

Texas Commission on Environmental Quality Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Cimarex Energy Co.
Customer Number: CN601706302

Regulated Entity Name: DAY STAR 20 UNIT 2H

Regulated Entity Number: RN110075413

Investigation # 1859729

Incident Numbers

Incident 375,815

Investigator:RANDA RALSTON

Site Classification MAJOR SOURCE

Conducted: 12/19/2022 -- 12/19/2022

SIC Code: 1311

Program: AIR NEW SOURCE PERMITS

Investigation Type :Compliance Invest File Review

Location : FROM ORLA, HEAD NORTHWEST ON US-285 N AND CONTINUE FOR 10.6 MILES. TURN LEFT WEST ONTO CO RD 454 AND CONTINUE FOR 10 MILES. TURN LEFT ONTO ACCESS ROAD AND FACILITY IS 2.3 MILES AHEAD ON THE RIGHT.

Additional ID 149793

Address ; City , State Zip

Local Unit : REGION 99 - CENTRAL OFFICE

Activity Type: UML0 - This is an in-house investigation for closing an incident entered as a reportable emissions event that does not meet the definition of a reportable emissions event, or an incident reported as a

Principal(s):

Role RESPONDENT

Name CIMAREX ENERGY CO

Contact(s):

Role REGULATED
ENTITY MAIL
CONTACT

Name Gordon Ganaway

Title DIRECTOR, SAFETY & ENVIRONMENTAL COMPLIANCE

End of record for this contact

Role REGULATED
ENTITY
CONTACT

Name Marcia Baeza Ortiz

Title MANAGER, AIR COMPLIANCE

End of record for this contact

Other Staff Member(s):

Role QA Reviewer

Name DOMINIQUE HENSON

Role Supervisor

Name DOMINIQUE HENSON

Associated Check List

Checklist Name

Unit Name

Investigation Comments:

INTRODUCTION

An in-house investigation to determine compliance with the emissions event rules was conducted in response to STEERS Incident #375815 notification by Cimarex Energy Co (Attachment 1).

ADDITIONAL INFORMATION:

Incident #375815 has been reviewed for compliance with Title 30 Texas Administrative Code (TAC) 101, 101.201, 101.222 (a) and (b). The investigator finds that in any 24-hour period, unauthorized emissions from any emissions point were less than the reportable quantity as defined in 30 TAC §101.1(88). This incident will be closed with this investigation.

Report Attachments

- 1. Initial Notification and Final Report
- 2. Additional Information

No Violations Associated to this Investigation

Citations include TAC or T. A. C. which stands for Texas Administrative Code

No or N. O. stands for Number and Pg or P. G. stands for page.
Req or R. E. Q. stands for requirements

Signature lines for Environmental Investigator and supervisor with dates

Signed *Randa Ralston*
Environmental Investigator

Date 12-19-2022

Signed *Dominique Henson*
Supervisor

Date 12-20-2022

Checklist for different types of attachments

Attachments: (in order of final report submittal)

- | | |
|---|---|
| <input type="checkbox"/> Enforcement Action Request (EAR) | <input type="checkbox"/> Maps, Plans, Sketches |
| <input checked="" type="checkbox"/> Letter to Facility (specify type) : <u>Closure Letter</u> | <input type="checkbox"/> Photographs |
| Investigation Report | <input type="checkbox"/> Correspondence from the facility |
| <input type="checkbox"/> Sample Analysis Results | <input checked="" type="checkbox"/> Other (specify) : |
| <input type="checkbox"/> Manifests | <u>See Report Attachments</u> |
| <input type="checkbox"/> Notice of Registration | _____ |

Attachment 1

Initial Notification and Final Report

CIMAREX ENERGY CO

DAY STAR 20 UNIT 2H

ACCOUNT # N/A

RN # 110075413

ORLA/ CULBERSON COUNTY

December 19, 2022

Confirm Initial Notification to Send to TCEQ
Regulated Entity: RN110075413 Today's date is: 03/09/2022

