

**Executive Summary – Enforcement Matter – Case No. 66149**  
**WTG South Permian Midstream LLC**  
**RN102516937**  
**Docket No. 2024-0894-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Benedum Gas Plant, 10501 Ranch-to-Market Road 1555 near Midkiff, Upton County

**Type of Operation:**

Natural gas compression, treating, and natural gas liquids recovery plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** August 30, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$11,700

**Amount Deferred for Expedited Settlement:** \$2,340

**Total Paid to General Revenue:** \$9,360

**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:** May 13, 2024

**Date(s) of NOE(s):** May 24, 2024

***Violation Information***

**Executive Summary – Enforcement Matter – Case No. 66149**  
**WTG South Permian Midstream LLC**  
**RN102516937**  
**Docket No. 2024-0894-AIR-E**

Failed to submit a permit renewal application at least six months, but no earlier than 18 months, before the date of permit expiration. Specifically, on May 9, 2024, the Respondent voluntarily disclosed that a renewal application for Federal Operating Permit ("FOP") No. O3620 was not submitted by October 24, 2023, FOP No. O3620 expired on April 24, 2024, and the Respondent continued to operate the emission units at the Plant that were previously authorized by FOP No. O3620 without an FOP [30 TEX. ADMIN. CODE §§ 122.121, 122.133(2), and 122.241(b) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On May 15, 2024, the Respondent submitted an application for FOP No. O4646 to authorize the emission units at the Plant that were previously authorized by FOP No. O3620.

**Technical Requirements:**

The Order will require the Respondent to:

- a. Immediately and until such time that FOP No. O4646 is obtained, comply with the provisions in expired FOP No. O3620, including recordkeeping, reporting, and compliance certification requirements with respect to the Plant's continuing operations;
- b. Within 15 days, submit written certification to demonstrate compliance with a.;
- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the application for FOP No. O4646 by any deadline specified in writing; and
- d. Within 180 days, submit written certification that FOP No. O4646 has been obtained to demonstrate compliance.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Trenton White, Enforcement Division, Enforcement Team 2, MC R-05, (903) 535-5155; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Sean Atkins, Vice President of Health, Safety, Environment and Sustainability, WTG South Permian Midstream LLC, 303 Veterans Airpark Lane, Suite 5000, Midland, Texas 79705

**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>	29-May-2024	<b>Screening</b>	29-May-2024	<b>EPA Due</b>	
	<b>PCW</b>	4-Jun-2024				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	WTG South Permian Midstream LLC
<b>Reg. Ent. Ref. No.</b>	RN102516937
<b>Facility/Site Region</b>	7-Midland
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	66149	<b>No. of Violations</b>	1
<b>Docket No.</b>	2024-0894-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>	Trenton White
		<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>	<b>\$10,000</b>
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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>17.0%</b>	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$1,700</b>
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Notes: Enhancement for one order containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$0</b>
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<b>Economic Benefit</b>	<b>0.0%</b>	Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$318  
 Estimated Cost of Compliance: \$5,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$11,700</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	Adjustment	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$11,700</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$11,700</b>
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<b>DEFERRAL</b>	<b>20.0%</b>	Reduction	<b>Adjustment</b>	<b>-\$2,340</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$9,360</b>
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Screening Date 29-May-2024

Docket No. 2024-0894-AIR-E

PCW

Respondent WTG South Permian Midstream LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 66149

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102516937

Media Air

Enf. Coordinator Trenton White

### 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> )	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <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)** 17%

#### >> Repeat Violator (Subtotal 3)

No

**Adjustment Percentage (Subtotal 3)** 0%

#### >> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

**Adjustment Percentage (Subtotal 7)** 0%

#### >> Compliance History Summary

Compliance History Notes

Enhancement for one order containing 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)** 17%

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 17%

Screening Date 29-May-2024

Docket No. 2024-0894-AIR-E

PCW

Respondent WTG South Permian Midstream LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 66149

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102516937

Media Air

Enf. Coordinator Trenton White

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.121, 122.133(2), and 122.241(b) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)

Violation Description Failed to submit a permit renewal application at least six months, but no earlier than 18 months, before the date of permit expiration. Specifically, on May 9, 2024, the Respondent voluntarily disclosed that a renewal application for Federal Operating Permit ("FOP") No. O3620 was not submitted by October 24, 2023, FOP No. O3620 expired on April 24, 2024, and the Respondent continued to operate the emission units at the Plant that were previously authorized by FOP No. O3620 without an FOP.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			20.0%

Matrix Notes 100% of the rule requirements was not met.

