

Executive Summary – Enforcement Matter – Case No. 66276

XTO Energy Inc.

RN102527504

Docket No. 2024-1019-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

H and J Unit 1D TB, located at coordinates 32.861183° N, -102.932316° W, approximately eight miles southwest, Denver City, Gaines County

Type of Operation:

Oil and gas production 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: July 25, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$18,938

Amount Deferred for Expedited Settlement: \$3,787

Total Paid to General Revenue: \$15,151

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: June 10, 2024 through June 11, 2024

Date(s) of NOE(s): June 12, 2024

Executive Summary – Enforcement Matter – Case No. 66276

XTO Energy Inc.

RN102527504

Docket No. 2024-1019-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 94,580 pounds ("lbs") of volatile organic compounds and 21,614 lbs of hydrogen sulfide from the High Pressure Flare, Emissions Point Number FL-1, during an emissions event (Incident No. 412703) that began on October 16, 2023 and lasted 600 hours [30 TEX. ADMIN. CODE § 116.615(2), Standard Permit Registration No. 161909, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 412703 was due by November 24, 2023, but was not submitted until November 30, 2023 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On November 30, 2023, submitted the final record for Incident No. 412703; and
- b. By January 4, 2024, began requiring field personnel to inspect the high-pressure flare daily to ensure that manually lit flares are lit during any flaring event and to enter a daily notation of pilot inspections in the log in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412703.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Caleb Martin, Enforcement Division, Enforcement Team 2, MC R-12, (512) 239-2091; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Keith Underwood, Production Manager, XTO Energy Inc., 22777 Springwoods Village Parkway, Spring, Texas 77389

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	19-Jun-2024	Screening	19-Jun-2024	EPA Due	
	PCW	17-Apr-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	XTO Energy Inc.
Reg. Ent. Ref. No.	RN102527504
Facility/Site Region	7-Midland
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	66276	No. of Violations	2
Docket No.	2024-1019-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	\$25,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes	No adjustment for compliance history.
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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	-\$6,312
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$110	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$10,250	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$18,938
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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	\$18,938
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$18,938
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,787
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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	\$15,151
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Screening Date	19-Jun-2024	Docket No.	2024-1019-AIR-E	PCW
Respondent	XTO Energy Inc.	<i>Policy Revision 5 (January 28, 2021)</i>		
Case ID No.	66276	<i>PCW Revision February 11, 2021</i>		
Reg. Ent. Reference No.	RN102527504			
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>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	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) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 19-Jun-2024		Docket No. 2024-1019-AIR-E	PCW	
Respondent XTO Energy Inc.		Policy Revision 5 (January 28, 2021)		
Case ID No. 66276		PCW Revision February 11, 2021		
Reg. Ent. Reference No. RN102527504				
Media Air				
Enf. Coordinator Caleb Martin				
Violation Number 1				
Rule Cite(s) 30 Tex. Admin. Code § 116.615(2), Standard Permit Registration No. 161909, and Tex. Health & Safety Code § 382.085(b)				
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 94,580 pounds ("lbs") of volatile organic compounds and 21,614 lbs of hydrogen sulfide from the High Pressure Flare, Emissions Point Number FL-1, during an emissions event (Incident No. 412703) that began on October 16, 2023 and lasted 600 hours.				
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual		x	
	Potential			
		Percent	25.0%	
>>Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		Percent	0.0%	
Matrix Notes	Human health or the environment has been exposed to a significant amount of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of this violation.			
		Adjustment	\$18,750	
			\$6,250	
>> Violation Events				
Number of Violation Events		4	25	Number of violation days
	daily			
	weekly	x		
	monthly			
	quarterly			
	semiannual			
	annual			
	single event			
		Violation Base Penalty	\$25,000	
		Four weekly events are recommended.		
Good Faith Efforts to Comply		25.0%	Reduction	\$6,250
	Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary	x		
	N/A			
	Notes	The Respondent achieved compliance by January 4, 2024, prior to the Notice of Enforcement dated June 12, 2024.		
		Violation Subtotal	\$18,750	
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount		\$110	Violation Final Penalty Total	\$18,750
		This violation Final Assessed Penalty (adjusted for limits) \$18,750		

