

**Executive Summary – Enforcement Matter – Case No. 64273**

**OXY USA WTP LP**

**RN110408671**

**Docket No. 2023-0864-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Chevron Minerals 7 Battery, located approximately 4,675 feet west of the Tipton Road and Weatherby Road intersection, Pecos, Reeves County

**Type of Operation:**

Sweet natural gas and liquid hydrocarbons processing facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** April 19, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$19,695

**Amount Deferred for Expedited Settlement:** \$3,939

**Total Paid to General Revenue:** \$15,756

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - High

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** December 19, 2022 through April 27, 2023 and December 19, 2022 through May 23, 2023

**Date(s) of NOE(s):** June 7, 2023, June 9, 2023, June 13, 2023, and June 28, 2023

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**Docket No. 2023-0864-AIR-E**

***Violation Information***

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,489.00 pounds ("lbs") of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 392094) that began on March 20, 2019 and lasted 48 hours [30 TEX. ADMIN. CODE § 106.6(b), Permit By Rule ("PBR") Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392094 was due by March 21, 2019 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:02 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392094 was due by April 5, 2019, but was not submitted until December 19, 2022 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,776.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392102) that occurred on October 27, 2020 and lasted 23 hours and 59 minutes [30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392102 was due by October 28, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:05 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
6. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392102 was due by November 10, 2020, but was not submitted until December 19, 2022 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
7. Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,929.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392095) that occurred on January 11, 2020 and lasted 23 hours and 59 minutes [30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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8. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392095 was due by January 12, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:08 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392095 was due by January 25, 2020, but was not submitted until December 19, 2022 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to prevent unauthorized emissions. Specifically, the Respondent released 11,858.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392097) that occurred on September 12, 2020 and lasted 23 hours and 59 minutes [30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

11. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392097 was due by September 13, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:19 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

12. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392097 was due by September 26, 2020, but was not submitted until December 19, 2022 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

13. Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,438.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392104) that occurred on January 21, 2021 and lasted 23 hours and 59 minutes [30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

14. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392104 was due by January 22, 2021 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:18 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

15. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392104 was due by February 4, 2021, but was not submitted until December 19, 2022 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

**Executive Summary – Enforcement Matter – Case No. 64273**

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**Docket No. 2023-0864-AIR-E**

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. By November 15, 2022, successfully completed an automation project to shut in production at the Site during times when gas is unable to be sent to the sales line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 392094, 392095, 392097, 392102, and 392104; and
- b. On December 19, 2022, submitted the initial notifications for Incident Nos. 392094, 392095, 392097, 392102, and 392104 and submitted the final records for Incident Nos. 392094, 392095, 392097, 392102, and 392104.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4077; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Margrethe Berge, Director of Air Quality, OXY USA WTP LP, 5 Greenway Plaza, Suite 110, Houston, Texas 77046  
Cuong Phan, Asset Director, OXY USA WTP LP, 5 Greenway Plaza, Suite 110, Houston, Texas 77046

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	10-Jul-2023		
	<b>PCW</b>	21-Feb-2024	<b>Screening</b>	10-Jul-2023
			<b>EPA Due</b>	

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	OXY USA WTP LP			
<b>Reg. Ent. Ref. No.</b>	RN110408671			
<b>Facility/Site Region</b>	7-Midland	<b>Major/Minor Source</b>	Minor	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	64273	<b>No. of Violations</b>	15
<b>Docket No.</b>	2023-0864-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Yuliya Dunaway
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$26,250
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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.

<b>Compliance History</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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<b>Notes</b>	Since the reduction for one Notice of Intent to conduct an audit is less than zero, the Adjustment Percentage (Subtotal 2) defaults to zero.
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<b>Culpability</b>	No	<b>0.0%</b>	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondent does not meet the culpability criteria.
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$6,555
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<b>Economic Benefit</b>	<b>0.0%</b>	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$9,617
Estimated Cost of Compliance	\$52,500

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$19,695
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
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<b>Final Penalty Amount</b>	\$19,695
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$19,695
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<b>DEFERRAL</b>	<b>20.0%</b>	<b>Reduction</b>	<b>Adjustment</b>	-\$3,939
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.
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<b>PAYABLE PENALTY</b>	\$15,756
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Screening Date10-Jul-2023

RespondentOXY USA WTP LP

Case ID No.64273

Reg. Ent. Reference No.RN110408671

MediaAir

Enf. CoordinatorYuliya Dunaway

Docket No.2023-0864-AIR-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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> )	0	0%
	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> )	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)0%

>> 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

Since the reduction for one Notice of Intent to conduct an audit is less than zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)0%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100%0%

Screening Date

10-Jul-2023

Docket No.