Incident Tracking Number:		Incident Status:	OPEN		
Submittal Type:	INITIAL NOTIFICATION				
Name of Owner or Operator:	CIMAREX ENERGY CO	Regulated Entity Number:	RN110075413		
Physical Location:	FROM ORLA, HEAD NORTHWEST ON US-285 N AND CONTINUE FOR 10.6 MILES. TURN LEFT WEST ONTO CO RD 454 AND CONTINUE FOR 10 MILES. TURN LEFT ONTO ACCESS ROAD AND FACILITY IS 2.3 MILES AHEAD ON THE RIGHT.				
Event/Activity Type:	EMISSIONS EVENT				
Date and Time Event Discovered or Scheduled Activity Start:	03/08/2022 @ 13:30				
Event Duration:	24 hours, 0 minutes				
Process Unit or Area Common Names					
OILTK1					
Facility Common Name		Facility Identification Number (FIN)			
Oil tank		OILTK1			
Emission Point Common Name:		Emission Point Number:			
Oil tank		OILTK1			
List of Air Contaminant Compounds					
Description	Est. Quantity/ Opacity	Units	Emission Limit	Units	Authorization
Natural Gas VOCs	5000	POUNDS	0.99	TONS/YR	APD Certification
Cause of Emission Event or Excess Opacity Event, or Reason for Scheduled Activity:					
Dump valve on sales scrubber malfunctioned sending produced gas to tanks. Gas was discovered to be venting from tank thief hatch.					
Actions Taken, or Being Taken, to Minimize Emissions And/or Correct the Situation:					
Pumper took immediate action. Identified the dump valve malfunction and adjusted to stop event. Submitted emission event report. Further details on the field investigation will be provided in final report.					
Basis Used to Determine Quantities and Any Additional Information Necessary to Evaluate the Event:					
Used Scada measurement data to identify volume of gas vented. Used has composition to estimate VOC mass emissions and exceedance.					
Person Making Notification:	Marcia Baeza Ortiz	Date/Time:	03/09/2022 01:09:32 PM		
Notifier Phone:	918-8056330 ext:				
Incident Contact:	Marcia Baeza Ortiz				
Contact E-mail:	[REDACTED]				
Contact Phone:	918-8056330 ext:				
Notification Jurisdictions:	REGION 06 - EL PASO				
Affirmative Defense	The owner or operator of the regulated entity asserts this reported event or activity, as applicable, meets the applicable affirmative defense criteria. YES				
Publication Status:	VERIFIED				

Texas Commission on Environmental Quality Reportable Event Report

Investigation Type: UML3
Account No.: RN110075413
Attachment No:1
Page 2 of 2

Submittal Type	Incident #	Incident Status	Investigation #	Investigation Status
FINAL	375815	CLOSED	1859729	OPEN
Customer Name			CN #	
CIMAREX ENERGY CO			CN601706302	
Name of Owner or Operator			RN/Air Acct #	Physical Location
DAY STAR 20 UNIT 2H			RN110075413	

Event/Activity Type	Date / Time Event Discovered or Scheduled Activity Start/End	Duration
EMISSIONS EVENT	3/8/2022 1:30:00PM 3/13/2022 12:10:00AM	106 hours 40 minutes

Emission Point Common Name		Emission Point Number (EPN)			
Oil tank		OILTK1			
List of Compound Descriptive type(s) of Individually Listed or Mixtures of Air Contaminant Compounds Released, Including opacity	Estimated Total Quantity for Air Contaminants for Emissions / Opacity Value for Opacity	Units	Authorized Emissions Limit / Opacity Limit	Units	Authorization (rule or permit #)
Natural Gas VOCs	2,980.91	POUNDS	0.99	TONS/YR	APD Certification

Facility Common Name	Facility Identification Number (FIN)
Oil tank	OILTK1

Process Unit or Area Common Name
OILTK1

Cause of Emissions Event, Excess Opacity Event, or Reason for Scheduled Activity:

Dump valve on sales scrubber malfunctioned sending produced gas to tanks. Gas was discovered to be venting from tank thief hatch. 61% of gas that bypassed dump valve was combusted via low pressure flare.

Actions Taken, of Being Taken, to Minimize Emissions and/or Correct the Situation:

Pumper took immediate action. Identified the dump valve malfunction and adjusted to stop event. Submitted emission event report. Determined max vent rates per thief hatch and end of line design and operating conditions during event. Determined 61% of gas that bypassed dump valve was combusted via low pressure flare.

Basis Used to Determine Quantities and Any additional Information Necessary to Evaluate the Event:

Used Scada measurement data to identify volume of gas vented. Used gas composition to estimate VOC mass emissions. Determined 61% of gas that bypassed dump valve was combusted via low pressure flare, therefore, VOC emissions did not exceed 5000lb/24hr RQ.

Person Making Initial Notification	Marcia Baeza Ortiz (918) 805-6330
Initial Notification Date/Time	2022-3-9 13:09
Method	STEERS
Incident Primary Contact	Marcia Baeza Ortiz (918) 805-6330
Jurisdiction(s) Notified	REGION 06 - EL PASO

Agency Comments **Assigned Staff Member: Randa Ralston**

Attachment 2

Additional Information

CIMAREX ENERGY CO

DAY STAR 20 UNIT 2H

ACCOUNT # N/A

RN # 110075413

ORLA/ CULBERSON COUNTY

December 19, 2022

The information you submitted through the State of Texas Environmental Electronic Reporting System (STEERS) for the incident identified above has been received and will be assigned to an investigator. We are providing this opportunity to submit additional information that may not have been available at the time of the final STEERS report or may contain company confidential information. All responses are due no later than 30-days after the date of this email.

If the reported incident is ongoing, please provide the estimated end date for the incident.

The questions below reflect the requirements to claim an affirmative defense for enforcement actions and are intended to assist you in gathering the information TCEQ will assess in evaluating your claim. Your responses will be evaluated against the applicable demonstration criteria in [30 TAC 101.222](#).

If your response includes company confidential information, please clearly indicate what you intend to keep as confidential. All confidential information will be handled in accordance with [Section 382.041\(a\) of the Texas Health and Safety Code](#).

