

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-1180-AIR-E **TCEQ ID:** RN100222900 **CASE NO.:** 38026
RESPONDENT NAME: Targa Midstream Services Limited Partnership

| | | |
|---|---|--|
| ORDER TYPE: | | |
| <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 | |
| CASE TYPE: | | |
| <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>SITE WHERE VIOLATION(S) OCCURRED: Mont Belvieu Fractionator, 10319 Highway 146, Mont Belvieu, Chambers County</p> <p>TYPE OF OPERATION: Natural gas fractionator</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on April 5, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Benoit Lamarche, Environmental Specialist, Targa Midstream Services Limited Partnership, P.O. Box 10, Mont Belvieu, Texas 77580 Mr. Hunter Battle, Vice President, Targa Midstream Services Limited Partnership, P.O. Box 10, Mont Belvieu, Texas 77580 Respondent's Attorney: Ms. Jennifer Keane, Baker Botts L.L.P., 1500 San Jacinto Center, 98 San Jacinto Boulevard, Austin, Texas 78701</p> | | |

| VIOLATION SUMMARY CHART: | | |
|---|---|---|
| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
| <p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 21, 2009 and May 25 and 29, 2009</p> <p>Date of NOV/NOE Relating to this Case: July 1 and 10, 2009 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failure to install a highly reactive volatile organic compounds ("HRVOC") monitor on the inlets of cooling tower Nos. 4 and 4A from January 26, 2007 through July 17, 2009 [30 TEX. ADMIN. CODE §§ 115.764(a)(1) and 122.143(4); Federal Operating Permit ("FOP") No. O-00612, General Terms and Conditions ("GTC"); and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to submit an alternate monitoring plan to obtain approval for using a predictive emission monitoring system ("PEMS") to measure and record the in-stack concentration of nitrogen oxides ("NO_x"), carbon monoxide ("CO"), and diluent gases [oxygen ("O₂") or carbon dioxide] from Boilers Emission Point Nos. ("EPNs") B-03, B-04, B-08, and B-09 [30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), and 122.145(1)(A); 40 CODE OF FEDERAL REGULATIONS § 60.49b(c); New Source Review Permit ("NSRP") No. 56435, Special Condition ("SC") 6.A.; FOP No. O-00612, GTC and Special Terms and Conditions No. 10; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to comply with permitted relative accuracy ("RA") limits. During the PEMS Reference Method ("RM") 4 stack testing for Boiler 3 (EPN B-03), the Respondent demonstrated RA failure of CO and conducted the relative accuracy test audit ("RATA") for O₂ improperly. The RA</p> | <p>Total Assessed: \$37,720</p> <p>Total Deferred: \$7,544 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$30,176</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> | <p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on July 17, 2009, the Respondent installed a monitor to measure HRVOC at the inlets of cooling tower Nos. 4 and 4A.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit an alternate monitoring plan to obtain approval for using a PEMS to measure and record the in-stack concentration NO_x, CO, and O₂ from Boiler EPNs B-03, B-04, B-08, and B-09;</p> <p>b. Within 60 days after the effective date of this Agreed Order, reconduct certification for initial PEMS testing for Boilers 3, 4, and 9 to verify that the monitoring units can perform over a range of operating conditions and develop operating and maintenance procedures to ensure that the monitoring units are calibrated and maintained to ensure compliance with applicable rules and regulations; and</p> <p>c. Within 75 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provisions a. and b., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the Ordering Provisions.</p> |

