Executive Summary – Enforcement Matter – Case No. 55792
ETC Field Services LLC
RN100238633
Docket No. 2018-0306-AIR-E

Order Type:
Findings Agreed Order
Findings Order Justification:
People or environmental receptors have been exposed to pollutants which exceed levels that are protective.
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Keystone Gas Plant, approximately 0.3 miles East of the intersection of County Road 301 and Farm-to-Market Road 1218 near Kermit, Winkler County
Type of Operation:
Crude petroleum and natural gas processing plant
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket No. 2017-0885-AIR-E
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: August 3, 2018
Comments Received: No

Penalty Information

Total Penalty Assessed: $175,625
Total Paid to General Revenue: $175,625
Total Due to General Revenue: $0
Payment Plan: N/A
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: Yes
Statutory Limit Adjustment: $43,750
Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: February 15, 2018
Date(s) of NOE(s): February 21, 2018

Executive Summary – Enforcement Matter – Case No. 55792
ETC Field Services LLC
RN100238633
Docket No. 2018-0306-AIR-E

Violation Information

1. Failed to submit an initial notification within 24 hours after the discovery of an emissions event. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2940, Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions during Incident No. 195265. Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 2724, Special Conditions ("SC") No. 1, FOP No. O2940, STC No. 8, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions during Incident No. 196125. Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Permit by Rule ("PBR") Registration No. 73140, PBR Registration No. 90277, NSR Permit No. 2724, SC No. 1, FOP No. O2940, STC No. 8, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 196125 and 195265;

b. Within 30 days, implement measures and/or procedures designed to ensure initial notifications for reportable emissions events are submitted within 24 hours after discovery; and

c. Within 45 days, submit written certification to demonstrate compliance with a and b.

Executive Summary – Enforcement Matter – Case No. 55792
ETC Field Services LLC
RN100238633
Docket No. 2018-0306-AIR-E

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Richard Garza, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-2697; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548
Respondent: Jeremy Cannady, ETC Field Services LLC, 600 North Marienfeld Street, Suite 700, Midland, Texas 79701
Greg McIlwain, Vice President of Operations, ETC Field Services LLC, 600 North Marienfeld Street, Suite 700, Midland, Texas 79701
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES **Assigned** 26-Feb-2018 **PCW** 7-Mar-2018 **Screening** 6-Mar-2018 **EPA Due**

RESPONDENT/FACILITY INFORMATION

Respondent	ETC Field Services LLC		
Reg. Ent. Ref. No.	RN100238633		
Facility/Site Region	7-Midland	**Major/Minor Source**	Major

CASE INFORMATION

Enf./Case ID No.	55792	**No. of Violations**	3
Docket No.	2018-0306-AIR-E	**Order Type**	Findings
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Richard Garza
		EC's Team	Enforcement Team 4

Admin. Penalty $ Limit **Minimum** $0 **Maximum** $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$175,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **25.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$43,875**

Notes: Enhancement for one NOV with same/similar violations and one agreed order with denial of liability.

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*** **$0**

Economic Benefit — **0.0%** Enhancement* — ***Subtotal 6*** **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts $4,908

Estimated Cost of Compliance $22,000

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$219,375**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$219,375**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$175,625**

DEFERRAL **0.0%** Reduction — ***Adjustment*** **$0**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$175,625**

Screening Date 6-Mar-2018 **Docket No.** 2018-0306-AIR-E **PCW**

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent ETC Field Services LLC

Case ID No. 55792

Reg. Ent. Reference No. RN100238633

Media [Statute] Air

Enf. Coordinator Richard Garza

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 (*number of NOVs meeting criteria*)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of 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 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	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) 25%

>> 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 and one agreed order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 25%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 25%

Screening Date 6-Mar-2018 **Docket No.** 2018-0306-AIR-E **PCW**

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent ETC Field Services LLC

Case ID No. 55792

Reg. Ent. Reference No. RN100238633

Media [Statute] Air

Enf. Coordinator Richard Garza

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2940, Special Terms and Conditions ("STC") No. 2.F, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification within 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 195265 was due by March 8, 2014 at 1:00 a.m., but was not submitted until March 12, 2014 at 10:49 a.m., and the initial notification for Incident No. 196125 was due by March 30, 2014 at 2:00 p.m., but was not submitted until March 31, 2014 at 4:37 p.m.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 2 — 5 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

Two single events are recommended, one for each late notification.

