

**Executive Summary – Enforcement Matter – Case No. 59790
Occidental Permian Ltd.
RN100226687
Docket No. 2020-1210-AIR-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Wasson CO2 Removal Plant, 2582 County Road 355, Denver City, Yoakum County

Type of Operation:

Carbon dioxide recovery 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 6, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,750

Amount Deferred for Expedited Settlement: \$3,150

Total Paid to General Revenue: \$12,600

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: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 20, 2020 through July 1, 2020

Date(s) of NOE(s): August 18, 2020

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Occidental Permian Ltd.
RN100226687
Docket No. 2020-1210-AIR-E

Violation Information

Failed to prevent unauthorized emissions. Specifically, the Respondent released 240,214 pounds ("lbs") of carbon monoxide, 3,568.8 lbs of hydrogen sulfide, 133,883 lbs of non-methane/non-ethane natural gas, 28,016.2 lbs of nitrogen oxides, and 329,167 lbs of sulfur dioxide from the Process Flare, Emissions Point Number FE1, during an emissions event (Incident No. 323961) that began on November 2, 2019 and lasted 1,078 hours. The emissions event occurred due to inadvertently adding calcium nitrate into the Triethylene Glycol system that caused a fire, resulting in a Plant shutdown and in flaring. Since the emissions event could have been avoided by better design and/or 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 §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 16754 and PSDTX682, Special Conditions No. 1, Federal Operating Permit No. O553, General Terms and Conditions and Special Terms and Conditions 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 No. 323961; and
- b. Within 45 days, submit written certification to demonstrate compliance with a.

**Executive Summary – Enforcement Matter – Case No. 59790
Occidental Permian Ltd.
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Docket No. 2020-1210-AIR-E**

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division,
Enforcement Team 4, MC R-13, (210) 403-4077; Michael Parrish, Enforcement
Division, MC 219, (512) 239-2548

Respondent: Vishal Gupta, President and General Manager, Occidental Permian Ltd.,
5 Greenway Plaza, Suite 110, Houston, Texas 79046-0521
Mike Kelly, Plant Manager, Occidental Permian Ltd., P.O. Box 1140, Sundown, Texas
79372-1140

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	31-Aug-2020	Screening	8-Sep-2020	EPA Due	
	PCW	17-May-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	Occidental Permian Ltd.
Reg. Ent. Ref. No.	RN100226687
Facility/Site Region	2-Lubbock
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	59790	No. of Violations	1
Docket No.	2020-1210-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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	\$15,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	5.0% Adjustment	Subtotals 2, 3, & 7	\$750
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Notes: Enhancement for one NOV with same/similar violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,126
 Estimated Cost of Compliance: \$10,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$15,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$15,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$15,750
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DEFERRAL	20.0% Reduction	Adjustment	-\$3,150
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$12,600
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Screening Date 8-Sep-2020

Docket No. 2020-1210-AIR-E

PCW

Respondent Occidental Permian Ltd.

Policy Revision 4 (April 2014)

Case ID No. 59790

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100226687

Media Air

Enf. Coordinator Yuliya Dunaway

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>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
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) 5%

>> 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.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 5%

Screening Date 8-Sep-2020

Docket No. 2020-1210-AIR-E

PCW

Respondent Occidental Permian Ltd.

Policy Revision 4 (April 2014)

Case ID No. 59790

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100226687

Media Air

Enf. Coordinator Yuliya Dunaway

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. 16754 and PSDTX682, Special Conditions No. 1, Federal Operating Permit No. O553, General Terms and Conditions and Special Terms and Conditions No. 8, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 240,214 pounds ("lbs") of carbon monoxide, 3,568.8 lbs of hydrogen sulfide, 133,883 lbs of non-methane/non-ethane natural gas, 28,016.2 lbs of nitrogen oxides, and 329,167 lbs of sulfur dioxide from the Process Flare, Emissions Point Number FE1, during an emissions event (Incident No. 323961) that began on November 2, 2019 and lasted 1,078 hours. The emissions event occurred due to inadvertently adding calcium nitrate into the Triethylene Glycol system that caused a fire, resulting in a Plant shutdown and in flaring. Since the emissions event could have been avoided by better design and/or 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			Percent
		Major	Moderate	Minor	
	Actual		x		30.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

Based on the Air Quality Analysis Audit performed on the air dispersion modeling that was submitted by the Respondent, human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 2 Number of violation days 45

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$15,000

Two monthly 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 \$15,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,126

Violation Final Penalty Total \$15,750

This violation Final Assessed Penalty (adjusted for limits) \$15,750

Economic Benefit Worksheet

Respondent Occidental Permian Ltd.
Case ID No. 59790
Reg. Ent. Reference No. RN100226687
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
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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)	\$10,000	2-Nov-2019	1-Feb-2022	2.25	\$1,126	n/a	\$1,126

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 323961. 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

