

Executive Summary – Enforcement Matter – Case No. 64686
DCP Operating Company, LP
RN102805272
Docket No. 2023-1220-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

East Texas Gas Plant, 2628 U.S. Highway 79 North, Carthage, Panola County

Type of Operation:

Natural gas treatment and compression plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 1, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$19,125

Amount Deferred for Expedited Settlement: \$3,825

Total Paid to General Revenue: \$15,300

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 24, 2023

Date(s) of NOE(s): August 25, 2023

Executive Summary – Enforcement Matter – Case No. 64686
DCP Operating Company, LP
RN102805272
Docket No. 2023-1220-AIR-E

Violation Information

Failed to prevent the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer for more than 876 hours in any 12 consecutive month period. Specifically, the Respondent substituted the Routine Process Flare, Emissions Point Number 66, to control the amine still vent gases for a total of 5,859 hours from April 11, 2022 to December 31, 2022 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review Permit No. 8925, Special Conditions No. 12, Federal Operating Permit No. O955, General Terms and Conditions and Special Terms and Conditions No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By January 19, 2023, the Respondent cleaned the accumulated material at the bottom of the thermal oxidizer; repaired the damaged sections of the thermal oxidizer; installed new thermowells, thermocouples, sample probes, fire eyes, and ignitor; installed a new oxygen probe; replaced the processor and display, resistance temperature detector, thermocouple, and lead wires; rebuilt the fuel gas shut-down valve; and restarted the thermal oxidizer in order to limit the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer to less than 876 hours in any 12 consecutive month period.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Morgan Kopcho, Enforcement Division, Enforcement Team 2, MC R-13, (512) 239-4167; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: John Cook, Environmental Director, DCP Operating Company, LP, 2628 U.S. Highway 79 North, Carthage, Texas 75633

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	1-Sep-2023	Screening	1-Sep-2023	EPA Due	
	PCW	28-Apr-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	DCP Operating Company, LP				
Reg. Ent. Ref. No.	RN102805272				
Facility/Site Region	5-Tyler	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	64686	No. of Violations	1
Docket No.	2023-1220-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Caleb Martin
		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	\$22,500
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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	10.0%	Adjustment	Subtotals 2, 3, & 7	\$2,250
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Notes	Enhancement for two NOV's with same/similar violations.			
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.			
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$5,625
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$388	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$10,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$19,125
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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				
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Final Penalty Amount	\$19,125
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$19,125
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,825
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.			
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PAYABLE PENALTY	\$15,300
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Screening Date	1-Sep-2023	Docket No.	2023-1220-AIR-E	PCW
Respondent	DCP Operating Company, LP			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64686			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN102805272			
Media	Air			
Enf. Coordinator	Caleb Martin			

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 10%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 10%

Screening Date 1-Sep-2023 Respondent DCP Operating Company, LP Case ID No. 64686 Reg. Ent. Reference No. RN102805272 Media Air Enf. Coordinator Caleb Martin	Docket No. 2023-1220-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review Permit No. 8925, Special Conditions No. 12, Federal Operating Permit No. 0955, General Terms and Conditions and Special Terms and Conditions No. 10, and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer for more than 876 hours in any 12 consecutive month period. Specifically, the Respondent substituted the Routine Process Flare, Emissions Point Number 66, to control the amine still vent gases for a total of 5,859 hours from April 11, 2022 to December 31, 2022.

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	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.
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Adjustment	\$17,500
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	\$7,500
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Violation Events

Number of Violation Events	3	264	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				

Violation Base Penalty	\$22,500
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Three quarterly events are recommended for the period of non-compliance from April 11, 2022 to December 31, 2022.	
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Good Faith Efforts to Comply

	25.0%		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on January 19, 2023, prior the Notice of Enforcement dated August 25, 2023.		

Reduction	\$5,625
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Violation Subtotal	\$16,875
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$388
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Statutory Limit Test

Violation Final Penalty Total	\$19,125
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This violation Final Assessed Penalty (adjusted for limits)	\$19,125
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Economic Benefit Worksheet

Respondent DCP Operating Company, LP
Case ID No. 64686
Reg. Ent. Reference No. RN102805272
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	11-Apr-2022	19-Jan-2023	0.78	\$388	n/a	\$388

Notes for DELAYED costs

Estimated cost to clean the accumulated material at the bottom of the thermal oxidizer; repair the damaged sections of the thermal oxidizer; install new thermowells, thermocouples, sample probes, fire eyes, and ignitor; install a new oxygen probe; replace the processor and display, resistance temperature detector, thermocouple, and lead wires; rebuild the fuel gas shut-down valve; and restart the thermal oxidizer in order to limit the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer to less than 876 hours in any 12 consecutive month period. The Date Required is the initial date of non-compliance 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

\$10,000

TOTAL

\$388



Compliance History Report

Compliance History Report for CN601229917, RN102805272, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN601229917, DCP Operating Company, LP