Adjustment \$20,000

\$5,000

Violation Events

Number of Violation Events 2 35 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

Two monthly events are recommended from the April 24, 2024 FOP No. O3620 expiration date to the May 29, 2024 screening date.

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 \$10,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$318

Violation Final Penalty Total \$11,700

This violation Final Assessed Penalty (adjusted for limits) \$11,700

# Economic Benefit Worksheet

**Respondent** WTG South Permian Midstream LLC  
**Case ID No.** 66149  
**Reg. Ent. Reference No.** RN102516937  
**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	\$5,000	24-Apr-2024	1-Aug-2025	1.27	\$318	n/a	\$318
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated cost to obtain FOP No. O4646 to authorize the emission units at the Plant that were previously authorized by FOP No. O3620. The Date Required is the date FOP No. O3620 expired and the Final Date is the estimated date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$5,000

**TOTAL** \$318

The TCEQ is committed to accessibility.

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



# Compliance History Report

Compliance History Report for CN604147603, RN102516937, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN604147603, WTG South Permian Midstream LLC **Classification:** SATISFACTORY **Rating:** 1.36  
**Regulated Entity:** RN102516937, BENEDUM GAS PLANT **Classification:** HIGH **Rating:** 0.00  
**Complexity Points:** 14 **Repeat Violator:** NO  
**CH Group:** 03 - Oil and Gas Extraction  
**Location:** 10501 RANCH-TO-MARKET ROAD 1555 NEAR MIDKIFF, UPTON COUNTY, TEXAS  
**TCEQ Region:** REGION 07 - MIDLAND

## ID Number(s):

<b>AIR OPERATING PERMITS</b> PERMIT 3620	<b>AIR OPERATING PERMITS</b> ACCOUNT NUMBER UB0006C
<b>AIR OPERATING PERMITS</b> PERMIT 946	<b>AIR OPERATING PERMITS</b> PERMIT 4646
<b>AIR NEW SOURCE PERMITS</b> PERMIT 8941	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 27846
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 37184	<b>AIR NEW SOURCE PERMITS</b> ACCOUNT NUMBER UB0006C
<b>AIR NEW SOURCE PERMITS</b> AFS NUM 4846100004	<b>AIR NEW SOURCE PERMITS</b> EPA PERMIT PSDTX487
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 50445	<b>AIR NEW SOURCE PERMITS</b> EPA PERMIT PSDTX487M1
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 138831	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 108449
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 136336	<b>AIR NEW SOURCE PERMITS</b> PERMIT 106139
<b>AIR NEW SOURCE PERMITS</b> EPA PERMIT PSDTX1316	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 164856
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 142895	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 148297
<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 143013	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 147152
<b>AIR EMISSIONS INVENTORY</b> ACCOUNT NUMBER UB0006C	<b>AIR EMISSIONS INVENTORY</b> ACCOUNT NUMBER UBA004D
<b>TAX RELIEF</b> ID NUMBER 18706	

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

**Date Compliance History Report Prepared:** May 31, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 31, 2019 to May 31, 2024

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

**Name:** Trenton White

**Phone:** (903) 535-5155

## 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:

See addendum for information regarding federal actions.