Good Faith Efforts to Comply

0.0%

Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $346

Statutory Limit Test

Violation Final Penalty Total $625

This violation Final Assessed Penalty (adjusted for limits) $625

Economic Benefit Worksheet

Respondent ETC Field Services LLC
Case ID No. 55792
Reg. Ent. Reference No. RN100238633
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	$1,500	8-Mar-2014	8-Oct-2018	4.59	$344	n/a	$344
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)	$500	8-Mar-2014	31-Mar-2014	0.06	$2	n/a	$2
Notes for DELAYED costs	Estimated cost to implement measures and/or procedures designed to ensure initial notifications for reportable emissions events are submitted within 24 hours after discovery ($1,500) and to submit the initial notifications for Incident Nos. 195265 and 196125 ($500). The Date required is the date the initial notification was due and the Final Dates are the date of compliance and the estimated date of compliance.						
Avoided Costs	**ANNUALIZE 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				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $2,000

TOTAL $346

Screening Date 6-Mar-2018 **Docket No.** 2018-0306-AIR-E **PCW**

Policy Revision 4 (April 2014)

Respondent ETC Field Services LLC

PCW Revision March 26, 2014

Case ID No. 55792

Reg. Ent. Reference No. RN100238633

Media [Statute] Air

Enf. Coordinator Richard Garza

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 2724, Special Conditions ("SC") No. 1, FOP No. O2940, STC No. 8, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released approximately 1,862.43 pounds ("lbs") of volatile organic compounds ("VOC"), 422,000 lbs of sulfur dioxide ("SO2"), 2,988.28 lbs of nitrogen oxides ("NOx"), and 4,490 lbs of hydrogen sulfide ("H2S") from the Acid Gas Flare, Emission Point Number ("EPN") FL-1, during an avoidable emissions event (Incident No. 195265) that began on March 7, 2014 and lasted 135 hours and 20 minutes. The emissions event occurred when the bearings of the west heater went out causing the blower wheel to become damaged, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $0

$25,000

Violation Events

Number of Violation Events 6 — 6 Number of violation days

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $150,000

Six daily events are recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $150,000

Economic Benefit (EB) for this violation

Estimated EB Amount $2,296

Statutory Limit Test

Violation Final Penalty Total $187,500

This violation Final Assessed Penalty (adjusted for limits) $150,000

Economic Benefit Worksheet

Respondent ETC Field Services LLC
Case ID No. 55792
Reg. Ent. Reference No. RN100238633
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	$10,000	7-Mar-2014	8-Oct-2018	4.59	$2,296	n/a	$2,296
Notes for DELAYED costs	Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to same or similar causes as Incident No. 195265. The Date Required is the date the emissions event began and the Final Date is the estimated date of compliance.						
Avoided Costs	**ANNUALIZE 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				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $10,000

TOTAL $2,296

Screening Date 6-Mar-2018 **Docket No.** 2018-0306-AIR-E **PCW**

Policy Revision 4 (April 2014)

Respondent ETC Field Services LLC

PCW Revision March 26, 2014

Case ID No. 55792

Reg. Ent. Reference No. RN100238633

Media [Statute] Air

Enf. Coordinator Richard Garza

Violation Number 3

Rule Cite(s): 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Permit by Rule ("PBR") Registration No. 73140, PBR Registration No. 90277, NSR Permit No. 2724, SC No. 1, FOP No. O2940, STC No. 8, and Tex. Health & Safety Code § 382.085(b)

Violation Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released approximately 5.9 lbs of carbon monoxide ("CO"), 407.05 lbs of VOC, 79,200 lbs of SO2, 587.35 lbs of NOx, and 843 lbs of H2S from the Acid Gas Flare, EPN FL-1; 8,590 lbs of CO, 71.7 lbs of VOC, and 1,000 lbs of NOx from the High Pressure Flare, EPN FL-2; and 542 lbs of CO, 504 lbs of VOC, 1,720 lbs of SO2, 272 lbs of NOx, and 18.3 lbs of H2S from the Low Pressure Flare, EPN FL-6, during an avoidable emissions event (Incident No. 196125) that began on March 29, 2014 and lasted five hours. The emissions event occurred when the inlet gas to the Plant had a composition change, resulting in flaring. Since the Respondent did not comply with emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $0

