

Executive Summary – Enforcement Matter – Case No. 52249

WTG Jameson, LP

RN101246478

Docket No. 2016-0620-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

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

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 19, 2016

Comments Received: No

Penalty Information

Total Penalty Assessed: \$11,972

Amount Deferred for Expedited Settlement: \$2,394

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$9,578

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

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 21, 2016

Date(s) of NOE(s): April 22, 2016

Executive Summary – Enforcement Matter – Case No. 52249
WTG Jameson, LP
RN101246478
Docket No. 2016-0620-AIR-E

Violation Information

1. Failed to comply with the maximum fuel consumption limit. Specifically, the Respondent exceeded the fuel consumption limit of 10,000 British thermal units per horsepower hour ("Btu/hp-hr") at Compressor Engine E-44-1 by 392 Btu/hp-hr for one hour on March 6, 2015 and by an average of 322 Btu/hp-hr for two hours on March 12, 2015 and at Compressor Engine E-44-1A by 68 Btu/hp-hr for one hour on March 6, 2015 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 9941 and PSDTX687, Special Conditions No. 12.A, Federal Operating Permit ("FOP") No. O865, Special Terms and Conditions Nos. 7 and 9, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to report all instances of deviations. Specifically, the Respondent failed to report a deviation for the Reid Vapor Pressure excursion greater than 11 pounds per square inch at Tank No. 1483 from January 19, 2015 to July 22, 2015 on the deviation report for the July 19, 2015 through January 18, 2016 reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O865, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By July 22, 2015, revised FOP No. O865 to update the Compliance Assurance Monitoring requirements to an hourly fuel flow limit and to program alarms on fuel flow meters in order to ensure compliance with the maximum fuel consumption limit; and
- b. On May 11, 2016, submitted a revised semi-annual deviation report for the July 19, 2015 through January 18, 2016 reporting period to report the deviation for the Reid Vapor Pressure excursion that occurred from January 19, 2015 to July 22, 2015 and trained Plant personnel to ensure accurate and complete deviation reports are submitted.

Technical Requirements:

N/A

Executive Summary – Enforcement Matter – Case No. 52249

WTG Jameson, LP

RN101246478

Docket No. 2016-0620-AIR-E

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 5, MC R-12, (713) 767-3567; Michael Parrish, Enforcement Division,
MC 219, (512) 239-2548

TCEQ SEP Coordinator: N/A

Respondent: Michael Davis, President, WTG Jameson, LP, 211 North Colorado
Street, Midland, Texas 79701

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	5-Apr-2016	Screening	28-Apr-2016	EPA Due	
	PCW	2-May-2016				

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	52249	No. of Violations	2	
Docket No.	2016-0620-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 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 Adjustment **Subtotals 2, 3, & 7**

Notes: Enhancement for three NOV's with same or similar violations, two orders with denial of liability, and one order without denial of liability. Reduction for one Notice of Intent to conduct an audit.

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	\$97	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$5,250	

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

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **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.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 28-Apr-2016

Docket No. 2016-0620-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 52249

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	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>)	3	15%
	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>)	1	-1%
	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%
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) 79%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three NOVs with same or similar violations, two orders with denial of liability, and one order without denial of liability. Reduction for one Notice of Intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 79%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 79%

Screening Date 28-Apr-2016

Docket No. 2016-0620-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 52249

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 9941 and PSDTX687, Special Conditions No. 12.A, Federal Operating Permit ("FOP") No. O865, Special Terms and Conditions Nos. 7 and 9, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the maximum fuel consumption limit. Specifically, the Respondent exceeded the fuel consumption limit of 10,000 British thermal units per horsepower hour ("Btu/hp-hr") at Compressor Engine E-44-1 by 392 Btu/hp-hr for one hour on March 6, 2015 and by an average of 322 Btu/hp-hr for two hours on March 12, 2015 and at Compressor Engine E-44-1A by 68 Btu/hp-hr for one hour on March 6, 2015.

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

2 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

Two quarterly events are recommended (one event for each engine).

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		

Notes

The Respondent completed corrective action by July 22, 2015, before the April 22, 2016 Notice of Enforcement ("NOE").

