

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 3  
**DOCKET NO.:** 2010-0871-AIR-E **TCEQ ID:** RN102548674 **CASE NO.:** 39764  
**RESPONDENT NAME:** Targa Permian LP

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> L &amp; H Compressor Station, on a lease road about one-half mile east of Farm-to-Market Road ("FM") 1053 and one and a half miles north of the intersection of FM 1053 and FM 1233, Crane County</p> <p><b>TYPE OF OPERATION:</b> Natural gas compression station</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on September 20, 2010. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Ms. Miriam Hall, Enforcement Division, Air Enforcement Section, MC MC 169, (512) 239-1044; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Clark White, Vice President and Region Manager, Targa Permian LP, 6 Desta Drive, Suite 3300, Midland, Texas 79705  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> April 15 through 29, 2010</p> <p><b>Date of NOV Relating to this Case:</b> May 5, 2010 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation.</p> <p><b>AIR</b></p> <p>1) Failure to report all instances of deviation on the semiannual deviation report for General Operating Permit ("GOP") 514, No. O-00623. Specifically, the Respondent failed to report a blowdown incident which occurred on June 24, 2009 on the original semiannual deviation report ("SDR") for the period January 1 through June 30, 2009 submitted on July 28, 2009. A revised report which included this deviation was submitted on April 21, 2010 [30 TEX. ADMIN. CODE § 112.145(2)(A) and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failure to submit a timely semiannual deviation report for the period July 1 through August 24, 2009. Specifically, after the GOP was voided when the Respondent was issued a Site Operating Permit, a deviation report was due on September 23, 2009 to report two blowdown incidents which occurred on August 12, 2009 and August 21, 2009. The deviation report was submitted on April 22, 2010 [30 TEX. ADMIN. CODE § 122.145(2)(B) and TEX. HEALTH &amp; SAFETY CODE § 382.085(B)].</p>	<p><b>Total Assessed:</b> \$3,983</p> <p><b>Total Deferred:</b> \$796  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$3,187</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a) On November 17, 2009, conducted the quarterly performance test on Engine CM-5;</p> <p>b) On April 21, 2010, submitted a revised SDR for the period January 1 through June 30, 2009;</p> <p>c) On April 22, 2010, submitted the SDR for the period July 1 through August 24, 2009; and</p> <p>d) On May 28, 2010, implemented procedures to ensure that all the required quarterly performance tests are conducted on the engine.</p>

<p>3) Failure to conduct a quarterly performance test on Engine CM-5 during the third quarter of 2009 [30 TEX. ADMIN. CODE § 116.115(C), Air Permit No. 49144, Special Condition No. 8.A., and Tex. Health &amp; Safety Code § 382.085(B)].</p>		
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Additional ID No(s): CY0106L





# Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	05/17/20010	Screening	3-May-2010	EPA Due	
	PCW	1-Jun-2010				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Targa Permlan LP		
Reg. Ent. Ref. No.	RN102548674		
Facility/Site Region	7-Midland	Major/Minor Source	Major

<b>CASE INFORMATION</b>			
Enf./Case ID No.	39764	No. of Violations	3
Docket No.	2010-0871-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Miriam Hall
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** *Subtotal 1* **\$4,500**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** 2.0% Enhancement *Subtotals 2, 3, & 7* **\$90**

Notes: The penalty was enhanced for one dissimilar NOV.

**Culpability** No 0.0% Enhancement *Subtotal 4* **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** *Subtotal 5* **\$975**

**Economic Benefit** 0.0% Enhancement\* *Subtotal 6* **\$0**

Total EB Amounts	\$429	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$2,200	

**SUM OF SUBTOTALS 1-7** *Final Subtotal* **\$3,615**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** 10.2% Adjustment **\$368**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: The avoided cost of one quarterly engine performance test.

**Final Penalty Amount** **\$3,983**

**STATUTORY LIMIT ADJUSTMENT** *Final Assessed Penalty* **\$3,983**

**DEFERRAL** 20.0% Reduction Adjustment **-\$796**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$3,187**

Screening Date: 3-May-2010

Docket No.: 2010-0871-AIR-E

PCW

Respondent: Targa Permian LP

Policy Revision 2 (September 2002)

Case ID No.: 39764

PCW Revision October 30, 2008

Reg. Ent. Reference No.: RN102548674

Media [Statute]: Air

Enf. Coordinator: Miriam Hall

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (number of judgements or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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) 2%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The penalty was enhanced for one dissimilar NOV.

