### EXECUTIVE SUMMARY - ENFORCEMENT MATTER

#### DOCKET NO.: 2009-0210-AIR-E  TCEQ ID: RN100211473  CASE NO.: 37158

**RESPONDENT NAME:** WTG Gas Processing, L.P.

**ORDER TYPE:**

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>_1660 AGREED ORDER</td>
<td><em>FINDINGS AGREED ORDER</em></td>
</tr>
<tr>
<td>_FINDINGS DEFAULT ORDER</td>
<td><em>SHUTDOWN ORDER</em></td>
</tr>
<tr>
<td>_AMENDED ORDER</td>
<td><em>EMERGENCY ORDER</em></td>
</tr>
</tbody>
</table>

**CASE TYPE:**

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>X AIR</td>
<td><em>MULTI-MEDIA</em> (check all that apply) _INDUSTRIAL AND HAZARDOUS WASTE</td>
</tr>
<tr>
<td>PUBLIC WATER SUPPLY</td>
<td><em>PETROLEUM STORAGE TANKS</em></td>
</tr>
<tr>
<td>WATER QUALITY</td>
<td><em>SEWAGE SLUDGE</em></td>
</tr>
<tr>
<td>MUNICIPAL SOLID WASTE</td>
<td><em>RADIOACTIVE WASTE</em></td>
</tr>
</tbody>
</table>

**SITE WHERE VIOLATION(S) OCCURRED:** East Vealmoor Gas Plant, located eight miles west of the intersection of Texas Highway 350 on Farm Road 846 and one mile north on a lease road, Howard County

**TYPE OF OPERATION:** Natural gas plant

**SMALL BUSINESS:** 

- **Yes**
- **No**

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent has expressed an interest in this matter.

**COMMENTS RECEIVED:** The Texas Register comment period expired on September 7, 2009. No comments were received.

**CONTACTS AND MAILING LIST:**

- **TCEQ Attorney/SEP Coordinator:** None
- **TCEQ Enforcement Coordinator:** Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387
- **Respondent:** Mr. J. L. Davis, President, WTG Gas Processing, L.P., 211 North Colorado Street, Midland, Texas 79701
- **Respondent's Attorney:** Not represented by counsel on this enforcement matter
**RESPONDENT NAME:** WTG Gas Processing, L.P.  
**DOCKET NO.:** 2009-0210-AIR-E

### VIOLATION SUMMARY CHART:

<table>
<thead>
<tr>
<th>VIOLATION INFORMATION</th>
<th>PENALTY CONSIDERATIONS</th>
<th>CORRECTIVE ACTIONS TAKEN/REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Investigation:</strong></td>
<td><strong>Total Assessed:</strong> $5,850</td>
<td><strong>Corrective Actions Taken:</strong></td>
</tr>
<tr>
<td>X Routine</td>
<td><strong>Total Deferred:</strong> $1,170</td>
<td>The Executive Director recognizes that by December 31, 2008, the Respondent replaced the spent catalyst in the sulfur recovery unit (&quot;SRU&quot;) and cleaned the associated SRU equipment to improve the sulfur reduction efficiency at the Plant.</td>
</tr>
<tr>
<td>___ Enforcement Follow-up</td>
<td>___ X Expedited Settlement</td>
<td></td>
</tr>
<tr>
<td>___ Records Review</td>
<td>___ Financial inability to Pay</td>
<td></td>
</tr>
<tr>
<td><strong>Date(s) of Complaints Relating to this Case:</strong> None</td>
<td><strong>SEP Conditional Offset:</strong> $0</td>
<td></td>
</tr>
<tr>
<td><strong>Date of Investigation Relating to this Case:</strong> July 15, 2008</td>
<td><strong>Total Paid to General Revenue:</strong> $4,680</td>
<td></td>
</tr>
<tr>
<td><strong>Date of NOV/NOE Relating to this Case:</strong> January 16, 2009 (NOE)</td>
<td><strong>Site Compliance History Classification</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Background Facts:</strong> This was a routine investigation.</td>
<td>___ High ___ X Average ___ Poor</td>
<td></td>
</tr>
<tr>
<td><strong>AIR</strong></td>
<td><strong>Person Compliance History Classification</strong></td>
<td></td>
</tr>
<tr>
<td>Failure to maintain a minimum sulfur reduction efficiency of 94.0%. Specifically, the minimum efficiency was not met on the following dates in 2007: January 3 (92.46%), February 9 (86.09%), February 27 (93.94%), March 1 (93.1%), April 26 (93.0%), May 2 (93.4%), May 14 (93.5%), and May 25 (93.6%) [30 TEX. ADMIN. CODE § 116.115(c), Permit No. 20137, Special Condition No. 5, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</td>
<td>___ High ___ X Average ___ Poor</td>
<td></td>
</tr>
<tr>
<td><strong>Major Source:</strong> ___ X Yes ___ No</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Applicable Penalty Policy:</strong> September 2002</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Additional ID No(s).:** HT0016G
**Penalty Calculation Worksheet (PCW)**