2023-0864-AIR-E

PCW

Respondent

OXY USA WTP LP

Case ID No.

64273

Reg. Ent. Reference No.

RN110408671

Media

Air

Enf. Coordinator

Yuliya Dunaway

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number

1

Rule Cite(s)

30 Tex. Admin. Code § 106.6(b), Permit By Rule ("PBR") Registration No. 170054, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,489.00 pounds ("lbs") of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 392094) that began on March 20, 2019 and lasted 48 hours.

Base Penalty

\$25,000

>> Environmental, Property and Human Health Matrix

OR

Release

Major

Moderate

Minor

Actual

x

Potential

Percent

25.0%

>> Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

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

\$18,750

\$6,250

Violation Events

Number of Violation Events

1

2

Number of violation days

daily

weekly

x

monthly

quarterly

semiannual

annual

single event

Violation Base Penalty

\$6,250

One weekly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction

\$1,562

Before NOE/NOV

NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

x

N/A

Notes

The Respondent completed the corrective measures by November 15, 2022, prior to the Notice of Enforcement ("NOE") dated June 7, 2023.

Violation Subtotal

\$4,688

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$9,151

Violation Final Penalty Total

\$4,688

This violation Final Assessed Penalty (adjusted for limits)

\$4,688

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**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)	\$50,000	20-Mar-2019	15-Nov-2022	3.66	\$9,151	n/a	\$9,151
Notes for DELAYED costs	Estimated cost to successfully complete an automation project to shut in production at the Site during times when gas is unable to be sent to the sales line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 392094, 392095, 392097, 392102, and 392104. The Date Required is the date the first emissions event began and the Final Date is the 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	\$50,000	TOTAL	\$9,151
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Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP		Policy Revision 5 (January 28, 2021)					
Case ID No.		64273		PCW Revision February 11, 2021					
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		2							
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392094 was due by March 21, 2019 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:02 p.m.							
				Base Penalty		\$25,000			
>> Environmental, Property and Human Health Matrix									
OR		Release		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 requirements were not met.							
				Adjustment		\$24,750			
						\$250			
Violation Events									
		Number of Violation Events		1		1369		Number of violation days	
		daily							
		weekly							
		monthly							
		quarterly							
		semiannual							
		annual							
		single event		x					
				Violation Base Penalty		\$250			
		One single event is recommended.							
Good Faith Efforts to Comply				25.0%		Reduction		\$62	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 7, 2023.					
				Violation Subtotal		\$188			
Economic Benefit (EB) for this violation									
Statutory Limit Test									
		Estimated EB Amount		\$234		Violation Final Penalty Total		\$188	
				This violation Final Assessed Penalty (adjusted for limits)		\$188			

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**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
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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)	\$1,250	21-Mar-2019	19-Dec-2022	3.75	\$234	n/a	\$234

Notes for DELAYED costs

Estimated cost to submit the initial notifications for Incident Nos. 392094, 392095, 392097, 392102, and 392104 (\$250/initial notification). The Date Required is the date the first notification was due and the Final Date is the 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 \$1,250

TOTAL \$234

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW			
Respondent		OXY USA WTP LP		Policy Revision 5 (January 28, 2021)							
Case ID No.		64273		PCW Revision February 11, 2021							
Reg. Ent. Reference No.		RN110408671									
Media		Air									
Enf. Coordinator		Yuliya Dunaway									
Violation Number		3									
Rule Cite(s)		30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)									
Violation Description		Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392094 was due by April 5, 2019, but was not submitted until December 19, 2022.									
				Base Penalty		\$25,000					
>> Environmental, Property and Human Health Matrix											
OR		Release		Major		Harm		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 requirements were not met.									
				Adjustment		\$24,750					
						\$250					
Violation Events											
		Number of Violation Events		1		1354		Number of violation days			
		daily									
		weekly									
		monthly									
		quarterly									
		semiannual									
		annual									
		single event				x				Violation Base Penalty	
										\$250	
		One single event is recommended.									
Good Faith Efforts to Comply				25.0%				Reduction		\$62	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer							
		Extraordinary									
		Ordinary		x							
		N/A									
		Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 7, 2023.							
				Violation Subtotal		\$188					
Economic Benefit (EB) for this violation										Statutory Limit Test	
		Estimated EB Amount		\$232		Violation Final Penalty Total		\$188			
				This violation Final Assessed Penalty (adjusted for limits)		\$188					

