

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet Secretary

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The Environment Department's mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

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Environment Department settles air enforcement case with DCP Operating Company, LP, includes \$950,000 civil penalty

DCP must also partially shut down the Eunice Gas Plant, reducing its emissions of harmful air pollutants by as much as 94%

SANTA FE – The New Mexico Environment Department (NMED) entered into a settlement agreement and stipulated final compliance order with Denver, Colorado-based DCP Operating Company, LP. (DCP) to resolve alleged statutory, regulatory and permit violations at twelve facilities in Lea and Eddy counties, New Mexico. DCP, headquartered in Denver, Colorado, is one of the largest natural gas processors in the United States. According to its website, DCP gathers and processes gas for customers like Chevron, Cimarex, ConocoPhillips, Devon and Oxy in the Permian Basin.

NMED cited DCP for illegally emitting almost 3.8 million pounds of pollutants, including nitrogen oxides, carbon monoxide, volatile organic compounds, sulfur dioxide and hydrogen sulfide between May 1, 2017, and June 30, 2019. The agreement includes a civil penalty of \$950,000, a requirement to permanently cease operation of the highest sources of emissions at the Eunice Gas Plant and additional compliance assurance reporting to the Department.

“New Mexico is not a sacrifice zone. DCP has shown blatant disregard for New Mexico communities in which it operates and clean, breathable air by spewing millions of pounds of harmful pollution into frontline communities,” said NMED Cabinet Secretary James Kenney. “While this settlement begins to hold Denver-based DCP accountable – it is not enough. DCP’s Board of Directors must immediately take full responsibility for its operations in New Mexico and commit to stop violating our air quality regulations through capital investment, employee training, community engagement and continuous compliance.”

Pursuant to state law, the \$950,000 penalty reverts to the State of New Mexico’s general fund and is not kept by NMED. The general fund is the primary state fund from which the ongoing expenses of state government are paid.

Failure to comply with emissions limits results in emissions of harmful levels of air pollutants that can impact public health and the environment, including contributing to the formation of ground-level ozone and other hazardous air quality conditions.

On September 20, the Environment Department's ozone precursor rule, which requires significantly reduced emissions of nitrogen oxides and volatile organic compounds from the oil and gas industry, will go before the Environmental Improvement Board in a public hearing.

A copy of the settlement agreement is attached to this press release.

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If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator.

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