**Policy Revision 2 (September 2002)**

**PCW Revision October 30, 2008**

<table>
<thead>
<tr>
<th>DATES</th>
<th>Assigned PCW to 20-Jan-2009</th>
<th>Screening 12-Feb-2009</th>
<th>EPA Due 13-Oct-2009</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>RESPONDENT/FACILITY INFORMATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Respondent</td>
<td>WTG Gas Processing, L.P.</td>
</tr>
<tr>
<td>Reg. Ent. Ref. No.</td>
<td>RN100211473</td>
</tr>
<tr>
<td>Facility/Site Region</td>
<td>7-Midland</td>
</tr>
<tr>
<td>Major/Minor Source</td>
<td>Major</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CASE INFORMATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Enf./Case ID No.</td>
<td>37158</td>
</tr>
<tr>
<td>Docket No.</td>
<td>2009-0210-AIR-E</td>
</tr>
<tr>
<td>Media Program(s)</td>
<td>Air</td>
</tr>
<tr>
<td>Multi-Media</td>
<td></td>
</tr>
<tr>
<td>Admin. Penalty $ Limit Minimum</td>
<td>$0</td>
</tr>
<tr>
<td>Maximum</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

### Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)**

| Subtotal 1 | $5,000 |

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

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

- **Compliance History**: 42.0% Enhancement
- **Subtotals 2, 3, & 7** $2,100

- **Notes**: The penalty was enhanced for one other NOV and two 1660 orders.

- **Culpability**: No 0.0% Enhancement
- **Subtotal 4**: $0

- **Notes**: The Respondent does not meet the culpability criteria.

- **Good Faith Effort to Comply Total Adjustments**
- **Subtotal 5**: $1,250

- **Economic Benefit**
  - **Total EB Amounts**: $499
  - **Approx. Cost of Compliance**: $5,000
  - **Subtotal 6**: $0

**SUM OF SUBTOTALS 1-7**

| Final Subtotal | $5,850 |

**OTHER FACTORS AS JUSTICE MAY REQUIRE**

Reduces or enhances the Final Subtotal by the indicated percentage.

| Adjustment | 0.0% |

**Notes**

**Final Penalty Amount**

| $5,850 |

**STATUTORY LIMIT ADJUSTMENT**

**Final Assessed Penalty**

| $5,850 |

**DEFERRAL**

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

| Reduction | 20.0% |

**Notes**

Deferral offered for expedited settlement.

**PAYABLE PENALTY**

| $4,680 |
## Compliance History Worksheet

### NOVs
- Written NOVs with same or similar violations as those in the current enforcement action: 0 (0%)
- Other written NOVs: 1 (2%)

### Orders
- Any agreed final enforcement orders containing a denial of liability: 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: 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: 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: 0 (0%)

### Emissions
- Chronic excessive emissions events: 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: 0 (0%)
- Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995: 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%)

### Repeat Violator
- No (0%)

### Compliance History Person Classification
- Average Performer (0%)

### Compliance History Summary
- The penalty was enhanced for one other NOV and two 1660 orders.

**Total Adjustment Percentage** (Subtotals 2, 3, & 7) 42%
Violation Number | 1  
---|---

**Rule Cite(s)**
30 Tex. Admin. Code § 116.115(c), Permit No. 20137, Special Condition No. 5, and Tex. Health & Safety Code § 382.085(b)

**Violation Description**
Failed to maintain a minimum sulfur reduction efficiency of 94.0%. Specifically, the minimum efficiency was not met on the following dates in 2007: January 3 (92.46%), February 9 (86.09%), February 27 (93.94%), March 1 (93.1%), April 26 (93.0%), May 2 (93.4%), May 14 (93.5%), and May 25 (93.6%).