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**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
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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)	\$1,250	5-Apr-2019	19-Dec-2022	3.71	\$232	n/a	\$232
Notes for DELAYED costs	Estimated cost to submit the final records for Incident Nos. 392094, 392095, 392097, 392102, and 392104 (\$250/final record). The Date Required is the date the first final record was due and the Final Date is the 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	\$1,250	TOTAL	\$232
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Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP		Policy Revision 5 (January 28, 2021)					
Case ID No.		64273		PCW Revision February 11, 2021					
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		4							
Rule Cite(s)		30 Tex. Admin. Code § 106.6(b), PBR Registration No. 170054, and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,776.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392102) that occurred on October 27, 2020 and lasted 23 hours and 59 minutes.							
				Base Penalty		\$25,000			
>> Environmental, Property and Human Health Matrix									
OR		Release		Major		Moderate		Minor	
		Actual						x	
		Potential							
				Percent		15.0%			
>> Programmatic Matrix									
		Falsification		Major		Moderate		Minor	
				Percent		0.0%			
Matrix Notes		Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.							
				Adjustment		\$21,250			
						\$3,750			
Violation Events									
		Number of Violation Events		1		1		Number of violation days	
		daily							
		weekly							
		monthly		x					
		quarterly							
		semiannual							
		annual							
		single event							
				Violation Base Penalty		\$3,750			
		One monthly event is recommended.							
Good Faith Efforts to Comply		25.0%				Reduction		\$937	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures by November 15, 2022, prior to the NOE dated June 13, 2023.					
				Violation Subtotal		\$2,813			
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount				\$0		Violation Final Penalty Total		\$2,813	
				This violation Final Assessed Penalty (adjusted for limits)		\$2,813			

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**Media** Air  
**Violation No.** 4

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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See the Economic Benefit in Violation No. 1.						

## 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	\$0	TOTAL	\$0
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Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP		Policy Revision 5 (January 28, 2021)					
Case ID No.		64273		PCW Revision February 11, 2021					
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		5							
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392102 was due by October 28, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:05 p.m.							
				Base Penalty		\$25,000			
>> Environmental, Property and Human Health Matrix									
OR		Release		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 requirements were not met.							
				Adjustment		\$24,750			
						\$250			
Violation Events									
		Number of Violation Events		1		782		Number of violation days	
		daily							
		weekly							
		monthly							
		quarterly							
		semiannual							
		annual							
		single event		x					
				Violation Base Penalty		\$250			
		One single event is recommended.							
Good Faith Efforts to Comply				25.0%		Reduction		\$62	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 13, 2023.					
				Violation Subtotal		\$188			
Economic Benefit (EB) for this violation									
Statutory Limit Test									
		Estimated EB Amount		\$0		Violation Final Penalty Total		\$188	
				This violation Final Assessed Penalty (adjusted for limits)		\$188			

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**Media** Air  
**Violation No.** 5

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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See the Economic Benefit in Violation No. 2.						

## 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 

\$0

**TOTAL**

\$0



Screening Date 10-Jul-2023		Docket No. 2023-0864-AIR-E		PCW	
Respondent OXY USA WTP LP		Policy Revision 5 (January 28, 2021)			
Case ID No. 64273		PCW Revision February 11, 2021			
Reg. Ent. Reference No. RN110408671					
Media Air					
Enf. Coordinator Yuliya Dunaway					
Violation Number 6					
Rule Cite(s)		30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)			
Violation Description		Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392102 was due by November 10, 2020, but was not submitted until December 19, 2022.			
		Base Penalty		\$25,000	
>> Environmental, Property and Human Health Matrix					
OR	Release		Harm		
	Major	Moderate	Minor		
	Actual				
	Potential			Percent	0.0%
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
				x	Percent 1.0%
Matrix Notes	Less than 30% of the rule requirements were not met.				
Adjustment					\$24,750
					\$250
Violation Events					
Number of Violation Events		1	769	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x	Violation Base Penalty \$250		
One single event is recommended.					
Good Faith Efforts to Comply		25.0%	Reduction		\$62
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary	x			
	N/A				
Notes	The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 13, 2023.				
Violation Subtotal					\$188
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount		\$0	Violation Final Penalty Total		\$188
This violation Final Assessed Penalty (adjusted for limits)					\$188