standards/limits for CO are 10 percent ("%") for the RM and 5% for the alternate method ("AM") for pound per million British thermal units ("lb/MMBtu"). From June 29, 2006 through June 25, 2007, the Respondent conducted four RATAs in which the CO RA exceeded these limits. During the same RATAs and one conducted on December 18, 2007, the test method for dry weight for O₂ was not done properly, invalidating the results for the O₂ monitor [30 TEX. ADMIN. CODE §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 6; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4) Failure to comply with permitted RA limits. During the PEMS RM 4 stack testing for Boiler 4 (EPN B-04), the Respondent demonstrated RA failure of CO and conducted the RATA for O₂ improperly. The RA standards/limits for CO are 10% RM and 5% AM for lb/MMBtu. On March 29, 2006, September 28, 2006, and December 18, 2007, the Respondent conducted three RATAs in which the CO RA exceeded these limits. During the same RATAs, the test method for dry weight for O₂ was not done properly, invalidating the result for the O₂ monitor [30 TEX. ADMIN. CODE §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 6; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5) Failure to comply with RA limits. During the PEMS RM 4 stack testing for Boiler 9 (EPN B-09), the Respondent demonstrated RA failures of NO_x and CO and conducted the RATA for O₂ improperly. The RA standards are 20% for NO_x and 10% for CO for parts per million. During RA tests conducted on June 28, 2006, September 20, 2006, and December 20, 2006, one or both of these standards were exceeded. In addition, during these three RATAs and the one conducted on June 26, 2007, the test method for dry weight for O₂ was not done properly, invalidating the results for the O₂ monitor [30 TEX. ADMIN. CODE §§ 117.340(b)(1) and 117.8120(1)(B), and TEX. HEALTH & SAFETY CODE § 382.085(b)].



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

| | | | | | | |
|--------------|---------------------|------------|------------------|-------------|----------------|------------|
| DATES | Assigned PCW | 7-Jul-2009 | Screening | 23-Jul-2009 | EPA Due | 7-Apr-2010 |
|--------------|---------------------|------------|------------------|-------------|----------------|------------|

| | |
|--|--|
| RESPONDENT/FACILITY INFORMATION | |
| Respondent | Targa Midstream Services Limited Partnership |
| Reg. Ent. Ref. No. | RN100222900 |
| Facility/Site Region | 12-Houston |
| Major/Minor Source | Major |

| | | | |
|--|-----------------|------------------------------|--------------------|
| CASE INFORMATION | | | |
| Enf./Case ID No. | 38026 | No. of Violations | 5 |
| Docket No. | 2009-1180-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** \$15,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 94.0% Enhancement **Subtotals 2, 3, & 7** \$14,570

Notes The penalty was enhanced for one NOV for same or similar violations, two other NOVs, three 1660 orders, and one findings order.

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** \$100

Economic Benefit 50.0% Enhancement* **Subtotal 6** \$7,750

| | |
|----------------------------|-----------|
| Total EB Amounts | \$83,291 |
| Approx. Cost of Compliance | \$480,948 |

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$37,720

OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the Indicated percentage.

Notes

Final Penalty Amount \$37,720

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$37,720

DEFERRAL 20.0% Reduction **Adjustment** -\$7,544

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$30,176

Screening Date 23-Jul-2009

Docket No. 2009-1180-AIR-E

PCW

Respondent Targa Midstream Services Limited Partnership

Policy Revision 2 (September 2002)

Case ID No. 38026

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100222900

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) | 1 | 5% |
| | Other written NOVs | 2 | 4% |
| Orders | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 3 | 60% |
| | 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 | 1 | 25% |
| 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% |
| <i>Please Enter Yes or No</i> | | | |
| 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) 94%

>> 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 NOV for same or similar violations, two other NOVs, three 1660 orders, and one findings order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 94%

Screening Date: 23-Jul-2009 **Docket No.:** 2009-1180-AIR-E **PCW**
Respondent: Targa Midstream Services Limited Partnership *Policy Revision 2 (September 2002)*
Case ID No.: 38026 *PCW Revision October 30, 2008*
Reg. Ent. Reference No.: RN100222900
Media [Statute]: Air
Enf. Coordinator: Miriam Hall
Violation Number: 1
Rule Cite(s): 30 Tex. Admin. Code §§ 115.764(a)(1) and 122.143(4); Federal Operating Permit ("FOP") No. O-00612, General Terms and Conditions ("GTC"); and Tex. Health & Safety Code § 382.085(b)
Violation Description: Failed to install a highly-reactive volatile organic compound ("HRVOC") monitor on the inlets of cooling tower Nos. 4 and 4A from January 26, 2007 through July 17, 2009.
Base Penalty: \$10,000

>> Environmental, Property and Human Health Matrix

| Release | Harm | | | Percent |
|-----------|-------|----------|-------|---------|
| | Major | Moderate | Minor | |
| Actual | | | | 10% |
| Potential | | | x | |

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
| | | | | 0% |

Matrix Notes: Human health or the environment could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or the environment.

