-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WTG Gas Processing, L.P. ("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 plant located at 11703 East Farm-to-Market Road 846 in Coahoma, Howard 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 19, 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 Fifty-Two Thousand Five Dollars (\$52,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Forty-Two Thousand Dollars (\$42,000) of the administrative penalty and Ten Thousand Five Hundred Dollars (\$10,500) is deferred

contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On January 9, 2013, repaired the continuous emissions monitoring system for the Tail Gas Incinerator;
 - b. On March 7, 2013, properly trained the Plant personnel on the proper procedures for complying with the incinerator firebox exit temperature limit and on the procedures for maintaining the minimum sulfur recovery efficiency; and
 - c. On March 31, 2014, replaced the catalyst on the Sulfur Recovery Unit in order to comply with the Maximum Allowable Emission Rates ("MAER") for the Tail Gas Incinerator.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent the loss of quality assured data due to periods of monitor downtime that exceeded 5% of the time that the Tail Gas Incinerator operated over the previous rolling 12-month period, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O3180, Special Terms and Conditions ("STC") No. 9, and New Source

Review ("NSR") Permit No. 20137, Special Conditions ("SC") No. 20, as documented during a record review conducted on March 6, 2015. Specifically, the Respondent lost quality-assured data when the monitor was down for 584 hours, exceeding 5% of the time that the Tail Gas Incinerator operated during the 12-month period from October 5, 2012 to October 4, 2013.

2. Failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 4, as documented during a record review conducted on March 6, 2015. Specifically, the Respondent failed to maintain the incinerator firebox exit temperature at or above 1,200° Fahrenheit for eight instances from October 5, 2012 to March 7, 2013.
3. Failed to maintain the minimum sulfur recovery efficiency, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 5, as documented during a record review conducted on March 6, 2015. Specifically, the Respondent failed to maintain the minimum sulfur recovery efficiency of 94% when the sulfur processing is less than 3.00 long tons per day and 96% when sulfur processing is 5.00 long tons per day or greater between October 5, 2012 and March 7, 2013.
4. Failed to comply with the MAER for the Tail Gas Incinerator, Emission Point Number INC-1, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3180, STC No. 9, and NSR Permit No. 20137, SC No. 1, as documented during a record review conducted on March 6, 2015. Specifically, the Respondent exceeded the hydrogen sulfide ("H₂S") MAER of 0.33 ton per year based on a rolling 12-month period for the 12-month periods ending on October 2012 through March 2013 and the sulfur dioxide ("SO₂") MAER of 74.50 pounds per hour from October 2012 through March 2013, resulting in the unauthorized release of 0.55 ton of H₂S and 1,689.7 pounds of SO₂.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WTG Gas Processing, L.P., Docket No. 2015-0654-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
5. 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. 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

Romona Marie J
For the Executive Director

1/7/12
Date

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

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

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

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

MKD

Signature

9-1-15
Date

Michael K. Davis

Name (Printed or typed)

Authorized Representative of
WTG Gas Processing, L.P.

Executive Vice-President
Title

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