$25,000

Violation Events

Number of Violation Events: 1

1 Number of violation days

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $25,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $25,000

Economic Benefit (EB) for this violation

Estimated EB Amount $2,266

Statutory Limit Test

Violation Final Penalty Total $31,250

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

Economic Benefit Worksheet

Respondent ETC Field Services LLC
Case ID No. 55792
Reg. Ent. Reference No. RN100238633
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	$10,000	29-Mar-2014	8-Oct-2018	4.53	$2,266	n/a	$2,266
Notes for DELAYED costs	Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to same or similar causes as Incident No. 196125. The Date Required is the date of the emissions event and the Final Date is the estimated date of compliance.						
Avoided Costs	**ANNUALIZE 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				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $10,000

TOTAL $2,266

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

Compliance History Report

Compliance History Report for CN603263823, RN100238633, Rating Year 2017 which includes Compliance History (CH) components from September 1, 2012, through August 31, 2017.

Customer, Respondent, or Owner/Operator: CN603263823, ETC Field Services LLC **Classification:** SATISFACTORY **Rating:** 1.99

Regulated Entity: RN100238633, KEYSTONE GAS PLANT **Classification:** SATISFACTORY **Rating:** 3.43

Complexity Points: 7 **Repeat Violator:** NO

CH Group: 03 - Oil and Gas Extraction

Location: APPROXIMATELY 0.3 MILE EAST OF THE INTERSECTION OF COUNTY ROAD 301 AND FARM-TO-MARKET ROAD 1218 NEAR KERMIT, TEXAS, WINKLER COUNTY

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER WM0011U
AIR OPERATING PERMITS PERMIT 2940
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2480011
AIR NEW SOURCE PERMITS ACCOUNT NUMBER WM0011U
AIR NEW SOURCE PERMITS AFS NUM 4849500006
AIR NEW SOURCE PERMITS PERMIT 73600
AIR NEW SOURCE PERMITS REGISTRATION 146337
AIR EMISSIONS INVENTORY ACCOUNT NUMBER WM0011U

Compliance History Period: September 01, 2012 to August 31, 2017 **Rating Year:** 2017 **Rating Date:** 09/01/2017

Date Compliance History Report Prepared: March 06, 2018

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 06, 2013 to March 06, 2018

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

Name: Richard Garza **Phone:** (512) 239-2697

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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 11/08/2016 ADMINORDER 2016-0225-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 B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions No. 1 PERMIT
Special Conditions No. 3 PERMIT
Special Terms and Conditions No. 8 PERMIT

Description: Failed to maintain the minimum sulfur recovery efficiency and to comply with the permitted emissions rate. Specifically, between September 16, 2013 and June 21, 2014, EPN S-1 did not maintain a sulfur recovery efficiency of at least 95%, ranging from 25.63% to 93.67% for 149 days, and exceeded the SO2 emissions rate of 182.88 lbs/hr by an average of 230.67 lbs/hr for a total of 1,574 hours, resulting in the unauthorized release of approximately 363,075 pounds of SO2.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	November 04, 2013	(1128647)
Item 2	November 15, 2013	(1132450)
Item 3	January 08, 2014	(1134933)
Item 4	January 15, 2014	(1133086)
Item 5	January 17, 2014	(1134278)
Item 6	February 11, 2014	(1146949)
Item 7	February 12, 2014	(1138610)
Item 8	February 20, 2014	(1150779)
Item 9	February 21, 2014	(1150553)
Item 10	June 23, 2014	(1177814)
Item 11	June 25, 2014	(1178238)
Item 12	June 26, 2014	(1178371)
Item 13	August 11, 2014	(1178335)
Item 14	August 15, 2014	(1179121)
Item 15	August 25, 2014	(1191766)
Item 16	November 12, 2014	(1204222)
Item 17	November 17, 2014	(1204357)
Item 18	November 20, 2014	(1205049)
Item 19	December 05, 2014	(1205699)
Item 20	December 29, 2014	(1205598)
Item 21	January 05, 2015	(1205632)
Item 22	January 21, 2015	(1217500)
Item 23	January 22, 2015	(1217080)
Item 24	March 11, 2015	(1230572)
Item 25	May 07, 2015	(1247295)
Item 26	October 08, 2015	(1282835)
Item 27	November 03, 2015	(1288616)
Item 28	December 04, 2015	(1295200)
Item 29	December 10, 2015	(1296187)
Item 30	December 29, 2015	(1296189)
Item 31	February 10, 2016	(1308033)
Item 32	April 25, 2016	(1323191)
Item 33	May 06, 2016	(1329117)
Item 34	July 12, 2016	(1337667)
Item 35	July 22, 2016	(1349015)
Item 36	July 29, 2016	(1348910)
Item 37	August 05, 2016	(1351785)
Item 38	August 18, 2016	(1345484)
Item 39	August 26, 2016	(1345487)
Item 40	October 21, 2016	(1358780)
Item 41	October 31, 2016	(1368920)
Item 42	December 01, 2016	(1371462)
Item 43	December 02, 2016	(1376649)
Item 44	December 29, 2016	(1382255)
Item 45	January 12, 2017	(1382250)
Item 46	March 10, 2017	(1382253)
Item 47	May 18, 2017	(1409875)
Item 48	October 18, 2017	(1424494)
Item 49	November 02, 2017	(1448845)
Item 50	December 05, 2017	(1424923)
Item 51	December 12, 2017	(1424265)
Item 52	December 19, 2017	(1459617)
Item 53	December 21, 2017	(1459807)