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

Screening Date 3-May-2010

Docket No. 2010-0871-AIR-E

PCW

Respondent Targa Permian LP

Policy Revision 2 (September 2002)

Case ID No. 39764

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102648674

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 122.145(2)(A) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to report all instances of deviation on the semiannual deviation report for General Operating Permit ("GOP") 514, No. O-00628. Specifically, the Respondent failed to report a blowdown incident which occurred on June 24, 2009 on the original semiannual deviation report for the period January 1 through June 30, 2009 submitted on July 28, 2009. A revised report which included this deviation was submitted on April 21, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
		X	

Percent 10%

Matrix Notes

The Respondent complied with about 67% of the rule requirement.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

265 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended for one incomplete report.

Good Faith Efforts to Comply

25.0% Reduction

\$250

	Before NOV	NOV to EDPRP/Settlement
	Extraordinary	
Ordinary	X	
N/A		(mark with X)

Notes

The NOE was issued on May 5, 2010, and the Respondent came into compliance on April 21, 2010.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$848

This violation Final Assessed Penalty (adjusted for limits) \$848

## Economic Benefit Worksheet

**Respondent:** Targa Perlan LP  
**Case ID No.:** 39764  
**Reg. Ent. Reference No.:** RN102548874  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$100	30-Jul-2009	21-Apr-2010	0.73	\$4	n/a	\$4

Notes for DELAYED costs

The estimated cost of supplying the additional information from the original due date to the compliance date.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$4

Screening Date 3-May-2010

Docket No. 2010-0871-AIR-E

PCW

Respondent Targa Perman LP

Policy Revision 2 (September 2002)

Case ID No. 39764

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102548674

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 122.145(2)(B) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit a timely semiannual deviation report for the period July 1 through August 24, 2009. Specifically, after the GOP was voided when the Respondent was issued a Site Operating Permit, a deviation report was due on September 23, 2009 to report two blowdown incidents which occurred on August 12, 2009 and August 21, 2009. The deviation report was submitted on April 22, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			25%

Matrix Notes

The Respondent failed to comply with 100% of the rule requirement.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 211

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One event is recommended for one late report.

Good Faith Efforts to Comply

25.0% Reduction

\$625

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes

The NOE was issued on May 5, 2010, and the Respondent came into compliance on April 22, 2010.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$2,121

This violation Final Assessed Penalty (adjusted for limits) \$2,121

## Economic Benefit Worksheet

**Respondent:** Targa Permian LP  
**Case ID No.:** 39784  
**Reg. Ent. Reference No.:** RN102548674  
**Media:** Air  
**Violation No.:** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### 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	23-Sep-2009	22-Apr-2010	0.58	\$7	n/a	\$7

Notes for DELAYED costs

The estimated cost of preparing the deviation report from the due date to compliance date.

### Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$7

Screening Date 3-May-2010

Docket No. 2010-0871-AIR-E

PCW

Respondent Targa Permian LP

Policy Revision 2 (September 2002)

Case ID No. 39764

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102548674

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 116.115(c), Air Permit No. 49144 Special Condition No. 8.A., and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to conduct a quarterly performance test on Engine CM-5 during the third quarter of 2009

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment could have been exposed to insignificant emissions which would not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

49 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended for one missed test.

Good Faith Efforts to Comply

10.0% Reduction

\$100

	Before NOV	NOV to EDRRP/Settlement Offer
	Extraordinary	
Ordinary		X
N/A		(mark with x)

Notes

The NOE was issued on May 6, 2010, and the corrective actions were completed May 28, 2010.

Violation Subtotal \$900

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$418

Violation Final Penalty Total \$1,014

This violation Final Assessed Penalty (adjusted for limits) \$1,014

## Economic Benefit Worksheet

**Respondent:** Targa Permlan LP  
**Case ID No.:** 38764  
**Reg. Ent. Reference No.:** RN102548674  
**Media:** Air  
**Violation No.:** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$1,500	30-Sep-2009	28-May-2010	0.66	\$49	n/a	\$49

Notes for DELAYED costs

The estimated cost of additional oversight and implementing procedures to prevent the recurrence of this violation from the due date of the test to the date corrective actions were completed.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$350	30-Sep-2009	17-Nov-2009	1.05	\$18	\$350	\$368
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The estimated cost of conducting the performance test with a portable analyzer. The "Date Required" is the last day of the third quarter of 2009, and the "Final Date" is the date the engine was tested in the fourth quarter of 2009.