### B. Criminal convictions:

N/A

### C. Chronic excessive emissions events:

N/A

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

Item 1	November 26, 2019	(1609945)
Item 2	January 05, 2020	(1618188)
Item 3	January 27, 2020	(1617599)
Item 4	January 30, 2020	(1598468)
Item 5	May 31, 2020	(1651199)
Item 6	August 26, 2020	(1639068)
Item 7	September 30, 2020	(1678220)
Item 8	October 01, 2020	(1678750)
Item 9	October 15, 2020	(1683547)
Item 10	October 23, 2020	(1684579)
Item 11	November 02, 2020	(1685159)
Item 12	November 18, 2020	(1683786)
Item 13	December 03, 2020	(1692231)
Item 14	December 21, 2020	(1612124)
Item 15	December 22, 2020	(1693090)
Item 16	December 23, 2020	(1697667)
Item 17	January 14, 2021	(1699037)
Item 18	April 06, 2021	(1707817)
Item 19	April 12, 2021	(1705597)
Item 20	May 25, 2021	(1723613)
Item 21	May 26, 2021	(1721986)
Item 22	June 21, 2021	(1736451)
Item 23	June 28, 2021	(1737375)
Item 24	July 09, 2021	(1738753)
Item 25	July 27, 2021	(1738353)
Item 26	August 27, 2021	(1699881)
Item 27	March 21, 2022	(1632735)
Item 28	January 20, 2023	(1862075)
Item 29	February 24, 2023	(1847605)
Item 30	February 27, 2023	(1846565)
Item 31	May 31, 2023	(1903023)
Item 32	October 27, 2023	(1925016)
Item 33	November 17, 2023	(1925971)
Item 34	December 13, 2023	(1945361)
Item 35	December 28, 2023	(1918638)

**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:**

Disclosure Date: 07/26/2019

Viol. Minor

Classification:

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failure to maintain daily process flare observation records. Records were being maintained weekly.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT PBR Conditions  
PERMIT Permit Conditions

Description: Failure to perform quarterly replacements of O2 sensors on engines.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(ii)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT PBR Conditions

PERMIT Permit Conditions

Description: Failure to test portable analyzers for NOx and CO within seven days following O2 sensor replacement.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT PBR Conditions

Description: Failure to perform a timely biennial engine performance test.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Permit Conditions

Description: Failure to conduct annual NSPS Subpart JJJJ engine tests.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Permit Conditions

Description: Failure to submit a timely annual NSPS Subpart JJJJ test report.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(b)(2)(ii)

Rqmt Prov: PERMIT SC 2.B.

OP STC 1.A and 9

Description: Failure to conduct annual NSPS Subpart JJJJ engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #5 RRC, and #8 RRC engines within 8,760 operating hours from the previous test.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(d)

Description: Failure to submit annual NSPS JJJJ engine test report for #1 RRC and #2 RRC within 60 days after test completion.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6615

Rqmt Prov: OP STC 1.A and 1.E

Description: Failure to conduct annual RICE MACT engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, and #8 RRC engines within 8,760 operating hours from the previous test.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failure to report the late submittal of the NSPS OOOO report in the July 28, 2015 deviation report.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Standard Permit

OP STC 9 and GTC

Description: Failure to perform initial PBR 106.512 engine test for the #13 RRC engine within 60 days of startup.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)

Rqmt Prov: OP STC 1.A and 1.E.

Description: Failure to complete initial RICE MACT engine performance test for the #10 RRC and #13 RRC engines within 180 days of startup.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(c)

Rqmt Prov: PERMIT SC 2.B.

OP STC 1.A and STC 9

Description: Failure to submit a timely NSPS JJJJ pretest notification prior to the scheduled annual NSPS JJJJ engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, and #8 RRC.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(a)(2)(iii)

Description: Failure to complete initial NSPS JJJJ engine performance test within 180 days after startup for #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, and #5 RRC.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT SC 9.F.

OP STC 9

Description: Failure to perform portable analyzer test for #3 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, and #9 RRC within 14 days after a maintenance activity that could affect emissions performance.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)

30 TAC Chapter 116, SubChapter F 116.620(a)(4)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A and STC 9

Description: Failure to complete replacement of the oxygen sensors for #12 RRC and #13 RRC during first quarter of 2019.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)

30 TAC Chapter 116, SubChapter F 116.620(a)(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A. and 9 and GTC

Description: Failure to complete replacement of the #12 RRC oxygen sensors during the third quarter of 2019.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)

30 TAC Chapter 116, SubChapter F 116.620(a)(4)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A. and 9

Description: Failure to complete replacement of the #12 RRC and #13 RRC oxygen sensors during the fourth quarter of 2019.