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

Compliance History Report for CN603263823, RN100238633, Rating Year 2017 which includes Compliance History (CH) components from March 06, 2013, through March 06, 2018.

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: 05/01/2017 (1403792)

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct a 1-Time Energy Assessment for Amine Heater, Glycol Reboiler, Therminol Heater 1, Therminol Heater 2, Regen Gas Heater, and Steam Boiler as required by Table 3 in 40 CFR 63 DDDDD. This is an alleged violation of 40 CFR 63.7550..

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(d)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain exhaust gas inlet temperatures to the catalyst above 450°F on Units 26, 27, and 28. This is an alleged violation of 40 CFR 63.6655(d), 30 TAC 122.143(4), and 40 CFR 63.6625(b).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6640
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(d)
5C THSC Chapter 382 382.085(b)

Description: Failure to record the hourly inlet exhaust temperatures on the Unit 28 engine from March to June 2016. This is an alleged violation of 40 CFR 63.6655(d), 40 CFR 63.6640, and 30 TAC 122.143(4).

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

Component Appendices

Appendix A
All NOVs Issued During Component Period 3/6/2013 and 3/6/2018

1 Date: 01/06/2014 (1132949)

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 30 TAC Chapter 30, SubChapter A 30.10(1)

Description: The late reporting of both incidents are an alleged violation of 30 TAC Chapter 101.201(a)(1)(B) which requires initial notification of a reportable emissions event within 24 hours of discovery. This is classified as a category C-3 violation by the Enforcement Initiation Criteria (EIC) document. When the RE failed to report the incident properly under 30 TAC 101.201(a)(1)(B), the unauthorized emissions became ineligible for exemption.

2 Date: 08/26/2015 (1267543)

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)
30 TAC Chapter 106, SubChapter W 106.512(2)(C)(ii)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct semi-annual portable analyzer testing for NOx and CO of units C-1 and C-20 for the second semi-annual period. This is an alleged violation of 30 TAC 106.512(2)(c)(i)(ii) and from their NSR Permit 73600 which requires evaluations of engine performance be done semi-annually.

Self Report? NO Classification: Moderate

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625
5C THSC Chapter 382 382.085(b)

Description: Failure to record Catalyst Pressure Drops recorded for Units 26, 27, and 28 from January through June, 2014. The RE is required to record a Catalyst Pressure Drop once per month on these three engines for compliance with the RICE MACT rules. The RE started to record again for July, 2014. These are alleged violations of 40 CFR 63.6625, 30 TAC 101.20 (2) and 30 TAC 122.143 (4).

Self Report? NO Classification: Moderate

For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct quarterly visible emissions logs for the third quarter of 2013 and the first two quarters of 2014. This is an alleged violation of 30 TAC 111.111 and is part of their Special Terms and Conditions 2(iv)(1) for their operating permit.