Adjustment: \$9,000

\$1,000

Violation Events

Number of Violation Events: 1 903 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.

Good Faith Efforts to Comply 10.0% Reduction \$100

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

Notes: The Respondent came into compliance on July 17, 2009, and the NOE was Issued on July 1, 2009.

Violation Subtotal: \$900

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount: \$82,770 Violation Final Penalty Total: \$2,340

This violation Final Assessed Penalty (adjusted for limits): \$2,340

Economic Benefit Worksheet

Respondent Targa Midstream Services Limited Partnership
Case ID No. 38026
Reg. Ent. Reference No. RN100222900
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

| | | | | | | | |
|--------------------------|-----------|-------------|-------------|------|---------|----------|----------|
| Equipment | \$477,948 | 26-Jan-2007 | 17-Jul-2009 | 2.47 | \$3,941 | \$78,829 | \$82,770 |
| 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) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The approximate cost for purchasing and installing a HRVOC monitor from the date the violation was first documented to the 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

\$477,948

TOTAL

\$82,770

| | | | | | | | | | | | | | | | | | |
|---|---|------------------------------|------------------------------|----------------------|----------------------|----------------------|-------------------------------------|----------------------|----------------------|----------------------|-------------------------------------|----------------------|--|-------------------------------------|--|----------------------|----------------------|
| Screening Date 23-Jul-2009 | Docket No. 2009-1180-AIR-E | | | | | | | | | | | | | | | | |
| Respondent Targa Midstream Services Limited Partnership | PCW <small>Policy Revision 2 (September 2002)</small> | | | | | | | | | | | | | | | | |
| Case ID No. 38026 | <small>PCW Revision October 30, 2008</small> | | | | | | | | | | | | | | | | |
| Reg. Ent. Reference No. RN100222900 | | | | | | | | | | | | | | | | | |
| Media [Statute] Air | | | | | | | | | | | | | | | | | |
| Enf. Coordinator Miriam Hall | | | | | | | | | | | | | | | | | |
| Violation Number 2 | | | | | | | | | | | | | | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code §§ 116.115(c), 122.143(4), and 122.145(1)(A); 40 Code of Federal Regulations § 60.49b(c); New Source Review Permit ("NSRP") No. 58435, Special Condition ("SC") 6.A.; FOP No. O-00612, GTC and Special Terms and Conditions No. 10; and Tex. Health & Safety Code § 382.085(b) | | | | | | | | | | | | | | | | |
| Violation Description | Failed to submit an alternate monitoring plan to obtain approval for using a predictive emission monitoring system ("PEMS") to measure and record the in-stack concentration of nitrogen oxides ("NOx"), carbon monoxide ("CO"), and diluent gases [oxygen ("O2") or carbon dioxide] from Boilers Emission Point Nos. ("EPN's) B-03, B-04, B-08, and B-09. | | | | | | | | | | | | | | | | |
| Base Penalty | \$10,000 | | | | | | | | | | | | | | | | |
| >> Environmental, Property and Human Health Matrix | | | | | | | | | | | | | | | | | |
| OR | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="4" style="text-align: center;">Harm</td> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> </table> <p style="text-align: right;">Percent <input type="text" value="0%"/></p> | Harm | | | | Release | Major | Moderate | Minor | Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> | Potential | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Harm | | | | | | | | | | | | | | | | | |
| Release | Major | Moderate | Minor | | | | | | | | | | | | | | |
| Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | | | | | | | |
| Potential | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | | | | | | | |
| >> Programmatic Matrix | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Falsification</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> </table> <p style="text-align: right;">Percent <input type="text" value="25%"/></p> | Falsification | Major | Moderate | Minor | <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text"/> | <input type="text"/> | | | | | | | | |
| Falsification | Major | Moderate | Minor | | | | | | | | | | | | | | |
| <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text"/> | <input type="text"/> | | | | | | | | | | | | | | |
