



TCEQ Compliance Alert: Guide to “Find and Fix It” Initiative for Oil and Gas Entities in the Permian Basin

Effective through January 31, 2021, the TCEQ Office of Compliance and Enforcement is implementing a “find and fix it” initiative to incentivize compliance with air quality rules and regulations at oil and gas operations in the 61 counties comprising the [Permian Basin](#). There have been significant increases in the number of emissions events (EE) reported and increases in the quantity of emissions reported from oil and gas facilities in this area. A review of the cause included in the emissions event report indicate that some events may have been incorrectly classified as “emissions events”. This initiative will allow owners and operators to evaluate their operations and current air authorizations to ensure that future incidents of excess emissions are reported correctly.

Owners/operators electing to participate in this initiative and actively addressing noncompliance issues in a cooperative and timely manner will be considered for enforcement discretion. This is separate from the [Texas Environmental, Health, and Safety Audit Privilege Act \(Audit Act\)](#), although some owners/operators may choose to use either “find it and fix it” or Audit Act to self-identify and correct issues with the potential for enforcement discretion.

TCEQ will continue with its investigation and enforcement processes and procedures for owners/operators not participating in this “find it and fix it” initiative or not electing to self-audit under the Audit Act.

Please note that participation in this initiative does not exempt your facility from any other applicable rules, reporting, notification, record keeping, or permit conditions. Emissions events that occur during participation with the program are required to be reported to TCEQ in accordance with state and federal rules. TCEQ reserves the right to withdraw from the participation agreement.

How to participate

Participation in “find and fix it” requires two steps:

1. Owners/operators must notify the TCEQ in writing of their intent to participate no later than January 31, 2021. To notify please fill out and submit the [participation notice form](#). Each owner/operator will receive an automatic response acknowledging receipt of their “find and fix it” participation notice and instructions for submitting a compliance plan.
2. Within 30 days of receiving the acknowledgement, owners/operators must submit a compliance plan describing the proposed actions that will be taken to bring each facility into compliance. If an owner/operator has multiple facilities within the Permian Basin, they may be included in a single compliance plan. A 30-day extension may be granted upon request. Failure to submit a compliance plan will result in the removal from the program.

All proposed actions in the compliance plan must be completed no later than 180 days after receipt of TCEQ’s acknowledgment of intent to participate. If additional time is required beyond

180 days, owners/operators may be able to enter into a compliance agreement with the TCEQ Enforcement Division to allow time for capital improvements, applying for an initial or amended case-by-case permit, etc.

For additional details on the initiative timeline and violations not covered, please visit our [website](#).

Audit Act

Separate from the “find it and fix it” initiative, owners/operators may be eligible to seek immunity from administrative or civil penalties by notifying the TCEQ of a self-audit (where applicable) and making a “voluntary” disclosure of violation(s) under the Audit Act. Owners/operators electing to self-audit under the Audit Act should contact the TCEQ Enforcement Division at 512-239-2545 or oce@tceq.texas.gov.

Assistance

For additional questions or assistance with EEs, please review the FAQ on our [Oil and Gas Compliance Assistance Website](#). You can also call our confidential compliance hotline for assistance from 8am to 5pm Monday through Friday with the option to leave a voicemail outside of office hours at 800-447-2827.

STEERS Support for Emissions Event Reporting

[STEERS Create an Account or Log In](#)

512-239-6925

steers@tceq.texas.gov

<https://www3.tceq.texas.gov/steers/help/aeme/create.html>

<https://www3.tceq.texas.gov/steers/index.cfm?fuseaction=login.contactus>

Free Online Workshops for the Oil and Gas Industry

The TCEQ will be hosting a series of **free** online workshops for the Oil and Gas Industry covering **Emissions Events on November 5, 2020, Permitting Options for Oil and Gas on November 12, 2020** and the “Permian Basin Find and Fix It” Initiative on November 17, 2020. [Register HERE](#)

To sign up for future industry workshop registration alerts, please visit <https://public.govdelivery.com/accounts/TXTCEO/subscriber/new> to subscribe to your choice of topics via text or email, or to receive *The Advocate*, a periodic publication that provides updates on regulatory concerns and rules for small businesses and local governments, please visit <https://www.tceq.texas.gov/assistance/resources/e-advocate.html>.