**Enforcement Coordinator**
Miriam Hall

**Docket No.** 2009-0210-AIR-E

**Respondent** WTG Gas Processing, L.P.

**Case ID No.** 37158

**Reg. Ent. Reference No.** RN100211473

**Media [Statute]** Air

**Violation Event**
Two quarterly events are recommended for January 3 through May 25, 2007.

**Number of Violation Events** | 2  
---|---

**Number of violation days** | 8  
---|---

**Violation Base Penalty** | $5,000  
---|---

**Good Faith Efforts to Comply**
25.0% Reduction

**Before NOV**
NOV to EDPPR/EdPRP

**Extraordinary**

**Ordinary**

**N/A**

**Notes**
Corrective actions were completed by December 31, 2008, and the NOE was issued January 16, 2009.

**Violation Subtotal** | $3,750  
---|---

**Economic Benefit (EB) for this violation**
Estimated EB Amount | $499  
---|---

**Statutory Limit Test**
Violation Final Penalty Total | $5,850  
---|---

This violation Final Assessed Penalty (adjusted for limits) | $5,850  
---|---
# Economic Benefit Worksheet

**Respondent**: WTG Gas Processing, L.P.

**Case ID No.**: 37158

**Reg. Ent. Reference No.**: RN100211473

**Media**: Air

**Violation No.**: 1

---

**Item Description** | **Item Cost** | **Date Required** | **Final Date** | **Yrs** | **Interest Saved** | **One-time Costs** | **EB Amount**
--- | --- | --- | --- | --- | --- | --- | ---
**Delayed Costs** |  |  |  |  |  |  |  |
Equipment | 0.00 |  |  |  |  |  |  |
Buildings | 0.00 |  |  |  |  |  |  |
Other (as needed) | 0.00 |  |  |  |  |  |  |
Engineering/construction | 0.00 |  |  |  |  |  |  |
Land | 0.00 |  |  |  |  |  |  |
Record Keeping System | 0.00 |  |  |  |  |  |  |
Training/Sampling | 0.00 |  |  |  |  |  |  |
Remediation/Disposal | 0.00 |  |  |  |  |  |  |
Permit Costs | 0.00 |  |  |  |  |  |  |
Other (as needed) | $5,000 | 3-Jan-2007 | 31-Dec-2008 | 1.99 | $499 | $499 | $499
---

**Notes for DELAYED costs**

The estimated cost for replacing the sulfur recovery unit (SRU) catalyst and cleaning associated SRU equipment from the date of the first violation to the date corrective actions were completed.

---

**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** | **One-time Costs** | **EB Amount** |
--- | --- | --- | --- | --- | --- | --- | ---|
Disposal | 0.00 |  |  |  |  |  |  |
Personnel | 0.00 |  |  |  |  |  |  |
Inspection/Reporting/Sampling | 0.00 |  |  |  |  |  |  |
Supplies/equipment | 0.00 |  |  |  |  |  |  |
Financial Assurance [2] | 0.00 |  |  |  |  |  |  |
ONE-TIME avoided costs [3] | 0.00 |  |  |  |  |  |  |
Other (as needed) | 0.00 |  |  |  |  |  |  |
---

**Notes for AVOIDED costs**

---

**Approx. Cost of Compliance** | $5,000

**TOTAL** | $499
Compliance History Report

Customer/Respondent/Owner-Operator: CN600125439  WTG Gas Processing, L.P.  Classification: AVERAGE  Rating: 8.61
Regulated Entity: RN100211473  EAST VEALMOOR GAS PLANT  Classification: AVERAGE  Site Rating: 33.22

ID Number(s):
- AIR OPERATING PERMITS ACCOUNT NUMBER HT0016G
- AIR OPERATING PERMITS PERMIT 525
- AIR OPERATING PERMITS PERMIT 3180
- AIR NEW SOURCE PERMITS PERMIT 1816
- AIR NEW SOURCE PERMITS PERMIT 5301
- AIR NEW SOURCE PERMITS PERMIT 8461
- AIR NEW SOURCE PERMITS PERMIT 20137
- AIR NEW SOURCE PERMITS PERMIT 27084
- AIR NEW SOURCE PERMITS PERMIT 37218
- AIR NEW SOURCE PERMITS PERMIT 47146
- AIR NEW SOURCE PERMITS ACCOUNT NUMBER HT0016G
- AIR NEW SOURCE PERMITS AFS NUM 4822700003

Location:
8 miles west of the intersection of Texas Highway 350 on Farm Road 846 and one mile north on a lease road in Howard County

TCEQ Region: REGION 07 - MIDLAND
Date Compliance History Prepared: February 12, 2009
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: February 12, 2004 to February 12, 2009

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Miriam Hall  Phone: (512) 239-1044