Approx. Cost of Compliance

\$1,850

**TOTAL**

\$418

# Compliance History Report

Customer/Respondent/Owner-Operator:	CN603415472 Targa Permian LP	Classification: AVERAGE	Rating: 2.41
Regulated Entity:	RN102548674 L & H COMPRESSOR STATION	Classification: AVERAGE	Site Rating: 0.50

ID Number(s):	AIR NEW SOURCE PERMITS	REGISTRATION	43477
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CY0106L
	AIR NEW SOURCE PERMITS	PERMIT	49144
	AIR NEW SOURCE PERMITS	REGISTRATION	74148
	AIR NEW SOURCE PERMITS	AFS NUM	4810300044
	AIR OPERATING PERMITS	PERMIT	623
	AIR OPERATING PERMITS	ACCOUNT NUMBER	CY0106L
	AIR OPERATING PERMITS	PERMIT	3158
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	CY0106L

Location: 1.5 MI N OF INTX OF FM1233/1053, .5 MI E ON LSE RD, PUMPJCK ON RD

TCEQ Region: REGION 07 - MIDLAND

Date Compliance History Prepared: May 20, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 20, 2005 to May 20, 2010

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Miriam Hall Phone: (512) 239-1044

### Site Compliance History Components

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
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

### Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- |   |            |          |
|---|------------|----------|
| 1 | 12/07/2005 | (437356) |
| 2 | 06/30/2006 | (484906) |
| 3 | 04/11/2007 | (558574) |
| 4 | 02/21/2008 | (618629) |
| 5 | 03/26/2008 | (640240) |
| 6 | 02/05/2009 | (726284) |
| 7 | 04/30/2010 | (800879) |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	02/21/2008 (618629)	CN603415472	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to comply with all terms and conditions codified in the permit		

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)

5C THSC Chapter 382 382.085(b)

Description: Failure to obtain Permits by Rule authorization

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  
TARGA PERMIAN LP  
RN102548674

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2010-0871-AIR-E

I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Targa Permian LP ("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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates a natural gas compression station on a lease road about one-half mile east of Farm-to-Market Road ("FM") 1053 and one and a half miles north of the intersection of FM 1053 and FM 1233 in Crane County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 10, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Three Thousand Nine Hundred Eighty-Three Dollars (\$3,983) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Three Thousand One Hundred Eighty-Seven Dollars

- (\$3,187) of the administrative penalty and Seven Hundred Ninety-Six Dollars (\$796) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
7. 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.
  8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
  9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
    - a. On November 17, 2009, conducted the quarterly performance test on Engine CM-5;
    - b. On April 21, 2010, submitted a revised semiannual deviation report ("SDR") for the period January 1 through June 30, 2009;
    - c. On April 22, 2010, submitted the SDR for the period July 1 through August 24, 2009; and
    - d. On May 28, 2010, implemented procedures to ensure that all the required quarterly performance tests are conducted on the engine.
  10. 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 Agreed Order.
  11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
  12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to report all instances of deviation on the semiannual deviation report for General Operating Permit ("GOP") 514, No. O-00623, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 15 through 29, 2010. Specifically, the Respondent failed to report a blowdown incident which occurred on June 24, 2009 on the original SDR for the period

January 1 through June 30, 2009 that was submitted on July 28, 2009. A revised report which included this deviation was submitted on April 21, 2010.

2. Failed to submit a timely SDR for the period July 1 through August 24, 2009, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 15 through 29, 2010. Specifically, after the GOP was voided when the Respondent was issued a Site Operating Permit, a deviation report was due on September 23, 2009 to report two blowdown incidents which occurred on August 12, 2009 and August 21, 2009. The deviation report was submitted on April 22, 2010.
3. Failed to conduct a quarterly performance test on Engine CM-5 during the third quarter of 2009, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 49144 Special Condition No. 8.A., and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 15 through 29, 2010.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed 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. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Targa Permian LP, Docket No. 2010-0871-AIR-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed 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 Agreed 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.

4. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

*John Sullivan*  
For the Executive Director

9/2/2010  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, 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 Attorney General's Office 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 Attorney General's Office 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.

*Clark White*  
Signature

6/30/2010  
Date

Clark White  
Name (Printed or typed)  
Authorized Representative of  
Targa Permian LP

UP + Region Manager  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