3 Date: 06/01/2016 (1335573)

Self Report? NO Classification: Moderate

For Informational Purposes Only

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

Description: Failure to report the incident properly to the TCEQ Midland Regional Office within 14 days after the end of the event under 30 TAC 101.201(c), the unauthorized emissions became ineligible for exemption. Incident 187907 was reviewed for compliance with the 30 Texas Administrative Code (TAC) Chapter 101 § 101.201, 101.222 (a) and (b).

4* Date: 05/01/2017 (1403792)

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct a 1-Time Energy Assessment for Amine Heater, Glycol Reboiler, Therminol Heater 1, Therminol Heater 2, Regen Gas Heater, and Steam Boiler as required by Table 3 in 40 CFR 63 DDDDD. This is an alleged violation of 40 CFR 63.7550.

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(d)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain exhaust gas inlet temperatures to the catalyst above 450°F on Units 26, 27, and 28. This is an alleged violation of 40 CFR 63.6655(d), 30 TAC 122.143(4), and 40 CFR 63.6625(b).

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6640

40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(d)
5C THSC Chapter 382 382.085(b)

Description: Failure to record the hourly inlet exhaust temperatures on the Unit 28 engine from March to June 2016. This is an alleged violation of 40 CFR 63.6655(d), 40 CFR 63.6640, and 30 TAC 122.143(4).

* NOVs applicable for the Compliance History rating period 9/1/2012 to 8/31/2017

Appendix B
All Investigations Conducted During Component Period March 06, 2013 and March 06, 2018

Item 1*	November 04, 2013**	(1128647)
Item 2*	November 15, 2013**	(1132450)
Item 3	January 06, 2014**	(1132949)
Item 4*	January 08, 2014**	(1134933)
Item 5*	January 15, 2014**	(1133086)
Item 6*	January 17, 2014**	(1134278)
Item 7*	February 11, 2014**	(1146949)
Item 8*	February 12, 2014**	(1138610)
Item 9*	February 20, 2014**	(1150779)
Item 10*	February 21, 2014**	(1150553)
Item 11	May 21, 2014**	(1170521)
Item 12*	June 23, 2014**	(1177814)
Item 13*	June 25, 2014**	(1178238)
Item 14*	June 26, 2014**	(1178371)
Item 15*	August 11, 2014**	(1178335)
Item 16*	August 15, 2014**	(1179121)
Item 17*	August 25, 2014**	(1191766)
Item 18*	November 12, 2014**	(1204222)
Item 19*	November 17, 2014**	(1204357)
Item 20*	November 20, 2014**	(1205049)
Item 21*	December 05, 2014**	(1205699)
Item 22*	December 29, 2014**	(1205598)
Item 23*	January 05, 2015**	(1205632)
Item 24*	January 21, 2015**	(1217500)
Item 25*	January 22, 2015**	(1217080)
Item 26*	March 11, 2015**	(1230572)
Item 27*	May 07, 2015**	(1247295)
Item 28	August 24, 2015**	(1267543)
Item 29*	October 08, 2015**	(1282835)
Item 30*	November 03, 2015**	(1288616)
Item 31*	December 04, 2015**	(1295200)
Item 32*	December 10, 2015**	(1296187)
Item 33*	December 29, 2015**	(1296189)
Item 34*	February 10, 2016**	(1308033)
Item 35*	April 25, 2016**	(1323191)
Item 36*	May 06, 2016**	(1329117)
Item 37	June 03, 2016**	(1335573)
Item 38*	July 12, 2016**	(1337667)
Item 39*	July 22, 2016**	(1349015)
Item 40	July 29, 2016**	(1345143)

For Informational Purposes Only

Item 41*	August 05, 2016**	(1351785)
Item 42*	August 18, 2016**	(1345484)
Item 43*	August 26, 2016**	(1345487)
Item 44*	October 21, 2016**	(1358780)
Item 45*	October 31, 2016**	(1368920)
Item 46*	December 01, 2016**	(1371462)
Item 47*	December 02, 2016**	(1376649)
Item 48*	December 29, 2016**	(1382255)
Item 49*	January 12, 2017**	(1382250)
Item 50*	March 10, 2017**	(1382253)
Item 51	March 21, 2017**	(1400903)
Item 52	April 27, 2017**	(1403792)
Item 53	May 12, 2017**	(1414211)
Item 54*	May 18, 2017**	(1409875)
Item 55	June 13, 2017**	(1417171)
Item 56*	October 18, 2017	(1424494)
Item 57*	November 02, 2017	(1448845)
Item 58*	December 05, 2017	(1424923)
Item 59*	December 12, 2017	(1424265)
Item 60*	December 19, 2017	(1459617)
Item 61*	December 21, 2017	(1459807)