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$95

Violation Final Penalty Total \$11,550

This violation Final Assessed Penalty (adjusted for limits) \$11,550

Economic Benefit Worksheet

Respondent WTG Jameson, LP
Case ID No. 52249
Reg. Ent. Reference No. RN101246478
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	6-Mar-2015	22-Jul-2015	0.38	\$95	n/a	\$95

Notes for DELAYED costs

Estimated cost to revise FOP No. O865 to update Compliance Assurance Monitoring requirements to an hourly fuel flow limit and to program alarms on fuel flow meters in order to ensure compliance. The Date Required is the date the violation began and 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 \$95

Screening Date 28-Apr-2016

Docket No. 2016-0620-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 52249

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. O865, General Terms and Conditions, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report all instances of deviations. Specifically, the Respondent failed to report a deviation for the Reid Vapor Pressure excursion greater than 11 pounds per square inch at Tank No. 1483 from January 19, 2015 to July 22, 2015 on the deviation report for the July 19, 2015 through January 18, 2016 reporting period.

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

255 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$25

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

Extraordinary	
Ordinary	x
N/A	

Notes

The Respondent completed corrective action on May 11, 2016, after the April 22, 2016 NOE.

Violation Subtotal \$225

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$423

This violation Final Assessed Penalty (adjusted for limits) \$423

Economic Benefit Worksheet

Respondent WTG Jameson, LP
Case ID No. 52249
Reg. Ent. Reference No. RN101246478
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$250	17-Feb-2016	11-May-2016	0.23	\$3	n/a	\$3

Notes for DELAYED costs

Estimated cost to submit a revised semi-annual deviation report for the July 19, 2015 through January 18, 2016 reporting period to report the deviation for the Reid Vapor Pressure excursion. The Date Required is the date the report was due and 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

\$250

TOTAL

\$3



Compliance History Report

PUBLISHED Compliance History Report for CN602679813, RN101246478, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN602679813, WTG Jameson, LP	Classification:	SATISFACTORY	Rating:	7.72
Regulated Entity:	RN101246478, JAMESON GAS PLANT	Classification:	SATISFACTORY	Rating:	20.46
Complexity Points:	17	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	1000 GAS PLANT RD SILVER, COKE COUNTY, TX 76945-3249				
TCEQ Region:	REGION 08 - SAN ANGELO				

ID Number(s):

AIR NEW SOURCE PERMITS PERMIT 9941	AIR NEW SOURCE PERMITS REGISTRATION 38792
AIR NEW SOURCE PERMITS REGISTRATION 44641	AIR NEW SOURCE PERMITS REGISTRATION 48204
AIR NEW SOURCE PERMITS ACCOUNT NUMBER CN0003A	AIR NEW SOURCE PERMITS REGISTRATION 52491
AIR NEW SOURCE PERMITS AFS NUM 4808100001	AIR NEW SOURCE PERMITS EPA PERMIT PSDTX687
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX372M1	AIR NEW SOURCE PERMITS REGISTRATION 53545
AIR NEW SOURCE PERMITS REGISTRATION 53544	AIR NEW SOURCE PERMITS REGISTRATION 52489
AIR NEW SOURCE PERMITS REGISTRATION 52490	AIR NEW SOURCE PERMITS REGISTRATION 52554
AIR NEW SOURCE PERMITS REGISTRATION 53757	AIR NEW SOURCE PERMITS REGISTRATION 89323
AIR NEW SOURCE PERMITS REGISTRATION 90828	AIR NEW SOURCE PERMITS REGISTRATION 133015
AIR NEW SOURCE PERMITS REGISTRATION 124212	AIR OPERATING PERMITS ACCOUNT NUMBER CN0003A
AIR OPERATING PERMITS PERMIT 865	AIR EMISSIONS INVENTORY ACCOUNT NUMBER CN0003A

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: April 27, 2016

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 27, 2011 to April 27, 2016

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:

- 1 Effective Date: 09/30/2013 ADMINORDER 2012-2691-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GT&C & ST&C No. 2.F. OP
Description: Failed to report Incident Nos. 171853, 172109, and 170344 within 24 hours after discovery.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 53757 PERMIT
General Tems & Conditions & ST&C No. 9 OP

Description: Failure to prevent unauthorized emissions.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 53757 PERMIT
GT&C and ST&C Nos. 9 OP

Description: Failed to prevent unauthorized emissions.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 53757 PERMIT
GT&C and ST&C No. 9 OP

Description: Failed to prevent unauthorized emissions.

2 Effective Date: 08/24/2015 ADMINORDER 2014-1162-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
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: 865 OP
9941 PERMIT

Description: Failure to comply with the Maximum Allowable Emission Limits specified in Permit No.: 9941.

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: 865 OP

Description: Failure to report all instances of deviations, the probable cause of deviations, and any corrective actions or preventative measures taken for each emissions unit addressed in the permit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 53757 PERMIT
Special Terms and Conditions No. 9 OP

Description: Failure to prevent unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 2F OP

Description: Failure to comply with the applicable notification requirements regarding a reportable emissions event.