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**Media** Air  
**Violation No.** 6

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

## 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 \$0

TOTAL \$0

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP							
Case ID No.		64273							
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		7							
Rule Cite(s)		30 Tex. Admin. Code § 106.6(b), PBR Registration No. 170054, and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,929.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392095) that occurred on January 11, 2020 and lasted 23 hours and 59 minutes.							
Base Penalty								\$25,000	
>> Environmental, Property and Human Health Matrix									
OR		Release		Major		Moderate		Minor	
		Actual						x	
		Potential							
Percent								15.0%	
>> Programmatic Matrix									
Matrix Notes		Falsification		Major		Moderate		Minor	
Percent								0.0%	
		Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.							
Adjustment								\$21,250	
								\$3,750	
Violation Events									
Number of Violation Events		1		1		Number of violation days			
		daily							
		weekly							
		monthly		x					
		quarterly							
		semiannual							
		annual							
		single event							
Violation Base Penalty								\$3,750	
One monthly event is recommended.									
Good Faith Efforts to Comply		25.0%		Reduction		\$937			
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures by November 15, 2022, prior to the NOE dated June 9, 2023.					
Violation Subtotal								\$2,813	
Economic Benefit (EB) for this violation									
Statutory Limit Test									
Estimated EB Amount		\$0		Violation Final Penalty Total		\$2,813			
This violation Final Assessed Penalty (adjusted for limits)								\$2,813	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 7

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 1.

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

\$0

TOTAL

\$0

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW			
Respondent		OXY USA WTP LP									
Case ID No.		64273									
Reg. Ent. Reference No.		RN110408671									
Media		Air									
Enf. Coordinator		Yuliya Dunaway									
Violation Number		8									
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)									
Violation Description		Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392095 was due by January 12, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:08 p.m.									
Base Penalty								\$25,000			
>> Environmental, Property and Human Health Matrix											
OR		Release		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 requirements were met.									
Adjustment								\$24,750			
								\$250			
Violation Events											
Number of Violation Events		1		1072		Number of violation days					
		daily									
		weekly									
		monthly									
		quarterly									
		semiannual									
		annual									
		single event		x							
Violation Base Penalty								\$250			
One single event is recommended.											
Good Faith Efforts to Comply				25.0%		Reduction				\$62	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer							
		Extraordinary									
		Ordinary		x							
		N/A									
Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 9, 2023.									
Violation Subtotal								\$188			
Economic Benefit (EB) for this violation					Statutory Limit Test						
Estimated EB Amount				\$0		Violation Final Penalty Total		\$188			
This violation Final Assessed Penalty (adjusted for limits)								\$188			

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 8

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 2.

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 \$0

TOTAL \$0

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP							
Case ID No.		64273							
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		9							
Rule Cite(s)		30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392095 was due by January 25, 2020, but was not submitted until December 19, 2022.							
Base Penalty								\$25,000	
>> Environmental, Property and Human Health Matrix									
OR		Release		Major		Moderate		Minor	
		Actual							
		Potential							
Percent								0.0%	
>> Programmatic Matrix									
Matrix Notes		Falsification		Major		Moderate		Minor	
								x	
		Less than 30% of the rule requirements were not met.							
Adjustment								\$24,750	
								\$250	
Violation Events									
Number of Violation Events		1		1059		Number of violation days			
		daily							
		weekly							
		monthly							
		quarterly							
		semiannual							
		annual							
		single event		x					
Violation Base Penalty								\$250	
One single event is recommended.									
Good Faith Efforts to Comply				25.0%		Reduction		\$62	
		Before NOE/NOV		NOE/NOV to EDRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 9, 2023.					
Violation Subtotal								\$188	
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount				\$0		Violation Final Penalty Total		\$188	
This violation Final Assessed Penalty (adjusted for limits)								\$188	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 9

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

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 \$0

TOTAL \$0



Screening Date 10-Jul-2023		Docket No. 2023-0864-AIR-E		PCW	
Respondent OXY USA WTP LP		Policy Revision 5 (January 28, 2021)			
Case ID No. 64273		PCW Revision February 11, 2021			
Reg. Ent. Reference No. RN110408671					
Media Air					
Enf. Coordinator Yuliya Dunaway					
Violation Number 10					
Rule Cite(s)		30 Tex. Admin. Code § 106.6(b), PBR Registration No. 170054, and Tex. Health & Safety Code § 382.085(b)			
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 11,858.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392097) that occurred on September 12, 2020 and lasted 23 hours and 59 minutes.			
		Base Penalty		\$25,000	
>> Environmental, Property and Human Health Matrix					
OR	Release		Harm		
	Major	Moderate	Minor		
	Actual	x		Percent 25.0%	
Potential					
>> Programmatic Matrix					
Falsification		Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	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		\$18,750	
				\$6,250	
>> Violation Events					
Number of Violation Events		1	1		Number of violation days
		daily			
		weekly	x		
		monthly			
		quarterly			
		semiannual			
		annual			
		single event		Violation Base Penalty \$6,250	
		One weekly event is recommended.			
Good Faith Efforts to Comply		25.0%		Reduction \$1,562	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer	
Extraordinary					
Ordinary		x			
N/A					
Notes		The Respondent completed the corrective measures by November 15, 2022, prior to the NOE dated June 9, 2023.			
		Violation Subtotal		\$4,688	
Economic Benefit (EB) for this violation		Statutory Limit Test			
Estimated EB Amount		\$0		Violation Final Penalty Total \$4,688	
		This violation Final Assessed Penalty (adjusted for limits)		\$4,688	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 10

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 1.

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 \$0

TOTAL \$0

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP							
Case ID No.		64273							
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		11							
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392097 was due by September 13, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:19 p.m.							
Base Penalty								\$25,000	
>> Environmental, Property and Human Health Matrix									
OR									
Release		Major		Moderate		Minor		Percent	
Actual								0.0%	
Potential									
>>Programmatic Matrix									
Falsification		Major		Moderate		Minor		Percent	
						x		1.0%	
Matrix Notes		Less than 30% of the rule requirements were not met.							
Adjustment								\$24,750	
								\$250	
Violation Events									
Number of Violation Events		1		827		Number of violation days			
daily						Violation Base Penalty			
weekly						\$250			
monthly									
quarterly									
semiannual									
annual									
single event				x					
One single event is recommended.									
Good Faith Efforts to Comply		25.0%		Reduction		\$62			
Extraordinary				Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer			
Ordinary		x							
N/A									
Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 9, 2023.							
Violation Subtotal								\$188	
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount		\$0		Violation Final Penalty Total		\$188			
This violation Final Assessed Penalty (adjusted for limits)								\$188	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 11

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 2.

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 \$0 TOTAL \$0

Screening Date10-Jul-2023

RespondentOXY USA WTP LP

Case ID No.64273

Reg. Ent. Reference No.RN110408671

MediaAir

Enf. CoordinatorYuliya Dunaway

Docket No.2023-0864-AIR-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number12

Rule Cite(s)30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)

Violation DescriptionFailed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392097 was due by September 26, 2020, but was not submitted until December 19, 2022.

Base Penalty

\$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent1.0%

Matrix NotesLess than 30% of the rule requirements were not met.

Adjustment

\$24,750

\$250

Violation Events

Number of Violation Events1

814

Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty

\$250

One single event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction

\$62

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

NotesThe Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 9, 2023.

Violation Subtotal

\$188

Economic Benefit (EB) for this violation

Estimated EB Amount

\$0

Statutory Limit Test

Violation Final Penalty Total

\$188

This violation Final Assessed Penalty (adjusted for limits)

\$188

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 12

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

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 \$0

TOTAL \$0

Screening Date 10-Jul-2023		Docket No. 2023-0864-AIR-E		PCW	
Respondent OXY USA WTP LP		Policy Revision 5 (January 28, 2021)			
Case ID No. 64273		PCW Revision February 11, 2021			
Reg. Ent. Reference No. RN110408671					
Media Air					
Enf. Coordinator Yuliya Dunaway					
Violation Number 13					
Rule Cite(s)		30 Tex. Admin. Code § 106.6(b), PBR Registration No. 170054, and Tex. Health & Safety Code § 382.085(b)			
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,438.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392104) that occurred on January 21, 2021 and lasted 23 hours and 59 minutes.			
		Base Penalty		\$25,000	
>> Environmental, Property and Human Health Matrix					
OR	Release		Harm		
		Major	Moderate	Minor	
	Actual			x	
	Potential				Percent 15.0%
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
		Adjustment		\$21,250	
				\$3,750	
>> Violation Events					
Number of Violation Events		1		1 Number of violation days	
	daily				
	weekly				
	monthly	x			
	quarterly				
	semiannual			Violation Base Penalty \$3,750	
	annual				
	single event				
One monthly event is recommended.					
Good Faith Efforts to Comply		25.0%		Reduction \$937	
	Extraordinary				
	Ordinary	x			
	N/A				
Notes	The Respondent completed the corrective measures by November 15, 2022, prior to the NOE dated June 28, 2023.				
		Violation Subtotal		\$2,813	
>> Economic Benefit (EB) for this violation					
>> Statutory Limit Test					
Estimated EB Amount		\$0		Violation Final Penalty Total \$2,813	
		This violation Final Assessed Penalty (adjusted for limits)		\$2,813	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 13

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 1.

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 \$0 TOTAL \$0



Screening Date 10-Jul-2023		Docket No. 2023-0864-AIR-E		PCW		
Respondent OXY USA WTP LP		Policy Revision 5 (January 28, 2021)				
Case ID No. 64273		PCW Revision February 11, 2021				
Reg. Ent. Reference No. RN110408671						
Media Air						
Enf. Coordinator Yuliya Dunaway						
Violation Number 14						
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)				
Violation Description		Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 392104 was due by January 22, 2021 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:18 p.m.				
		Base Penalty		\$25,000		
>> Environmental, Property and Human Health Matrix						
OR	Release		Harm			
	Major	Moderate	Minor			
	Actual			Percent 0.0%		
Potential						
>> Programmatic Matrix						
Falsification		Major	Moderate	Minor		
				x	Percent 1.0%	
Matrix Notes	Less than 30% of the rule requirements were not met.					
		Adjustment		\$24,750		
				\$250		
>> Violation Events						
Number of Violation Events		1	696	Number of violation days		
daily						
weekly						
monthly						
quarterly						
semiannual						
annual						
single event		x	Violation Base Penalty \$250			
		One single event is recommended.				
Good Faith Efforts to Comply		25.0%	Reduction		\$62	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary						
Ordinary		x				
N/A						
Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 28, 2023.				
		Violation Subtotal		\$188		
>> Economic Benefit (EB) for this violation						
>> Statutory Limit Test						
Estimated EB Amount		\$0	Violation Final Penalty Total		\$188	
		This violation Final Assessed Penalty (adjusted for limits)		\$188		

# Economic Benefit Worksheet

**Respondent** OXY USA WTP LP  
**Case ID No.** 64273  
**Reg. Ent. Reference No.** RN110408671  
**Media** Air  
**Violation No.** 14

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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See the Economic Benefit in Violation No. 2.						

## 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 

\$0

**TOTAL**

\$0

Screening Date		10-Jul-2023		Docket No.		2023-0864-AIR-E		PCW	
Respondent		OXY USA WTP LP							
Case ID No.		64273							
Reg. Ent. Reference No.		RN110408671							
Media		Air							
Enf. Coordinator		Yuliya Dunaway							
Violation Number		15							
Rule Cite(s)		30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)							
Violation Description		Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 392104 was due by February 4, 2021, but was not submitted until December 19, 2022.							
Base Penalty								\$25,000	
>> Environmental, Property and Human Health Matrix									
OR		Release		Major		Moderate		Minor	
		Actual							
		Potential							
Percent								0.0%	
>> Programmatic Matrix									
Matrix Notes		Falsification		Major		Moderate		Minor	
								x	
		Less than 30% of the rule requirements were not met.							
Adjustment								\$24,750	
								\$250	
Violation Events									
Number of Violation Events		1		683		Number of violation days			
		daily							
		weekly							
		monthly							
		quarterly							
		semiannual							
		annual							
		single event		x					
Violation Base Penalty								\$250	
One single event is recommended.									
Good Faith Efforts to Comply				25.0%		Reduction		\$62	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary							
		Ordinary		x					
		N/A							
		Notes		The Respondent completed the corrective measures on December 19, 2022, prior to the NOE dated June 28, 2023.					
Violation Subtotal								\$188	
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount		\$0		Violation Final Penalty Total		\$188			
This violation Final Assessed Penalty (adjusted for limits)								\$188	

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

OXY USA WTP LP 64273 RN110408671 Air 15

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

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 \$0

TOTAL \$0



# Compliance History Report

Compliance History Report for CN600125827, RN110408671, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN600125827, OXY USA WTP LP      **Classification:** SATISFACTORY      **Rating:** 2.17

**Regulated Entity:** RN110408671, CHEVRON MINERALS 7 BATTERY      **Classification:** HIGH      **Rating:** 0.00

**Complexity Points:** 1      **Repeat Violator:** NO

**CH Group:** 03 - Oil and Gas Extraction

**Location:** APPROXIMATELY 4,675 FEET WEST OF THE TIPTON ROAD AND WEATHERBY ROAD INTERSECTION IN REEVES COUNTY, TEXAS

**TCEQ Region:** REGION 07 - MIDLAND

**ID Number(s):**  
**AIR NEW SOURCE PERMITS** REGISTRATION 170054

**Compliance History Period:** September 01, 2018 to August 31, 2023      **Rating Year:** 2023      **Rating Date:** 09/01/2023

**Date Compliance History Report Prepared:** February 08, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 08, 2019 to February 08, 2024

**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.):**  
N/A

**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.  
N/A

**F. Environmental audits:**  
Notice of Intent Date: 11/09/2021 (1860598)  
No DOV Associated

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
OXY USA WTP LP  
RN110408671

§ BEFORE THE  
§ TEXAS COMMISSION ON  
§ ENVIRONMENTAL QUALITY  
§

## AGREED ORDER DOCKET NO. 2023-0864-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 OXY USA WTP LP (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a sweet natural gas and liquid hydrocarbons processing facility located approximately 4,675 feet west of the Tipton Road and Weatherby Road intersection in Reeves County, Texas (the "Site"). The Site 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 \$19,695 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,756 of the penalty and \$3,939 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Site:
  - a. By November 15, 2022, successfully completed an automation project to shut in production at the Site during times when gas is unable to be sent to the sales line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 392094, 392095, 392097, 392102, and 392104; and
  - b. On December 19, 2022, submitted the initial notifications for Incident Nos. 392094, 392095, 392097, 392102, and 392104 and submitted the final records for Incident Nos. 392094, 392095, 392097, 392102, and 392104.

## II. ALLEGATIONS

1. During a record review for the Site conducted from December 19, 2022 through May 23, 2023, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 106.6(b), Permit By Rule ("PBR") Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 13,489.00 pounds ("lbs") of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 392094) that began on March 20, 2019 and lasted 48 hours.
  - b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 392094 was due by March 21, 2019 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:02 p.m.
  - c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 392094 was due by April 5, 2019, but was not submitted until December 19, 2022.
2. During a record review the Site conducted from December 19, 2022 through April 27, 2023, an investigator documented that the Respondent:



- a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 6,776.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392102) that occurred on October 27, 2020 and lasted 23 hours and 59 minutes.
  - b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 392102 was due by October 28, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:05 p.m.
  - c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 392102 was due by November 10, 2020, but was not submitted until December 19, 2022.
3. During a record review the Site conducted from December 19, 2022 through April 27, 2023, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 5,929.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392095) that occurred on January 11, 2020 and lasted 23 hours and 59 minutes.
  - b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 392095 was due by January 12, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:08 p.m.
  - c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 392095 was due by January 25, 2020, but was not submitted until December 19, 2022.
4. During a record review the Site conducted from December 19, 2022 through April 27, 2023, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 11,858.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392097) that occurred on September 12, 2020 and lasted 23 hours and 59 minutes.

- b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 392097 was due by September 13, 2020 at 12:00 a.m., but was not submitted until December 19, 2022 at 1:19 p.m.
  - c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 392097 was due by September 26, 2020, but was not submitted until December 19, 2022.
5. During a record review the Site conducted from December 19, 2022 through April 27, 2023, an investigator documented that the Respondent:
- a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 106.6(b), PBR Registration No. 170054, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 5,438.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 392104) that occurred on January 21, 2021 and lasted 23 hours and 59 minutes.
  - b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 392104 was due by January 22, 2021 at 12:00 a.m., but was not submitted until December 19, 2022 at 2:18 p.m.
  - c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 392104 was due by February 4, 2021, but was not submitted until December 19, 2022.

### 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: OXY USA WTP LP, Docket No. 2023-0864-AIR-E" to:

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

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

  
For the Executive Director

5/3/2024

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 OAG 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 OAG 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

Cuong Phan  
Name (Printed or typed)  
Authorized Representative of  
OXY USA WTP LP

3/19/2024  
Asset Director  
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.