Viol. Moderate

Classification:

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

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT SC 6.C.

Description: Failure to maintain documentation confirming performance of daily VEOs on 6/1/14, 6/3/14, 11/1/14, 5/1/15, 9/30/15, 11/21/15, 8/23/16, 8/27/16, 9/10/16, 9/16/16, 9/24/16, 12/16/16, 12/17/16, 2/8/18, 4/6/18.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(g)

Rqmt Prov: OP STC 1.A and 1.E.

Description: Failure to submit a RICE MACT pretest notification for the #1 Refrig, #2 Refrig, #3 Refrig, #2 RRC, #3 RRC, #8 RRC, #12 RRC, and #13 RRC 60 days prior to the scheduled annual RICE MACT engine tests.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6615

Description: Failure to perform semiannual RICE MACT engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, #8 RRC, and #9 RRC within 180 days of previous tests.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090

40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(h)

Rqmt Prov: OP STC 1.A. and 1.E.

Description: Failure to submit RICE MACT test results for #1 Refrig, #2 Refrig, #3 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, #8 RRC, #11 RRC, and #12 RRC within 60 days of test completion.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(a)  
Rqmt Prov: OP STC 1.A and 1.E.  
Description: Failure to submit RICE MACT notification for startup of the #2 RRC, #8 RRC, #11 RRC, and #13 RRC engines within 15 days of startup.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1130  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7500(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7510(g)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7515(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7540(a)(12)  
Rqmt Prov: OP STC 1.A., 1.E and GTC  
Description: Failure to complete initial MACT DDDDD five year tune up within 61 months after startup of operation.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 7.E.  
OP STC 9 and GTC  
Description: Failure to maintain documentation confirming weekly AVO monitoring of connectors was performed for the weeks of 6/9/14, 6/23/14, 7/7/14, 8/18/14, 9/15/15, 10/27/14, 11/24/14, 2/10/15, 2/24/15, 3/10/15, 3/17/15, 9/28/15, 3/7/16, 3/14/16, 3/28/16, 8/22/16, 9/19/16, 3/19/18, 4/30/18, 5/14/18, and 3/11/19.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Wa 60.486a(a)(3)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT OOOO 60.5400(a)  
Rqmt Prov: PERMIT STC 1.A and GTC  
Description: Failure to maintain documentation confirming weekly AVO monitoring of pumps in light liquid service was performed during the week of 4/28/14 through 6/23/14, 6/29/15 through 12/28/15, 1/4/16 through 6/13/16, 8/8/16, 8/15/16, 8/29/16, 9/5/16, 9/19/16, 9/26/16, 10/24/16, 11/21/16, 11/28/16, 2/26/18, 4/2/18, 5/7/18, 7/16/18, and 3/11/19.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4246  
Description: Failure to submit NSPS JJJJ start of construction notification for #3 RRC within 30 days after start of construction.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 116, SubChapter F 116.615(5)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT Standard Permit  
OP STC 11  
Description: Failure to submit standard permit startup notification for #10 RRC prior to engine startup.  
Disclosure Date: 10/08/2019

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(4)(v)  
Description: Failure to submit the MACT DDDDD initial notification within 15 days after startup of the Amine Reboiler in August 2016 (Sonora Unit).

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(b)(2)  
Description: Failure to submit the initial MACT DDDDD compliance report for the Regen Gas Heater and Heating Medium Oil Heater by January 31 after the end of the initial compliance period of December 31, 2018.  
Disclosure Date: 10/09/2019

Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Description: Failure to maintain daily process flare observation records. Records were being maintained weekly.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT PBR Conditions  
PERMIT Permit Conditions  
Description: Failure to perform quarterly replacements of O2 sensors on engines.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(ii)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT PBR Conditions  
PERMIT Permit Conditions  
Description: Failure to test portable analyzers for NOx and CO within seven days following O2 sensor replacement.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT PBR Conditions  
Description: Failure to perform a timely biennial engine performance test.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT Permit Conditions  
Description: Failure to conduct annual NSPS Subpart JJJJ engine tests.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT Permit Conditions  
Description: Failure to submit a timely annual NSPS Subpart JJJJ test report.  
Viol. Moderate  
Classification:  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(b)(2)(ii)  
Rqmt Prov: PERMIT SC 2.B.  
OP STC 1.A and 9  
Description: Failure to conduct annual NSPS Subpart JJJJ engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #5 RRC, and #8 RRC engines within 8,760 operating hours from the previous test.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(d)  
Description: Failure to submit annual NSPS JJJJ engine test report for #1 RRC and #2 RRC within 60 days after test completion.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6615  
Rqmt Prov: OP STC 1.A and 1.E  
Description: Failure to conduct annual RICE MACT engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, and #8 RRC engines within 8,760 operating hours from the previous test.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Description: Failure to report the late submittal of the NSPS OOOO report in the July 28, 2015 deviation report.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(iii)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT Standard Permit

OP STC 9 and GTC

Description: Failure to perform initial PBR 106.512 engine test for the #13 RRC engine within 60 days of startup.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)

Rqmt Prov: OP STC 1.A and 1.E.

Description: Failure to complete initial RICE MACT engine performance test for the #10 RRC and #13 RRC engines within 180 days of startup.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(c)

Rqmt Prov: PERMIT SC 2.B.

OP STC 1.A and STC 9

Description: Failure to submit a timely NSPS JJJJ pretest notification prior to the scheduled annual NSPS JJJJ engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, and #8 RRC.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(a)(2)(iii)

Description: Failure to complete initial NSPS JJJJ engine performance test within 180 days after startup for #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, and #5 RRC.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT SC 9.F.

OP STC 9

Description: Failure to perform portable analyzer test for #3 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, and #9 RRC within 14 days after a maintenance activity that could affect emissions performance.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A and STC 9

Description: Failure to complete replacement of the oxygen sensors for #12 RRC and #13 RRC during first quarter of 2019.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A. and 9 and GTC

Description: Failure to complete replacement of the #12 RRC oxygen sensors during the third quarter of 2019.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(i)  
30 TAC Chapter 116, SubChapter F 116.620(a)(4)

Rqmt Prov: PERMIT Standard Permit

OP STC 1.A. and 9

Description: Failure to complete replacement of the #12 RRC and #13 RRC oxygen sensors during the fourth quarter of 2019.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT SC 6.C.

Description: Failure to maintain documentation confirming performance of daily VEOs on 6/1/14, 6/3/14, 11/1/14, 5/1/15, 9/30/15, 11/21/15, 8/23/16, 8/27/16, 9/10/16, 9/16/16, 9/24/16, 12/16/16, 12/17/16, 2/8/18, 4/6/18.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(g)

Rqmt Prov: OP STC 1.A and 1.E.  
Description: Failure to submit a RICE MACT pretest notification for the #1 Refrig, #2 Refrig, #3 Refrig, #2 RRC, #3 RRC, #8 RRC, #12 RRC, and #13 RRC 60 days prior to the scheduled annual RICE MACT engine tests.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6615

Description: Failure to perform semiannual RICE MACT engine test for the #1 Refrig, #2 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, #8 RRC, and #9 RRC within 180 days of previous tests.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(h)

Rqmt Prov: OP STC 1.A. and 1.E.  
Description: Failure to submit RICE MACT test results for #1 Refrig, #2 Refrig, #3 Refrig, #1 RRC, #2 RRC, #3 RRC, #4 RRC, #5 RRC, #6 RRC, #7 RRC, #8 RRC, #11 RRC, and #12 RRC within 60 days of test completion.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(a)

Rqmt Prov: OP STC 1.A and 1.E.  
Description: Failure to submit RICE MACT notification for startup of the #2 RRC, #8 RRC, #11 RRC, and #13 RRC engines within 15 days of startup.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1130  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7500(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7510(g)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7515(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7540(a)(12)