Economic Benefit Worksheet

Respondent XTO Energy Inc.
Case ID No. 66276
Reg. Ent. Reference No. RN102527504
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
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	16-Oct-2023	4-Jan-2024	0.22	\$110	n/a	\$110
Notes for DELAYED costs	Estimated cost to begin requiring field personnel to inspect the high-pressure flare daily to ensure that manually lit flares are lit during any flaring event and to enter a daily notation of pilot inspections in the log in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412703. The Date Required is the date the emissions event began and the Final Date is the date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$10,000			TOTAL		\$110	

Screening Date 19-Jun-2024 Respondent XTO Energy Inc. Case ID No. 66276 Reg. Ent. Reference No. RN102527504 Media Air Enf. Coordinator Caleb Martin	Docket No. 2024-1019-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2	
Rule Cite(s)		30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)
Violation Description		Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 412703 was due by November 24, 2023, but was not submitted until November 30, 2023.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Release	Major	Moderate	Minor
Actual				
Potential				

Percent 0.0%

>> Programmatic Matrix

OR

	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

6 Number of violation days

daily
 weekly
 monthly
 quarterly
 semiannual
 annual
 single event

x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

25.0%
 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Reduction \$62

Extraordinary
 Ordinary
 N/A

x

Notes The Respondent achieved compliance on November 30, 2023, prior to the Notice of Enforcement dated June 12, 2024.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Estimated EB Amount \$0

Statutory Limit Test

Violation Final Penalty Total \$188

This violation Final Assessed Penalty (adjusted for limits) \$188

Economic Benefit Worksheet

Respondent XTO Energy Inc.
Case ID No. 66276
Reg. Ent. Reference No. RN102527504
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	24-Nov-2023	30-Nov-2023	0.02	\$0	n/a	\$0
Notes for DELAYED costs	Estimated cost to submit the final record for Incident No. 412703. The Date Required is the date the final record was due and the Final Date is the date the final record was submitted.						

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 \$250

TOTAL \$0



Compliance History Report

Compliance History Report for CN600601348, RN102527504, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600601348, XTO Energy Inc.

Classification: SATISFACTORY

Rating: 0.96

Regulated Entity: RN102527504, H AND J UNIT 1D TB

Classification: HIGH

Rating: 0.00

Complexity Points: 2

Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: Coordinates 32.861183° N, -102.932316° W, approximately eight miles southwest of Denver City in Gaines County, Texas

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 18492

AIR NEW SOURCE PERMITS REGISTRATION 22754

AIR NEW SOURCE PERMITS ACCOUNT NUMBER

AIR NEW SOURCE PERMITS REGISTRATION 161909

GA0118G

AIR NEW SOURCE PERMITS REGISTRATION 146923

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

Rating Year: 2024

Rating Date: 09/01/2024

Date Compliance History Report Prepared: April 17, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 17, 2020 to April 17, 2025

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

Name: Johnnie Wu

Phone: (512) 239-2524

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	December 08, 2020	(1691581)
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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:

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
XTO ENERGY INC.
RN102527504

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-1019-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 XTO Energy Inc. (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 an oil and gas production plant located at coordinates 32.861183° N, -102.932316° W, approximately eight miles southwest of Denver City in Gaines 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 \$18,938 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,151 of the penalty and \$3,787 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On November 30, 2023, submitted the final record for Incident No. 412703; and
 - b. By January 4, 2024, began requiring field personnel to inspect the high-pressure flare daily to ensure that manually lit flares are lit during any flaring event and to enter a daily notation of pilot inspections in the log in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412703.

II. ALLEGATIONS

During a record review for the Plant conducted from June 10, 2024 through June 11, 2024, an investigator documented that the Respondent:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.615(2), Standard Permit Registration No. 161909, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 94,580 pounds ("lbs") of volatile organic compounds and 21,614 lbs of hydrogen sulfide from the High Pressure Flare, Emissions Point Number FL-1, during an emissions event (Incident No. 412703) that began on October 16, 2023 and lasted 600 hours.
2. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 412703 was due by November 24, 2023, but was not submitted until November 30, 2023.

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: XTO Energy Inc., Docket No. 2024-1019-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.

Keith Underwood

Signature

06/10/25

Date

KEITH UNDERWOOD

Name (Printed or typed)

Authorized Representative of
XTO Energy Inc.

PRODUCTION MGR

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.