For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2012 and 08/31/2017.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING ETC FIELD SERVICES LLC RN100238633	**§ § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2018-0306-AIR-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ETC Field Services LLC (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 presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a crude petroleum and natural gas processing plant located approximately 0.3 mile east of the intersection of Country Road 301 and Farm-to-Market Road 1218 near Kermit, Winkler 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. During a record review conducted on February 15, 2018, an investigator documented that:

   a. The initial notification for Incident No. 195265 was due by March 8, 2014 at 1:00 a.m., but was not submitted until March 12, 2014 at 10:49 a.m., and the initial notification for Incident No. 196125 was due by March 30, 2014 at 2:00 p.m., but was not submitted until March 31, 2014 at 4:37 p.m.

b. The Respondent released approximately 1,862.43 pounds ("lbs") of volatile organic compounds ("VOC"), 422,000 lbs of sulfur dioxide ("SO2"), 2,988.28 lbs of nitrogen oxides ("NOx"), and 4,490 lbs of hydrogen sulfide ("H2S") from the Acid Gas Flare, Emission Point Number ("EPN") FL-1, during an avoidable emissions event (Incident No. 195265) that began on March 7, 2014 and lasted 135 hours and 20 minutes. The emissions event occurred when the bearings of the west heater went out causing the blower wheel to become damaged, resulting in flaring. TCEQ staff determined that the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices.

c. The Respondent released approximately 5.9 lbs of carbon monoxide ("CO"), 407.05 lbs of VOC, 79,200 lbs of SO2, 587.35 lbs of NOx, and 843 lbs of H2S from the Acid Gas Flare, EPN FL-1; 8,590 lbs of CO, 71.7 lbs of VOC, and 1,000 lbs of NOx from the High Pressure Flare, EPN FL-2; and 542 lbs of CO, 504 lbs of VOC, 1,720 lbs of SO2, 272 lbs of NOx, and 18.3 lbs of H2S from the Low Pressure Flare, EPN FL-6, during an avoidable emissions event (Incident No. 196125) that began on March 29, 2014 and lasted five hours. The emissions event occurred when the inlet gas to the Plant had a composition change, resulting in flaring. TCEQ staff determined that the Respondent did not comply with emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to submit an initial notification within 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O2940, Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b).

3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to prevent unauthorized emissions during Incident No. 195265, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 2724, Special Conditions ("SC") No. 1, FOP No. O2940, STC No. 8, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to prevent unauthorized emissions during Incident No. 196125, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Permit by Rule ("PBR") Registration No. 73140, PBR Registration No. 90277, NSR Permit No. 2724, SC No. 1, FOP No. O2940, STC No. 8, and TEX. HEALTH &

SAFETY CODE § 382.085(b). Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

5. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

6. An administrative penalty in the amount of $175,625 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the $175,625 penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 6 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ETC Field Services LLC, Docket No. 2018-0306-AIR-E" to:

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

2. The Respondent shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Order, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 196125 and 195265;

   b. Within 30 days after the effective date of this Order, implement measures and/or procedures designed to ensure initial notifications for reportable emissions events are submitted within 24 hours after discovery; and

   c. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos.

2.a and 2.b. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

> Air Section Manager
> Midland Regional Office
> Texas Commission on Environmental Quality
> 9900 West IH-20, Suite 100
> Midland, Texas 79706

3. All relief not expressly granted in this Order is denied.

4. 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.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.

7. 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 in this Order.

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. 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.

10. 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.

11. 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

For the Executive Director — Date 4/8/19

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.

Signature — Date 6/8/18

GREG McILWAIN — V. P. OPERATIONS

Name (Printed or typed)
Authorized Representative of
ETC Field Services LLC — Title

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

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