Classification: SATISFACTORY

Rating: 1.32

Regulated Entity: RN102805272, East Texas Gas Plant

Classification: SATISFACTORY

Rating: 2.18

Complexity Points: 17

Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: 2628 United States Highway 79 North, Carthage, Panola County, Texas 75633-4465

TCEQ Region: REGION 05 - TYLER

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER PB0002N

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1830033

AIR NEW SOURCE PERMITS PERMIT 8925

AIR NEW SOURCE PERMITS REGISTRATION 22625

AIR NEW SOURCE PERMITS REGISTRATION 23645

AIR NEW SOURCE PERMITS REGISTRATION 35782

AIR NEW SOURCE PERMITS REGISTRATION 39015

AIR NEW SOURCE PERMITS REGISTRATION 54894

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX432M1

AIR NEW SOURCE PERMITS REGISTRATION 55080

AIR NEW SOURCE PERMITS REGISTRATION 38824

AIR NEW SOURCE PERMITS REGISTRATION 92321

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX432M2

AIR NEW SOURCE PERMITS REGISTRATION 131927

AIR NEW SOURCE PERMITS REGISTRATION 111718

AIR NEW SOURCE PERMITS PERMIT AMOC73

PETROLEUM STORAGE TANK REGISTRATION

REGISTRATION 65913

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

PB0002N

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 32778

AIR OPERATING PERMITS PERMIT 955

AIR NEW SOURCE PERMITS ACCOUNT NUMBER PB0002N

AIR NEW SOURCE PERMITS REGISTRATION 14061

AIR NEW SOURCE PERMITS REGISTRATION 22648

AIR NEW SOURCE PERMITS REGISTRATION 33626

AIR NEW SOURCE PERMITS REGISTRATION 37428

AIR NEW SOURCE PERMITS REGISTRATION 39728

AIR NEW SOURCE PERMITS AFS NUM 4836500003

AIR NEW SOURCE PERMITS REGISTRATION 54080

AIR NEW SOURCE PERMITS REGISTRATION 55155

AIR NEW SOURCE PERMITS REGISTRATION 33627

AIR NEW SOURCE PERMITS REGISTRATION 96757

AIR NEW SOURCE PERMITS REGISTRATION 111716

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX206M1

AIR NEW SOURCE PERMITS REGISTRATION 146549

AIR NEW SOURCE PERMITS REGISTRATION 148126

ON SITE SEWAGE FACILITY PERMIT 1831442

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD000836221

Compliance History Period: September 01, 2019 to August 31, 2024

Rating Year: 2024

Rating Date: 09/01/2024

Date Compliance History Report Prepared: April 28, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 28, 2020 to April 28, 2025

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

Name: Caleb Martin

Phone: (512) 239-2091

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	October 06, 2020	(1679356)
Item 2	June 28, 2021	(1736210)
Item 3	February 14, 2025	(2042624)
Item 4	March 28, 2025	(2041889)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1

Date:	05/24/2024	(1983419)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 9 OP		
Description:	Failure to conduct monthly NOx monitoring.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.1090 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6640(a) Special Terms and Conditions 1E OP		
Description:	Failure to demonstrate the pressure drop across the catalyst is within the operating limitation established during the performance test.		

- 2

Date:	04/22/2025	(2042136)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) 8924 PERMIT		
Description:	Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 29, 2024, TCEQ/STEERS Incident No. 433950. [Category B18.g.(13)]		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G) 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to submit an accurate final record associated with an emissions event, TCEQ/STEERS Incident No. 433950 [Category C3].		

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
DCP OPERATING COMPANY, LP
RN102805272

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2023-1220-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 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 together stipulate that:

1. The Respondent owns and operates a natural gas treatment and compression plant located at 2628 United States Highway 79 North in Carthage, Panola County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$19,125 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,300 of the penalty and \$3,825 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 by January 19, 2023, the Respondent cleaned the accumulated material at the bottom of the thermal oxidizer; repaired the damaged sections of the thermal oxidizer; installed new thermowells, thermocouples, sample probes, fire eyes, and ignitor; installed a new oxygen probe; replaced the processor and display, resistance temperature detector, thermocouple, and lead wires; rebuilt the fuel gas shut-down valve; and restarted the thermal oxidizer in order to limit the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer to less than 876 hours in any 12 consecutive month period.

II. ALLEGATIONS

During a record review for the Plant conducted on July 24, 2023, an investigator documented that the Respondent failed to prevent the substitution of the Routine Process Flare to control amine still vent gases normally controlled by the thermal oxidizer for more than 876 hours in any 12 consecutive month period, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review Permit No. 8925, Special Conditions No. 12, Federal Operating Permit No. O955, General Terms and Conditions and Special Terms and Conditions No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent substituted the Routine Process Flare, Emissions Point Number 66, to control the amine still vent gases for a total of 5,859 hours from April 11, 2022 to December 31, 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: DCP Operating Company, LP, Docket No. 2023-1220-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 Plant 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

Kristi Mello-Jurack

09/07/2025

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.

Signature

Date

John Cook

6-19-25

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

Env. Remedial Director
Title

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