Site Compliance History Components

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 of the site during the compliance period? Yes
3. If Yes, who is the current owner? WTG Gas Processing, L.P
4. If Yes, who was/were the prior owner(s)? Chevron U.S.A. Inc.
5. When did the change(s) in ownership occur? 10/29/2004
6. Rating Date: 9/1/2008  Repeat Violator: NO

Components (Multimedia) for the Site:
A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 07/15/2005  ADMINORDER 2004-1629-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)
30 TAC Chapter 122, SubChapter B 122.146
5C THC Chapter 382, SubChapter A 382.086(b)
Description: Failed to submit complete and timely Annual Federal Operating PCC and associated DRs for March 10, 2003 to January 12, 2004

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 20137, Special Condition 8 PERMIT
Description: Failed to maintain the maximum pounds/hour (lbs/hr) allowable emission rate for sulfur dioxide

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 20137, Special Condition 4 PERMIT
Description: Failed to maintain the minimum sulfur recovery efficiency rate based on the amount of sulfur being processed
Classification: Moderate
Effective Date: 01/28/2008
ADMINORDER 2007-0722-AIR-E

Classification: Minor
Citation: 30 TAC Chapter 116, Subchapter B 116.115(c)
5C THC Chapter 382, Subchapter A 382.085(b)
Rqmt Prov: Permit No. 20137, Special Condition 1 PERMIT
Description: Failed to conduct monthly leak detection monitoring for VOC emissions

Classification: Moderate
Citation: 30 TAC Chapter 116, Subchapter B 116.115(c)
5C THC Chapter 382, Subchapter D 382.085(b)
Rqmt Prov: 5301 PERMIT
Special Condition 6.B. PERMIT
Description: Failed to perform the annual evaluation of the catalyst degradation for Emission Point No. CM-20, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review ("NSR") Permit No. 5301, Special Condition No. 6B and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 13, 2007.

Classification: Minor
Citation: 30 TAC Chapter 101, Subchapter A 101.20(1)
30 TAC Chapter 116, Subchapter B 116.115(b)(2)(F)
30 TAC Chapter 116, Subchapter B 116.115(c)
40 CFR Chapter 60, Subchapter C, PT 60, SubPT LLL 60.642(b)
5C THC Chapter 382, Subchapter D 382.085(b)
Rqmt Prov: MAERT PERMIT
Description: Failed to prevent the exceedance of sulfur dioxide and maintaining sulfur dioxide reduction efficiency above the 74% federal minimum requirement and 94% permitted minimum requirement for the reporting periods January 13, 2004 to January 12, 2007, as documented during an investigation conducted on February 13, 2007.

B. Any criminal convictions of the state of Texas and the federal government.
   N/A

C. Chronic excessive emissions events.
   N/A

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

1 05/27/2004 (273599)
2 05/27/2004 (273794)
3 06/07/2004 (274238)
4 06/10/2004 (275008)
5 09/29/2004 (290953)
6 01/20/2006 (377556)
7 05/18/2006 (466719)
8 04/04/2007 (555226)
9 01/16/2009 (685433)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
Self Report? NO

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

Description: Failure to properly report deviations involving the failure to comply with the permitted minimum sulfur recovery unit efficiencies. All deviations due to the SRU inability to maintain efficiency were reported as deviations; however, the entries were for specified periods of time rather than individual days. Each deviation should be reported separately.

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

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2009-0210-AIR-E

I. JURISDICTION AND STIPULATIONS

At its agenda, 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. ("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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates a natural gas plant eight miles west of the intersection of Texas Highway 350 on Farm Road 846 and one mile north on a lease road in 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 Commission 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 January 21, 2009.

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 Five Thousand Eight Hundred Fifty Dollars ($5,850) is assessed by the Commission in settlement of the violations alleged in Section II
("Allegations"). The Respondent has paid Four Thousand Six Hundred Eighty Dollars ($4,680) of the administrative penalty and One Thousand One Hundred Seventy Dollars ($1,170) 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 of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. The Executive Director recognizes that by December 31, 2008, the Respondent replaced the spent catalyst in the sulfur recovery unit ("SRU") and cleaned the associated SRU equipment to improve the sulfur reduction efficiency 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 maintain a minimum sulfur reduction efficiency of 94.0%, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 20137, Special Condition No. 5, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on July 15, 2008. Specifically, the minimum efficiency was not met on the following dates in 2007: January 3 (92.46%), February 9 (86.09%), February 27 (93.94%), March 1 (93.1%), April 26 (93.0%), May 2 (93.4%), May 14 (93.5%), and May 25 (93.6%).

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. 2009-0210-AIR-E" to:

   Financial Administration Division, Revenues 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 multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.

5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.
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.

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