3 Effective Date: 11/16/2015 ADMINORDER 2015-0287-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 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 53757 PERMIT
 Special Terms and Conditions No. 9 OP

Description: Failure to prevent unauthorized emissions.
 Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms and Conditions No. 2F OP

Description: Failure to comply with the applicable requirements regarding a reportable emissions event.
 Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 53757 PERMIT
 Special Terms and Conditions No. 9 OP

Description: Failure to prevent unauthorized emissions.
 Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms and Conditions No. 2F OP

Description: Failure to comply with the applicable requirements regarding a reportable emissions event.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 10, 2012	(1023654)
Item 2	August 13, 2015	(1266886)
Item 3	April 07, 2016	(1323095)

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: 08/12/2015 (1266351)	CN602679813
	Self Report? NO	Classification: Moderate
	Citation: 5C THSC Chapter 382 382.085(b) 865 PERMIT	
	Description: Failure to submit a revision application for FOP 865 to codify the requirements of 40 CFR Part 63 Subpart ZZZZ for Compressor Engine Unit E-05 by October 19, 2013.	
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) 865 PERMIT 9941 PERMIT	
	Description: Failure to limit engine fuel consumption as specified in the CAM Summaries in FOP 865.	
2	Date: 11/13/2015 (1288349)	CN602679813
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.110(a) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 53757 PERMIT	

5C THSC Chapter 382 382.085(b)
O865 OP
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on January 26, 2015, TCEQ Incident No. 209346.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
53757 PERMIT
5C THSC Chapter 382 382.085(b)
O865 OP
Description: Failure to submit an initial notification for the January 26, 2015 emissions event within 24 hours of discovery.

3 Date: 04/22/2016 (1324457) CN602679813
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)
865 PERMIT
Description: Failure to submit a final record for Incident Number 218888 (reportable event) as soon as practicable, but no later than two weeks after the end of the event.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter U 106.473(4)(B)
5C THSC Chapter 382 382.085(b)
865 PERMIT
Description: Failure to maintain a maximum Reid Vapor Pressure (RVP) of 11 psi or less in the condensate tank.

F. Environmental audits:

Notice of Intent Date: 02/14/2014 (1156818)
No DOV Associated

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

K. Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

**§
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§**

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2016-0620-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a natural gas processing plant located at 1000 Gas Plant Road in Silver, Coke County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$11,972 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$9,578 of the penalty and \$2,394 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. 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). 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.

6. 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 Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. By July 22, 2015, revised Federal Operating Permit ("FOP") No. O865 to update the Compliance Assurance Monitoring requirements to an hourly fuel flow limit and to program alarms on fuel flow meters in order to ensure compliance with the maximum fuel consumption limit; and
 - b. On May 11, 2016, submitted a revised semi-annual deviation report for the July 19, 2015 through January 18, 2016 reporting period to report the deviation for the Reid Vapor Pressure excursion that occurred from January 19, 2015 to July 22, 2015 and trained Plant personnel to ensure accurate and complete deviation reports are submitted.

II. ALLEGATIONS

During a record review conducted on March 21, 2016, an investigator documented that the Respondent:

1. Failed to comply with the maximum fuel consumption limit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 9941 and PSDTX687, Special Conditions No. 12.A, FOP No. O865, Special Terms and Conditions Nos. 7 and 9, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the fuel consumption limit of 10,000 British thermal units per horsepower hour ("Btu/hp-hr") at Compressor Engine E-44-1 by 392 Btu/hp-hr for one hour on March 6, 2015 and by an average of 322 Btu/hp-hr for two hours on March 12, 2015 and at Compressor Engine E-44-1A by 68 Btu/hp-hr for one hour on March 6, 2015.
2. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O865, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent failed to report a deviation for the Reid Vapor Pressure excursion greater than 11 pounds per square inch at Tank No. 1483 from January 19, 2015 to July 22, 2015 on the deviation report for the July 19, 2015 through January 18, 2016 reporting period.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WTG Jameson, LP, Docket No. 2016-0620-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. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this 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.
5. This 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 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.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this 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 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.

7. 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

Date

Pamela Mowin
For the Executive Director

10/3/16
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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.

M. Davis

Signature

7/18/2016

Date

MICHAEL DAVIS
Name (Printed or typed)
Authorized Representative of
WTG Jameson, LP

PRESIDENT
Title

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

If mailing address has changed, please check this box and provide the new address below: