

Executive Summary – Enforcement Matter – Case No. 64302
DCP Operating Company, LP
RN107088759
Docket No. 2023-0906-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

James Lake Gas Plant, located five miles north of the intersection of Texas State Highway 302 and Farm-to-Market Road 866, Goldsmith, Ector County

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 7, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,625

Total Paid to General Revenue: \$13,625

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - High

Major Source: Yes

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: January 2, 2023 through April 6, 2023

Date(s) of NOE(s): June 27, 2023

Executive Summary – Enforcement Matter – Case No. 64302
DCP Operating Company, LP
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Violation Information

1. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 116553, Air Quality Standard Permit for Oil and Gas Handling and Production Facilities, Special Conditions ("SC") No. (a)(4), Federal Operating Permit No. O4398/General Operating Permit No. 514, Site-wide Requirements Nos. (b)(2) and (b)(9)(E)(ii), 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 ensure that the initial notifications for reportable emissions events are submitted in a timely manner; and
- b. Within 45 days, submit written certification to demonstrate compliance with 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: Dwight Bennett, Vice President of Operations, DCP Operating Company, LP, 2331 CityWest Boulevard, Houston, Texas 77042
Randall Eastham Area Operation Manager, DCP Operating Company, LP, 2331 CityWest Boulevard, Houston, Texas 77042

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	10-Jul-2023		
	PCW	6-Feb-2024	Screening	13-Jul-2023
			EPA Due	

RESPONDENT/FACILITY INFORMATION				
Respondent	DCP Operating Company, LP			
Reg. Ent. Ref. No.	RN107088759			
Facility/Site Region	7-Midland	Major/Minor Source	Major	

CASE INFORMATION				
Enf./Case ID No.	64302	No. of Violations	2	
Docket No.	2023-0906-AIR-E	Order Type	Findings	
Media Program(s)	Air	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Yuliya Dunaway	
		EC's Team	Enforcement Team 2	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,750
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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	100.0%	Adjustment	Subtotals 2, 3, & 7	\$7,750
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Notes

Enhancement for ten NOV's with same or similar violations, two orders containing a denial of liability, and one order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of 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	-\$1,875
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts
Estimated Cost of Compliance

\$189
\$11,750

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,625
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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	\$13,625
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,625
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$13,625
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Screening Date

13-Jul-2023

Docket No.

2023-0906-AIR-E

PCW

Respondent

DCP Operating Company, LP

Case ID No.

64302

Reg. Ent. Reference No.

RN107088759

Media

Air

Enf. Coordinator

Yuliya Dunaway

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>)	10	50%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
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)112%

>> Repeat Violator (Subtotal 3)

NoAdjustment Percentage (Subtotal 3)0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory PerformerAdjustment Percentage (Subtotal 7)0%

>> Compliance History Summary

Compliance History Notes

Enhancement for ten NOVs with same or similar violations, two orders containing a denial of liability, and one order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)112%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%100%

Screening Date	13-Jul-2023	Docket No.	2023-0906-AIR-E	PCW
Respondent	DCP Operating Company, LP			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64302			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN107088759			
Media	Air			
Enf. Coordinator	Yuliya Dunaway			
Violation Number	1			
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. 392238 was due by December 19, 2022 at 4:58 a.m., but was not submitted until December 21, 2022 at 10:02 a.m.			
		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 requirement was not met.			
		Adjustment	\$24,750	
			\$250	
Violation Events				
	Number of Violation Events	1	2	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				
		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	\$250	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$127	Violation Final Penalty Total	\$500
	This violation Final Assessed Penalty (adjusted for limits)			\$500

Economic Benefit Worksheet

Respondent Case ID No. DCP Operating Company, LP
Reg. Ent. Reference No. 64302
Media RN107088759
Violation No. Air
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	\$1,500	19-Dec-2022	27-Aug-2024	1.69	\$127	n/a	\$127
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	19-Dec-2022	21-Dec-2022	0.01	\$0	n/a	\$0
Notes for DELAYED costs	Estimated costs to submit the initial notification for Incident No. 392238 and implement a training program. The Date Required is the date the initial notification was due and the Final Date is the date of compliance and the estimated date of compliance.						

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$1,750	TOTAL	\$127
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Screening Date	13-Jul-2023	Docket No.	2023-0906-AIR-E	PCW
Respondent	DCP Operating Company, LP			Policy Revision 5 (January 28, 2021)
Case ID No.	64302			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN107088759			
Media	Air			
Enf. Coordinator	Yuliya Dunaway			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 116553, Air Quality Standard Permit for Oil and Gas Handling and Production Facilities, Special Conditions ("SC") No. (a)(4), Federal Operating Permit No. O4398/General Operating Permit No. 514, Site-wide Requirements Nos. (b)(2) and (b)(9)(E)(ii), and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,194.87 pounds ("lbs") of sulfur dioxide ("SO2"), 23.85 lbs of hydrogen sulfide ("H2S"), 5.3 lbs of carbon monoxide ("CO"), 0.7 lb of nitrogen oxides ("NOx"), and 0.5 lb of volatile organic compounds ("VOC") from the Acid Gas Flare, Emissions Point Number ("EPN") FL-2, and 996.57 lbs of SO2, 394.30 lbs of CO, 155.60 lbs of VOC, 197.5 lbs of NOx, and 10.8 lbs of H2S from the Emergency Flare, EPN FL-1, during an emissions event (Incident No. 392238) that occurred on December 18, 2022 and lasted four hours and 28 minutes. The emissions event occurred due to site glass in the knockout drum being plugged and preventing operation from draining high liquid levels in the acid gas flare knockout drum that triggered an emergency shutdown, resulting in flaring.			
	Base Penalty	\$25,000		
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			x
	Potential			
	Percent	30.0%		
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	Percent	0.0%		
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	Adjustment	\$17,500		
		\$7,500		
Violation Events				
	Number of Violation Events	1	1	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
	Violation Base Penalty	\$7,500		
	One monthly event is recommended.			
Good Faith Efforts to Comply	25.0%	Reduction		\$1,875
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary	x		
	N/A			
	Notes	The Respondent achieved compliance by February 1, 2023, before the Notice of Enforcement dated June 27, 2023.		
	Violation Subtotal	\$5,625		
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	\$62	Violation Final Penalty Total	\$13,125
	This violation Final Assessed Penalty (adjusted for limits)			\$13,125

Economic Benefit Worksheet

Respondent Case ID No. DCP Operating Company, LP
Reg. Ent. Reference No. 64302
Media RN107088759
Violation No. Air
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)	\$10,000	18-Dec-2022	1-Feb-2023	0.12	\$62	n/a	\$62
Notes for DELAYED costs	Estimated costs to conduct frequent blowdowns and cleanings of the sight glass in addition to daily inspections of the acid gas flare knockout vessel in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 392238. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						

Avoided CostsANNUALIZE 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	\$62
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Compliance History Report

Compliance History Report for CN601229917, RN107088759, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN601229917, DCP Operating Company, LP	Classification:	SATISFACTORY	Rating:	2.42
Regulated Entity:	RN107088759, JAMES LAKE GAS PLANT	Classification:	HIGH	Rating:	0.00
Complexity Points:	4	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	5 MILES NORTH OF THE INTERSECTION OF TEXAS STATE HIGHWAY 302 AND FARM-TO-MARKET 866, NEAR GOLDSMITH, ECTOR COUNTY, TX				
TCEQ Region:	REGION 07 - MIDLAND				
ID Number(s):					
AIR OPERATING PERMITS	PERMIT 4398	AIR NEW SOURCE PERMITS	REGISTRATION 116553		
AIR NEW SOURCE PERMITS	AFS NUM 4813500214	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER EBA014N		
INDUSTRIAL AND HAZARDOUS WASTE	OTS REQUEST 41996	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID TXP490355274		
Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	February 06, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 06, 2019 to February 06, 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:

- | | | |
|---|--|--|
| 1 | Effective Date: 04/09/2019 | ADMINORDER 2018-0405-AIR-E (1660 Order-Agreed Order With Denial) |
| | Classification: Minor | |
| | Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) | |
| | 30 TAC Chapter 122, SubChapter B 122.143(4) | |
| | 5C THSC Chapter 382 382.085(b) | |
| | Rqmt Prov: FOP No. 03771/GOP No. 514 OP | |
| | Description: Two (2) Failures to report an emission event within 24 hours of incident discovery. Incident numbers 247649 and 249005. | |
| | Classification: Minor | |
| | Citation: 30 TAC Chapter 116, SubChapter F 116.615(2) | |
| | 30 TAC Chapter 122, SubChapter B 122.143(4) | |
| | 5C THSC Chapter 382 382.085(b) | |
| | Rqmt Prov: GOP site wide requirements OP | |
| | MAER REG | |
| | Description: Failure to comply with Emission Limits of Permit Number 116553. Incident number 247649. | |
| | Classification: Minor | |

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

Rqmt Prov: GOP site wide requirements OP
MAER REG

Description: Failure to comply with Emission Limits of Permit Number 116553. Incident number 249005.

2 Effective Date: 02/11/2020 ADMINORDER 2019-0729-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: NRSP 116553(c)(4)(B) PERMIT

Description: Failure to maintain emissions below the limits set by the NRSP

3 Effective Date: 01/19/2022 ADMINORDER 2020-1137-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Minor

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

Rqmt Prov: ST&C (42) (F) OP

Description: Failure to notify the TCEQ of three reportable emissions events within 24 hours after exceedance of reportable quantities.

Classification: Moderate

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

Rqmt Prov: General Condition No. 2 REG

ST&C (b)(9)(E)(ii) OP

Description: Failure to prevent unauthorized emissions. TCEQ STEERS Incident No. 325682.

Classification: Moderate

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

Rqmt Prov: General Condition No. 2 REG

ST&C (b)(9)(E)(ii) OP

Description: Failure to prevent unauthorized emissions. TCEQ STEERS Incident No. 326824.

Classification: Moderate

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

Rqmt Prov: General Condition No. 2 REG

ST&C (b)(9)(E)(ii) OP

Description: Failure to prevent unauthorized emissions. TCEQ STEERS Incident No. 327157.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	October 24, 2019	(1598508)
Item 2	December 09, 2019	(1612816)

Item 3	December 18, 2019	(1610528)
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Item 4	January 15, 2020	(1610570)
Item 5	January 22, 2020	(1610575)
Item 6	January 30, 2020	(1598503)
Item 7	February 19, 2020	(1630715)
Item 8	April 28, 2020	(1645530)
Item 9	July 14, 2020	(1652007)
Item 10	August 26, 2020	(1659906)
Item 11	August 31, 2020	(1669825)
Item 12	September 25, 2020	(1598928)
Item 13	October 28, 2020	(1685468)
Item 14	November 09, 2020	(1679293)
Item 15	November 18, 2020	(1598613)
Item 16	November 24, 2020	(1691558)
Item 17	November 25, 2020	(1691594)
Item 18	December 07, 2020	(1692874)
Item 19	December 18, 2020	(1679309)
Item 20	December 30, 2020	(1663975)
Item 21	January 11, 2021	(1697926)
Item 22	January 14, 2021	(1698255)
Item 23	January 21, 2021	(1699010)
Item 24	February 19, 2021	(1702266)
Item 25	February 23, 2021	(1702361)
Item 26	February 24, 2021	(1702203)
Item 27	March 10, 2021	(1704460)
Item 28	March 25, 2021	(1706561)
Item 29	April 02, 2021	(1609613)
Item 30	May 24, 2021	(1722690)
Item 31	July 09, 2021	(1738702)
Item 32	July 13, 2021	(1738277)
Item 33	July 16, 2021	(1744973)
Item 34	July 27, 2021	(1745409)
Item 35	August 05, 2021	(1749264)
Item 36	August 06, 2021	(1745129)
Item 37	September 14, 2021	(1756219)
Item 38	March 01, 2022	(1796292)
Item 39	October 03, 2022	(1842151)
Item 40	June 05, 2023	(1867562)
Item 41	July 18, 2023	(1860382)
Item 42	July 25, 2023	(1888006)
Item 43	July 28, 2023	(1867535)
Item 44	August 25, 2023	(1867572)
Item 45	October 02, 2023	(1910570)
Item 46	October 19, 2023	(1888014)
Item 47	October 30, 2023	(1795993)
Item 48	November 07, 2023	(1887737)
Item 49	November 08, 2023	(1795992)
Item 50	December 15, 2023	(1847535)

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:	07/12/2023	(1867574)	
	Self Report?	NO		Classification: Moderate
	Citation:	116553 PERMIT		
		30 TAC Chapter 116, SubChapter B 116.115(b)		
		30 TAC Chapter 116, SubChapter F 116.615(2)		
		5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an		
		emissions event that was discovered on December 24, 2021, at 2:37 PM,		
		TCEQ/STEERS Incident No. 371956. Category B18.g(13) (6).		
	Self Report?	NO		Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 1, 2021, at 9:50 PM, TCEQ/STEERS Incident No. 370850. Category B18.g(13) (6).

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on November 20, 2021, at 8:57 AM, TCEQ Incident No. 370380. Category B18.g(13)

2 Date: 07/14/2023 (1867633)

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on October 24, 2021, TCEQ/STEERS Incident No. 368982. [Category B18.g(13)]

3 Date: 07/17/2023 (1888011)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Registration No. 116553 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered February 12, 2023, TCEQ STEERS Incident No. 395380.

4 Date: 08/03/2023 (1867573)

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 22, 2022, TCEQ/STEERS Incident No. 379965.

5 Date: 08/10/2023 (1860400)

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 1, 2022, TCEQ/STEERS Incident No. 375452.

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 2, 2022, TCEQ/STEERS Incident No. 377349.

Self Report? NO Classification: Moderate

Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 20, 2022. TCEQ/STEERS Incident No. 378217.

	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 21, 2022. TCEQ/STEERS Incident No. 378257.		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 29, 2022. TCEQ/STEERS Incident No. 378567.		
6	Date:	08/10/2023 (1860387)		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 17, 2022, TCEQ Incident No. 379693.		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 23, 2022, TCEQ Incident No. 380048.		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 28, 2022, TCEQ Incident No. 380305.		
7	Date:	08/23/2023 (1867612)		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 29, 2022, TCEQ Incident No. 380314.		
8	Date:	08/24/2023 (1867650)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to notify the TCEQ of a reportable emissions event within 24 hours after the discovery of the event.		
	Self Report?	NO	Classification:	Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2)		
	Description:	5C THSC Chapter 382 382.085(b) Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 8, 2022, TCEQ Incident No. 384928.		
9	Date:	11/17/2023 (1937914)		

Self Report? NO Classification: Moderate
Citation: 116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 11, 2023, TCEQ/STEERS Incident No. 409692.

10 Date: 12/12/2023 (1932043)
Self Report? NO Classification: Moderate
Citation: 116553 PERMIT
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 5, 2023, TCEQ/STEERS Incident No. 407628.
Self Report? NO Classification: Moderate
Citation: 116553 PERMIT
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 10, 2023, TCEQ/STEERS Incident No. 407976.
Self Report? NO Classification: Moderate
Citation: 116553 PERMIT
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 21, 2023, TCEQ/STEERS Incident No. 408605

F. Environmental audits:

Notice of Intent Date: 08/01/2022 (1840000)
Disclosure Date: 02/08/2023
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
Description: Failure to update representations in the certified registration for the site.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to quantify and document reportable/recordable emissions events following potential release of unauthorized emissions.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611
40 CFR Chapter 60, SubChapter C, PT 60, SubPT OOOOa 60.5420a(b)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT OOOOa 60.5420a(b)(7)
Description: Failure to submit an annual report for fugitive monitoring surveys for years 2020 to present.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611
Description: Failure to ensure the dehydration units regeneration vents are vented to the appropriate control device.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611
Description: Failure to ensure Heater H-520 meets the Table 10 process heater BACT for CO.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611
Description: Failure to ensure Heater H-425HOt Oil Heater complies with permit representations for BACT CO.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter F 116.611

40 CFR Chapter 60, SubChapter C, PT 60, SubPT 0000a 60.5420a(b)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT 0000a 60.5420a(b)(7)

Description: Failure to submit an annual report for fugitive monitoring surveys for years 2020 to present.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter F 116.611

Description: Failure to maintain records of loss of flare pilot flames.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain records for planned MSS activities.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter F 116.611

Description: Failure to maintain fuel flow records for engines and heaters authorized for less than 8,760 hrs/yr.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Description: Failure to maintain a log of daily flare observations and if the flare was smoking.

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

Appendix A

All NOV's Issued During Component Period 2/6/2019 and 2/6/2024

All NOV's Issued During Component Period 2/6/2019 and 2/6/2024

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Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085
Description: Failure to report the incident properly to the TCEQ Midland Regional Office within 24 hours after the discovery of the event.

6 Date: 02/24/2021 (1703426)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to report the incident properly to the TCEQ Midland Regional Office within 24 hours after the discovery of the event under 30 TAC 101.201(a)(1)(B)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 101, SubChapter F 101.201(c)
Description: Failure to report the incident properly to the TCEQ Midland Regional Office within 14 days after the end of the event under 30 TAC 101.201(c).

7 Date: 02/24/2021 (1703443)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 101, SubChapter F 101.201(c)
Description: Failure to report the incident properly to the TCEQ Midland Regional Office within 14 days after the end of the event under 30 TAC 101.201(c)

8 Date: 03/04/2021 (1703939)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to report incidents properly to the TCEQ Midland Regional Office within 24 hours after the discovery of the events (Incident Numbers: 329922, 333716, 333757). After 24 hours the unauthorized emissions became ineligible for exemption.

9 Date: 04/30/2021 (1705979)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: During the August 20, 2020 investigation, it was documented that James Lake Midstream failed to submit a STEERS notification for an emissions event no later 24 hours after initial discovery. As the event occurred on February 5, 2020, at approximately 12:00 a.m., the notification was due no later than February 6, 2020, at 12:00 a.m. The initial notification was made via STEERS on February 6, 2020, at 3:04 p.m., and was determined to be approximately 15 hours.

10 Date: 07/16/2021 (1722310)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 106, SubChapter O 106.352(e)(1)
Description: Failure to maintain equipment in good working order and operated properly during facility operations.

11 Date: 05/27/2022 (1817584)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.615(9)
5C THSC Chapter 382 382.085(b)

12*	Date:	07/12/2023	(1867574)
	Self Report?	NO	Classification: Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)	
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 24, 2021, at 2:37 PM, TCEQ/STEERS Incident No. 371956. Category B18.g(13) (6).	
	Self Report?	NO	Classification: Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)	
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 1, 2021, at 9:50 PM, TCEQ/STEERS Incident No. 370850. Category B18.g(13) (6).	
	Self Report?	NO	Classification: Moderate
	Citation:	116553 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)	
	Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on November 20, 2021, at 8:57 AM, TCEQ Incident No. 370380. Category B18.g(13)	

14*	Date: 07/17/2023 (1888011)	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 116, SubChapter F 116.615(2)	
	5C THSC Chapter 382 382.085(b)	
	Registration No. 116553 PERMIT	
	Description:	
	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered February 12, 2023, TCEQ STEERS Incident No. 395380.	

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Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 22, 2022, TCEQ/STEERS Incident No. 379965.

16*

Date: 08/10/2023 (1860400)

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 1, 2022, TCEQ/STEERS Incident No. 375452.

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 2, 2022, TCEQ/STEERS Incident No. 377349.

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 20, 2022. TCEQ/STEERS Incident No. 378217.

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 21, 2022. TCEQ/STEERS Incident No. 378257.

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 29, 2022. TCEQ/STEERS Incident No. 378567.

17*

Date: 08/10/2023 (1860387)

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 17, 2022, TCEQ Incident No. 379693.

Self Report? NO

Classification: Moderate

Citation:

116553 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter F 116.615(2)

5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 23, 2022, TCEQ Incident No. 380048.
 Self Report? NO Classification: Moderate
 Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 28, 2022, TCEQ Incident No. 380305.

18* Date: 08/23/2023 (1867612)
 Self Report? NO Classification: Moderate
 Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 29, 2022, TCEQ Incident No. 380314.

19* Date: 08/24/2023 (1867650)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to notify the TCEQ of a reportable emissions event within 24 hours after the discovery of the event.
 Self Report? NO Classification: Moderate
 Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 8, 2022, TCEQ Incident No. 384928.

20 Date: 11/17/2023 (1937914)
 Self Report? NO Classification: Moderate
 Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 11, 2023, TCEQ/STEERS Incident No. 409692.

21 Date: 12/12/2023 (1932043)
 Self Report? NO Classification: Moderate
 Citation: 116553 PERMIT
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 5, 2023, TCEQ/STEERS Incident No. 407628.
 Self Report? NO Classification: Moderate
 Citation:

	116553 PERMIT 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)
Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 10, 2023, TCEQ/STEERS Incident No. 407976.
Self Report?	NO
Citation:	
	116553 PERMIT 30 TAC Chapter 116, SubChapter F 116.615(2) 5C THSC Chapter 382 382.085(b)
Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 21, 2023, TCEQ/STEERS Incident No. 408605

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B

All Investigations Conducted During Component Period February 06, 2019 and February 06, 2024

Item 1	February 27, 2019**	(1540196)
Item 2	May 07, 2019**	(1554567)
Item 3*	October 24, 2019**	(1598508)
Item 4*	December 09, 2019**	(1612816)
Item 5*	December 18, 2019**	(1610528)
Item 6*	January 15, 2020**	(1610570)
Item 7*	January 22, 2020**	(1610575)
Item 8*	January 30, 2020**	(1598503)
Item 9*	February 19, 2020**	(1630715)
Item 10*	April 28, 2020**	(1645530)
Item 11*	July 14, 2020**	(1652007)
Item 12	August 18, 2020**	(1650751)
Item 13*	August 26, 2020**	(1659906)
Item 14*	August 31, 2020**	(1669825)
Item 15*	September 25, 2020**	(1598928)
Item 16	October 09, 2020**	(1679964)
Item 17	October 14, 2020**	(1680124)
Item 18*	October 28, 2020**	(1685468)
Item 19*	November 09, 2020**	(1679293)
Item 20*	November 18, 2020**	(1598613)
Item 21*	November 24, 2020**	(1691558)
Item 22*	November 25, 2020**	(1691594)
Item 23*	December 07, 2020**	(1692874)
Item 24	December 08, 2020**	(1666194)
Item 25*	December 18, 2020**	(1679309)
Item 26*	December 30, 2020**	(1663975)
Item 27	January 04, 2021**	(1666197)
Item 28*	January 11, 2021**	(1697926)
Item 29*	January 14, 2021**	(1698255)
Item 30*	January 21, 2021**	(1699010)
Item 31*	February 19, 2021**	(1702266)
Item 32*	February 23, 2021**	(1702361)
Item 33*	February 24, 2021**	(1702203)
Item 34	February 25, 2021**	(1703426)

Item 35	March 04, 2021**	(1703939)
Item 36*	March 10, 2021**	(1704460)
Item 37*	March 25, 2021**	(1706561)
Item 38*	April 02, 2021**	(1609613)
Item 39	April 30, 2021**	(1705979)
Item 40*	May 24, 2021**	(1722690)
Item 41*	July 09, 2021**	(1738702)
Item 42	July 13, 2021**	(1722310)
Item 43*	July 16, 2021**	(1744973)
Item 44*	July 27, 2021**	(1745409)
Item 45*	August 05, 2021**	(1749264)
Item 46*	August 06, 2021**	(1745129)
Item 47*	September 14, 2021**	(1756219)
Item 48	December 17, 2021**	(1781384)
Item 49*	March 01, 2022**	(1796292)
Item 50	May 27, 2022**	(1817584)
Item 51*	October 03, 2022**	(1842151)
Item 52*	June 05, 2023**	(1867562)
Item 53	June 27, 2023**	(1887820)
Item 54	July 12, 2023**	(1867574)
Item 55	July 14, 2023**	(1867633)
Item 56	July 17, 2023**	(1888011)
Item 57*	July 18, 2023**	(1860382)
Item 58*	July 25, 2023**	(1888006)
Item 59*	July 28, 2023**	(1867535)
Item 60	August 03, 2023**	(1860390)
Item 61	August 10, 2023**	(1860387)
Item 62	August 23, 2023**	(1867612)
Item 63	August 24, 2023**	(1867650)
Item 64*	August 25, 2023**	(1867572)
Item 65	September 28, 2023	(1925896)
Item 66*	October 02, 2023	(1910570)
Item 67	October 12, 2023	(1930821)
Item 68*	October 19, 2023	(1888014)
Item 69	October 25, 2023	(1932354)
Item 70*	October 30, 2023	(1795993)
Item 71*	November 07, 2023	(1887737)
Item 72*	November 08, 2023	(1795992)
Item 73	November 14, 2023	(1930143)
Item 74	November 15, 2023	(1931878)
Item 75	November 17, 2023	(1867544)
Item 76	November 21, 2023	(1888588)
Item 77	December 12, 2023	(1932043)
Item 78*	December 15, 2023	(1847535)
Item 79	December 18, 2023	(1860384)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
DCP OPERATING COMPANY, LP
RN107088759

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-0906-AIR-E

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

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

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a natural gas processing plant located at five miles north of the intersection of Texas State Highway 302 and Farm-to-Market Road 866 near Goldsmith, Ector County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During a record review for the Plant conducted on January 2, 2023 through April 6, 2023, an investigator documented that:
 - a. The initial notification for Incident No. 392238 was due by December 19, 2022 at 4:58 a.m., but was not submitted until December 21, 2022 at 10:02 a.m.
 - b. The Respondent released 2,194.87 pounds ("lbs") of sulfur dioxide ("SO₂"), 23.85 lbs of hydrogen sulfide ("H₂S"), 5.3 lbs of carbon monoxide ("CO"), 0.7 lb of nitrogen oxides ("NO_x"), and 0.5 lb of volatile organic compounds ("VOC") from the Acid Gas Flare, Emissions Point Number ("EPN") FL-2, and 996.57 lbs of SO₂, 394.30 lbs of CO, 155.60 lbs of VOC, 197.5 lbs of NO_x, and 10.8 lbs of H₂S from the Emergency Flare, EPN FL-1, during an emissions event (Incident No. 392238) that occurred on December 18, 2022 and lasted four hours and 28 minutes. The

emissions event occurred due to site glass in the knockout drum being plugged and preventing operation from draining high liquid levels in the acid gas flare knockout drum that triggered an emergency shutdown, resulting in flaring.

3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On December 21, 2022, submitted the initial notification for Incident No. 392238; and
 - b. By February 1, 2023, conducted frequent blowdowns and cleanings of the sight glass in addition to daily inspections of the acid gas flare knockout vessel in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 392238.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY Code ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No.2.a, the Respondent failed to submit an initial notification 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).
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 116553, Air Quality Standard Permit for Oil and Gas Handling and Production Facilities, Special Conditions ("SC") No. (a)(4), Federal Operating Permit No. O4398/General Operating Permit No. 514, Site-wide Requirements Nos. (b)(2) and (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$13,625 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$13,625 penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be

constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: DCP Operating Company, LP, Docket No. 2023-0906-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 ensure that the initial notifications for reportable emissions events are submitted in a timely manner.
 - 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:

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

with a copy to:

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

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

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. 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 Enforcement Division at the address listed above.
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 in this Order.
7. 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.
8. 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.
9. 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.
10. 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.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



6/24/2024

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 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.

DocuSigned by:

Signature AC01B3C32F6B4B6...

3/25/2024

Date

Randall Eastham

Mgr, Area Operations

Name (Printed or typed)
Authorized Representative of
DCP Operating Company, LP

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.