If you wish to withdraw the affirmative defense claim you made with your STEERS report, please respond to this email with that request rather than answer the questions below. If there is a different format that you'd like to use to respond to the affirmative defense questions, please respond with that.

1. What was the specific equipment or process that failed and resulted in this incident? If this incident was due to a failure of equipment at a facility that you do not own or operate, identify the name of facility that had the failure and how the failure impacted your equipment or processes?

Dump on sales scrubber. Dump was stuck and sent produced gas directly to storage tanks vapor space. Part of the gas was combusted in flare and part was vented to atmosphere

2. What design, maintenance or operation practices could have prevented this or other incidents with a similar cause? How did you determine that the incident could not have been prevented through better design, maintenance and/or operation practices?

Dumps are part of in-house operations and maintenance (O&M) program, thru which are maintained and operated as per industry standards and manufacturer recommendations.

3. What was the ultimate cause and what were the contributing factors of this incident? This may be different than what was included in the final STEERS report if your internal investigation identified a more accurate root cause. Describe the process you used to determine the ultimate cause.

Could not determine ultimate cause for dump getting stuck.

If you were unable to determine the ultimate cause, how did you determine that the incident was sudden, unavoidable, and beyond your control? (For unplanned maintenance, startup, shutdown (MSS) activities, skip the question in the previous sentence and answer this instead: How did you determine the incident could not have been prevented through planning and design?)

Dump was maintained and operated as per industry standards and manufacturer recommendations. Response after event discovery was immediate.

If the site's internal investigation/failure analysis relating to the incident is ongoing, when do you expect to have final results?

4. Describe what air pollution control equipment or processes are in place. Were they bypassed during this incident? Did they operate as designed? How were they maintained?

Storage tanks vapors are controlled by a flare via closed vent system (CVS). Due to safety reasons, CVS has an end-of-line (EOL) device set and tank thief hatches set to vent to alleviate excess pressure. For this emission event, CVS operated as designed and a fraction of the gas was vented via EOL and thief hatches. Flare, tanks and CVS are operated and maintained per in-house O&M program.

5. Once you knew that applicable emissions/opacity limitations were being exceeded, describe how soon you took action to stop the emissions.

Emission event was stopped immediately upon discovery.

If delays occurred, discuss what caused the delays in stopping the unauthorized/excess opacity emissions. Include a timeline of the incident in your discussion.

6. While the incident was ongoing, what steps did you take to minimize the amount and duration of the unauthorized emissions/excess opacity?

Emission event was stopped immediately upon discovery.

7. Discuss what monitoring systems were in place during this incident. Were they operating during the entire duration of the incident?

Facility is equipped with tank pressure and flare volume monitoring via Scada system.

8. How did you document your actions in response to the incident?

Emission event was communicated and recorded via internal incident reporting software application. Additional emission calculations and documentations were saved in server location.

9. Do you have information related to off-site impacts from the incident? This could be complaints from neighbors, fence line monitoring, etc. Did any nearby stationary monitors indicate elevated levels at the time of the incident? Information on air monitoring sites is available on the [TCEQ website](#).

No. There were no complaints or monitoring data for this event.

10. How many reportable and non-reportable incidents (including this incident) have occurred at this specific emissions source in the previous 12-months?

None

Have other incidents (both reportable and non-reportable) with a similar cause occurred at this facility in the past five years? If so, provide a list of such incidents. What measures have been taken to prevent recurrence?

None

11. What were the total actual operating hours for this specific emissions source during the past 12 months? (This question may be skipped for unplanned MSS activities, and for excess opacity events.)

12-month data provided for the past 12 full months before event.

Year	Month	Equipment Runtime (Hr)
2021	Mar	744
2021	Apr	720
2021	May	744
2021	Jun	720
2021	Jul	720
2021	Aug	722
2021	Sep	679
2021	Oct	744
2021	Nov	720
2021	Dec	744
2022	Jan	744
2022	Feb	672

12. Do you have any additional information to support your claim of an affirmative defense? If so, please provide it at this time.

No

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 20, 2022

Mr. Gordon Ganaway
Director, Safety & Environmental Compliance Cimarex/Cotterra Energy Inc
Three Memorial City Plaza
840 Gessner Road, Suite 1400
Houston, Texas 77024

Via email

Re: Notice of Closure of Incident No. 375815
Cimarex/Coterra Energy - Day Star 20 Unit 2H, Lat.: 31.94584, Long.: -101.194120, Orla
(Culberson County), Texas; Regulated Entity No.: 110075413

Dear Mr. Ganaway:

After reviewing the initial notification and final record submitted for Incident No. 375815, the Texas Commission on Environmental Quality (TCEQ) has completed its incident investigation. Based on the provided information, the TCEQ is not pursuing enforcement action regarding the incident at this time.

The TCEQ appreciates your assistance in this matter. If you have any questions, please contact Ms. Randa Ralston at (806) 468-0521 or at Randa.Ralston@tceq.texas.gov.

Sincerely,

Dominique Henson

Dominique Henson, Team Leader
Emissions Event Review Section
Critical Infrastructure Division

DH/RR/af

cc: Ms. Marcia Baeza Ortiz, Coterra Energy, Manager, Air Compliance, via email