Rqmt Prov: OP STC 1.A., 1.E and GTC  
Description: Failure to complete initial MACT DDDDD five year tune up within 61 months after startup of operation.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 7.E.  
OP STC 9 and GTC

Description: Failure to maintain documentation confirming weekly AVO monitoring of connectors was performed for the weeks of 6/9/14, 6/23/14, 7/7/14, 8/18/14, 9/15/15, 10/27/14, 11/24/14, 2/10/15, 2/24/15, 3/10/15, 3/17/15, 9/28/15, 3/7/16, 3/14/16, 3/28/16, 8/22/16, 9/19/16, 3/19/18, 4/30/18, 5/14/18, and 3/11/19.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Wa 60.486a(a)(3)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT OOOO 60.5400(a)

Rqmt Prov: PERMIT STC 1.A and GTC  
Description: Failure to maintain documentation confirming weekly AVO monitoring of pumps in light liquid service was performed during the week of 4/28/14 through 6/23/14, 6/29/15 through 12/28/15, 1/4/16 through 6/13/16, 8/8/16, 8/15/16, 8/29/16, 9/5/16, 9/19/16, 9/26/16, 10/24/16, 11/21/16, 11/28/16, 2/26/18, 4/2/18, 5/7/18, 7/16/18, and 3/11/19.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4246

Description: Failure to submit NSPS JJJJ start of construction notification for #3 RRC within 30 days after start of construction.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 116, SubChapter F 116.615(5)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT Standard Permit  
OP STC 11

Description: Failure to submit standard permit startup notification for #10 RRC prior to engine startup.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(4)(v)

Description: Failure to submit the MACT DDDDD initial notification within 15 days after startup of the Amine Reboiler in August 2016 (Sonora Unit).  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(b)(2)

Description: Failure to submit the initial MACT DDDDD compliance report for the Regen Gas Heater and Heating Medium Oil Heater by January 31 after the end of the initial compliance period of December 31, 2018.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)  
Rqmt Prov: OP ST&C 1.A and 1.E

Description: Failure to perform initial RICE MACT engine tests for RRC 15, 16, 17, 18, 19, 20, 21, and 22 within 180 days after startup. And failure to perform initial test for the Cat #7A and #22A RRC engine swaps.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(h)  
Rqmt Prov: OP ST&C 1.A and 1.E

Description: Failure to submit RICE MACT engine test results within 60 days after test completion beginning in January 2015 for Wauk #9, Wauk #10, Wauk #12, #15 RRC, #16 RRC, #17 RRC, #18 RRC, and #19 RRC.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(5)(ii)

Description: Failure to submit a MACT HH startup notification for the new glycol unit within 15 days after startup on May 5, 2016.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(5)(i)

Description: Failure to submit an initial MACT HH notification for the new glycol unit within 120 days after startup n May 5, 2016.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HH 63.775(b)(5)

Description: Failure to submit MACT HH semiannual compliance reports for the new glycol unit within 60 days after the end of each semiannual compliance report, beginning with the report that was due on June 30, 2017.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1130  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7500(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7510(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7530(e)  
Rqmt Prov: OP STC 1.A, 1.F, and GTC

Description: Failure to perform the one time energy assessment of the Amine Reboiler (HT-702) required by MACT DDDDD by the due date of January 31, 2016.  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failure to maintain a weekly VEO log for the Acid Gas Flare (HB002FL) from June 2, 2014 through March 23, 2015.

Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Description: Failure to maintain a quarterly VEO log for stacks during the 2nd and 4th quarters of 2016.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Part 60, Subpart QQ 60.432  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)  
Description: Failure to maintain weekly AVO logs for pumps in light liquid service.

Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT SC 7  
Description: Failure to maintain complete shift check logs for H2S.

Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
Rqmt Prov: PERMIT SC 8.E  
Description: Failure to maintain complete weekly AVO logs for equipment components.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJ 60.636(a)  
Description: Failure to submit the semiannual NSPS KKK report for Cat #7 and plant fugitive by May 30, 2017.  
Report was submitted on November 9, 2017.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT OOOO 60.5400(a)  
Description: Failure to implement NSPS OOOO fugitive monitoring for Wauk #9 and Wauk #11 beginning in April 2014 through April 2019.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1090  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(a)  
Rqmt Prov: PERMIT ST&C 1.A and 1.E  
Description: Failure to submit the RICE MACT startup notification for engine swaps for Cat #7, #17 RRC, and #19 RRC within 15 days after startup.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7545(c)  
Rqmt Prov: PERMIT STC 1.A and 1.F  
Description: Failure to submit the initial MACT DDDDD notification within 15 days after startup of the Glycol Reboiler Heater (HT-705) on May 5, 2016 and the HMO Heater (HT-707) on May 2, 2017.

Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 113, SubChapter C 113.1130  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7500(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7510(g)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7515(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7540(a)(12)  
Rqmt Prov: OP ST&C 1.A, 1.F, and GT&Cs  
Description: Failure to complete the initial tune up required by MACT DDDDD by the due date of January 31, 2016 for the existing Amine Reboiler (HT-702), Regen Gas Heater (HT-706), and Duke TEG Heater (HT-703).

Notice of Intent Date: 10/28/2022 (1861629)  
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

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## *Addendum to Compliance History Federal Enforcement Actions*

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**Reg Entity Name:** **BENEDUM GAS PLANT**

**Reg Entity Add:** 10501 HIGHWAY 1555

**Reg Entity City:** RANKIN

**Reg Entity No:** **RN102516937**

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**EPA Case No:** **06-2019-3401**

**Order Issue Date (yyyymmdd):** 20220203

**Case Result:** Final Order With Penalty

**Statute:** CAA

**Sect of Statute:** 112[R][1]

**Classification:** Moderate

**Program:** Risk Management Progra

**Citation:** 40 CFR

**Violation Type:** Management safety

**Cite Sect:**

**Cite Part:** 68

**Enforcement Action:** Consent Decree or Court Order Resolving a Civil

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
WTG SOUTH PERMIAN MIDSTREAM  
LLC  
RN102516937

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-0894-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 WTG South Permian Midstream LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a natural gas compression, treating, and natural gas liquids recovery plant located at 10501 Ranch-to-Market Road 1555 near Midkiff, Upton 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 \$11,700 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$9,360 of the penalty and \$2,340 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 on May 15, 2024, the Respondent submitted an application for Federal Operating Permit ("FOP") No. O4646 to authorize the emission units at the Plant that were previously authorized by FOP No. O3620.

## **II. ALLEGATIONS**

During a record review for the Plant conducted on May 13, 2024, an investigator documented that the Respondent failed to submit a permit renewal application at least six months, but no earlier than 18 months, before the date of permit expiration, in violation of 30 TEX. ADMIN. CODE §§ 122.121, 122.133(2), and 122.241(b) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b). Specifically, on May 9, 2024, the Respondent voluntarily disclosed that a renewal application for FOP No. O3620 was not submitted by October 24, 2023, FOP No. O3620 expired on April 24, 2024, and the Respondent continued to operate the emission units at the Plant that were previously authorized by FOP No. O3620 without an FOP.

## **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: WTG South Permian Midstream LLC, Docket No. 2024-0894-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 at the Plant:

- a. Immediately upon the effective date of this Order and until such time that FOP No. 04646 is obtained, comply with the provisions in expired FOP No. 03620, including recordkeeping, reporting, and compliance certification requirements with respect to the Plant's continuing operations.
- b. Within 15 days after the effective date of this Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a., as described in Ordering Provision No. 2.d.
- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the application for FOP No. 04646 by any deadline specified in writing.
- d. Within 180 days after the effective date of this Order, submit written certification that FOP No. 04646 has been obtained, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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  
10 Desta Drive, Suite 350E  
Midland, Texas 79705

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. 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.
7. 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.
8. 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

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For the Commission

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Date

  
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9/3/2024  
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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.

  
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Signature

8/1/2024  
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Date

SEAN ATKINS  
-----  
Name (Printed or typed)  
Authorized Representative of  
WTG South Permian Midstream LLC

VP of HSE & Sustainability  
-----  
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.