\$1,126



Compliance History Report

Compliance History Report for CN600755086, RN100226687, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN600755086, Occidental Permian Ltd.	Classification:	SATISFACTORY	Rating:	0.40
Regulated Entity:	RN100226687, WASSON CO2 REMOVAL PLANT	Classification:	SATISFACTORY	Rating:	0.75
Complexity Points:	11	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	2582 COUNTY ROAD 355 NEAR DENVER CITY, YOAKUM COUNTY, TX				
TCEQ Region:	REGION 02 - LUBBOCK				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER YA0052H	AIR OPERATING PERMITS PERMIT 553
AIR NEW SOURCE PERMITS PERMIT 16754	AIR NEW SOURCE PERMITS REGISTRATION 28996
AIR NEW SOURCE PERMITS ACCOUNT NUMBER YA0052H	AIR NEW SOURCE PERMITS EPA PERMIT PSDTX682
AIR NEW SOURCE PERMITS AFS NUM 4850100025	AIR NEW SOURCE PERMITS REGISTRATION 105474
AIR NEW SOURCE PERMITS REGISTRATION 159143	AIR EMISSIONS INVENTORY ACCOUNT NUMBER YA0052H
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000047027	

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: May 17, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 17, 2016 to May 17, 2021

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

Name: Yuliya Dunaway

Phone: (210) 403-4077

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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	May 23, 2016	(1330609)
Item 2	June 01, 2016	(1330924)
Item 3	August 03, 2016	(1351412)
Item 4	August 08, 2016	(1351573)
Item 5	August 18, 2016	(1355571)
Item 6	November 22, 2016	(1376526)
Item 7	January 11, 2017	(1381959)
Item 8	February 01, 2017	(1383167)

Item 9	February 24, 2017	(1394575)
Item 10	May 26, 2017	(1415748)
Item 11	May 31, 2017	(1416351)
Item 12	June 05, 2017	(1417050)
Item 13	August 10, 2017	(1430188)
Item 14	December 22, 2017	(1459343)
Item 15	January 08, 2018	(1459605)
Item 16	April 20, 2018	(1481107)
Item 17	June 01, 2018	(1484696)
Item 18	June 06, 2018	(1486588)
Item 19	June 14, 2018	(1493436)
Item 20	July 17, 2018	(1504112)
Item 21	August 15, 2018	(1504356)
Item 22	August 16, 2018	(1503785)
Item 23	August 17, 2018	(1507391)
Item 24	September 18, 2018	(1512991)
Item 25	October 08, 2018	(1517281)
Item 26	November 26, 2018	(1526704)
Item 27	March 29, 2019	(1553335)
Item 28	April 15, 2019	(1555136)
Item 29	May 21, 2019	(1559016)
Item 30	June 26, 2019	(1576817)
Item 31	September 30, 2019	(1598131)
Item 32	October 28, 2019	(1604497)
Item 33	December 12, 2019	(1613074)
Item 34	February 25, 2020	(1631391)
Item 35	April 17, 2020	(1644811)
Item 36	November 04, 2020	(1679122)
Item 37	November 30, 2020	(1691775)
Item 38	January 13, 2021	(1684718)

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: 05/22/2020 (1638310)
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP Special Terms and Condition No. 8 PERMIT
Special Condition No. 17 PERMIT
- Description: Failure to operate a system to monitor and record natural gas and water consumption in the turbine.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP Special Terms and Condition No. 8 PERMIT
Special Condition No. 25.H PERMIT
- Description: Failure to make a reasonable effort to repair a leaking component as specified in this paragraph within 15 days after the leak is discovered.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP Special Terms and Condition No. 8 PERMIT
Special Condition No. 19.B PERMIT
- Description: Failure to maintain the Continuous Emissions Rate Monitoring System.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
OCCIDENTAL PERMIAN LTD.
RN100226687**

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§**

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2020-1210-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 Occidental Permian Ltd. (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 carbon dioxide recovery plant located at 2582 County Road 355 near Denver City, Yoakum 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 \$15,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,600 of the penalty and \$3,150 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.

II. ALLEGATIONS

During a record review conducted from March 20, 2020 through July 1, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 16754 and PSDTX682, Special Conditions No. 1, Federal Operating Permit No. O553, General Terms and Conditions and Special Terms and Conditions No. 8, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 240,214 pounds ("lbs") of carbon monoxide, 3,568.8 lbs of hydrogen sulfide, 133,883 lbs of non-methane/non-ethane natural gas, 28,016.2 lbs of nitrogen oxides, and 329,167 lbs of sulfur dioxide from the Process Flare, Emissions Point Number FE1, during an emissions event (Incident No. 323961) that began on November 2, 2019 and lasted 1,078 hours. The emissions event occurred due to inadvertently adding calcium nitrate into the Triethylene Glycol system that caused a fire, resulting in a Plant shutdown and in flaring. Since the emissions event could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

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 No. 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: Occidental Permian Ltd., Docket No. 2020-1210-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 No. 323961.
 - b. 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 No. 2.a. 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
Lubbock Regional Office
Texas Commission on Environmental Quality
5012 50th Street, Suite 100
Lubbock, Texas 79414-3426

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. 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.
8. 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.
9. 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



12/13/2021

For the Executive Director

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.



Signature

06/24/2021

Date

Vishal Gupta

Name (Printed or typed)
Authorized Representative of
Occidental Permian Ltd.

President and General Manager, Oxy Permian Ltd

Title

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