



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

FILED

21 APR 27 PM 12:27

REGIONAL HEARING CLERK
EPA REGION VI

EXPEDITED SETTLEMENT AGREEMENT (ESA)

Docket No: CAA 06-2021-3322

This ESA is issued to: Colt G&P (North Texas) L.P. - Springtown Gas Plant [Previously owned and operated by Midcoast G&P (North Texas) L.P.]

At: 1302 N. Main St., Springtown, TX 76082

For: Violating Section 112(r)(7) of the Clean Air Act

The United States Environmental Protection Agency (EPA), through its delegated official, the Director of the Enforcement and Compliance Assurance Division, and Colt Midstream, LLC (Respondent) have agreed to a settlement of this action before filing a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) of the Consolidated Rules of Practicing Governing the Administrative Assessment of Civil Penalties the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. Part 22.

This ESA is an administrative action for the assessment of civil penalties instituted pursuant to Section 113(d) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7413(d). Pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), the Administrator and the Attorney General jointly determined that cases which meet the criteria set forth in the EPA's Policies¹ are appropriate for administrative penalty action.

ALLEGED VIOLATION

On October 21, 2019, an authorized representative of the EPA conducted a compliance inspection of the Respondent's facility, owned and operated at the time by Midcoast G&P (North Texas) L.P. located in Springtown, Texas to determine compliance with the Risk Management Program (RMP) regulations promulgated at 40 C.F.R. Part 68 under Section 112(r) of the CAA, 42 U.S.C. § 7412(r). The EPA found that Respondent had violated the RMP regulations and Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), as follows:

(1) 40 C.F.R. § 68.71(b) - "Refresher training. Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The owner or operator, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training."

SETTLEMENT

In consideration of the factors set forth in Section 113(e) of the Act, 42 U.S.C. § 7413(e), the criteria set forth in EPA's policies¹, and upon consideration of the entire record, EPA and Respondent enter into this ESA in order to settle the violation, described above, for the total penalty amount of **\$1,500.00**.

¹ "Use of Expedited Settlements in Addressing Violations of the Clean Air Act Chemical Accident Prevention Restrictions on the Use of Expedited Settlements in Addressing Violations of the Clean Air Act Chemical Accident Prevention Provisions" (2013)

This settlement is subject to the following terms and conditions:

Respondent, by signing below, waives any objections that it may have regarding jurisdiction, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C. § 7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own costs and fees, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent has corrected the violation listed above and has paid the full penalty of \$1,500.00 by certified or cashier's check made payable to the "United States Treasury" and sent to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

or by alternate payment method described at <http://www.epa.gov/financial/makepayment>.

The Docket Number of this ESA is **CAA 06-2021-3322** and must be included on the payment. **The signed ESA and a copy of payment must be sent by email to:** flores.carlos@epa.gov.

Full payment of the ESA penalty shall only resolve Respondent's civil liability for the violation alleged above. The EPA does not waive any other enforcement action by EPA for any other past, present, or future violations under the CAA or any other statute.

If the signed ESA with a copy of the payment is not returned to EPA Region 6 at the above email address in correct form by Respondent within 30 days of the date of receipt of this ESA, the proposed ESA is withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the violation identified in this ESA.


This ESA is binding on the EPA and Respondent and is effective upon filing with the Regional Hearing Clerk.

The EPA and Respondent agree to the use of electronic signatures for this matter. The EPA and Respondent further agree to electronic service of this ESA, pursuant to 40 C.F.R. § 22.6, by email to the following addresses:

To EPA: flores.carlos@epa.gov

To Respondent: chris.breitling@coltmidstream.com

SIGNATURE BY RESPONDENT:

Signature: 

Date: 4/26/2021

Name (print): Denny Bull

Title (print): Vice President Operations

Cost of Corrective Actions: \$0.00

Respondent's Brief Description of Complying Action:

The refresher training was certified by Midcoast G&P (North Texas) L.P. completed by
9/25/2019 for all employees. Currently Colt G&P (North Texas) L.P. is in compliance
with 40 CFR §68.17(b).

If you need additional space or would like to provide additional supporting documentation, please attach to this document.

SIGNATURE BY EPA:

**STEPHEN
GILREIN**

Digitally signed by STEPHEN GILREIN
DN: c=US, o=U.S. Government,
ou=Environmental Protection Agency,
cn=STEPHEN GILREIN,
0.9.2342.19200300.100.1.1+680010036517
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Date: 2021.04.26 17:06:30 -05'00'

Cheryl T. Seager
Director
Enforcement and
Compliance Assurance Division
U.S. EPA, Region 6

It is so ORDERED. This Order shall become effective upon filing of the fully executed ESA with the Regional Hearing Clerk.

**Rucki,
Thomas**

Digitally signed by Rucki, Thomas
DN: cn=Rucki, Thomas,
email=Rucki.Thomas@epa.gov
Date: 2021.04.27 09:16:23 -05'00'

Thomas Rucki
Regional Judicial Officer

*In the matter of Colt Midstream, LLC
Docket No. CAA 06-2021-3322*

CERTIFICATE OF SERVICE

I hereby certify, on the date identified below, a true and correct copy of the foregoing Expedited Settlement Agreement was electronically delivered to the Regional Hearing Clerk, U.S. EPA Region 6 (ORC), 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that a true and correct copy was sent this day in the following manner to the addressees:

Copy via email to EPA: flores.carlos@epa.gov

Copy via email to Respondent: chris.breitling@coltmidstream.com

Mr. Chris Breitling
Environmental Coordinator
Colt Midstream, LLC
451 Jones Road.
Weatherford, TX 76088

CARLOS FLORES

Digitally signed by CARLOS FLORES
DN: cn=US, o=U.S. Government, ou=Environmental
Protection Agency, cn=CARLOS FLORES,
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Date: 2021.04.27 15:48:23 -05'00'

Carlos Flores
United States Environmental Protection Agency,
Region 6