| Matrix Notes | The Respondent failed to comply with 100% of the rule requirement. | | | | | | | | | | | | | | | | |
| Adjustment | \$7,500 | | | | | | | | | | | | | | | | |
| | \$2,500 | | | | | | | | | | | | | | | | |
| Violation Events | | | | | | | | | | | | | | | | | |
| Number of Violation Events <input type="text" value="1"/> | <input type="text" value="729"/> Number of violation days | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">daily</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">weekly</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">monthly</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">quarterly</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">semiannual</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">annual</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">single event</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> <p><small>mark only one with an x</small></p> | daily | <input type="text"/> | weekly | <input type="text"/> | monthly | <input type="text"/> | quarterly | <input type="text"/> | semiannual | <input type="text"/> | annual | <input type="text"/> | single event | <input checked="" type="checkbox"/> | Violation Base Penalty <input type="text" value="\$2,500"/> | | |
| daily | <input type="text"/> | | | | | | | | | | | | | | | | |
| weekly | <input type="text"/> | | | | | | | | | | | | | | | | |
| monthly | <input type="text"/> | | | | | | | | | | | | | | | | |
| quarterly | <input type="text"/> | | | | | | | | | | | | | | | | |
| semiannual | <input type="text"/> | | | | | | | | | | | | | | | | |
| annual | <input type="text"/> | | | | | | | | | | | | | | | | |
| single event | <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | |
| | One single event is recommended for not submitting the plan. | | | | | | | | | | | | | | | | |
| Good Faith Efforts to Comply | | | | | | | | | | | | | | | | | |
| 0.0% Reduction | \$0 | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Extraordinary</td> <td style="text-align: center;">Before NOV</td> <td style="text-align: center;">NOV to EDRP/Settlement Offer</td> </tr> <tr> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">Ordinary</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;">(mark with x)</td> </tr> </table> | Extraordinary | Before NOV | NOV to EDRP/Settlement Offer | <input type="text"/> | <input type="text"/> | <input type="text"/> | Ordinary | <input type="text"/> | <input type="text"/> | N/A | <input checked="" type="checkbox"/> | (mark with x) | <p>Notes The Respondent does not meet the good faith criteria for this violation.</p> | | | | |
| Extraordinary | Before NOV | NOV to EDRP/Settlement Offer | | | | | | | | | | | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | | | | | | | | |
| Ordinary | <input type="text"/> | <input type="text"/> | | | | | | | | | | | | | | | |
| N/A | <input checked="" type="checkbox"/> | (mark with x) | | | | | | | | | | | | | | | |
| Violation Subtotal | \$2,500 | | | | | | | | | | | | | | | | |
| Economic Benefit (EB) for this violation | | | | | | | | | | | | | | | | | |
| Estimated EB Amount | \$201 | | | | | | | | | | | | | | | | |
| Violation Final Penalty Total | \$6,100 | | | | | | | | | | | | | | | | |
| This violation Final Assessed Penalty (adjusted for limits) | \$6,100 | | | | | | | | | | | | | | | | |

Economic Benefit Worksheet

Respondent Targa Midstream Services Limited Partnership
Case ID No. 38028
Reg. Ent. Reference No. RN100222900
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) | \$1,500 | 25-Jul-2007 | 30-Mar-2010 | 2.68 | \$201 | n/a | \$201 |

Notes for DELAYED costs

The estimated cost for submitting the plan from the first violation date documented to the estimated 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 | \$1,500 | TOTAL | \$201 |
|-----------------------------------|---------|--------------|-------|

| | | | | | |
|---|---|---|--------------------------------------|-------------------------------------|----------------|
| Screening Date 23-Jul-2009 | Docket No. 2009-1180-AIR-E | PCW | | | |
| Respondent Targa Midstream Services Limited Partnership | | <i>Policy Revision 2 (September 2002)</i> | | | |
| Case ID No. 38026 | | <i>PCW Revision October 30, 2008</i> | | | |
| Reg. Ent. Reference No. RN100222900 | | | | | |
| Media [Statute] Air | | | | | |
| Enf. Coordinator Miriam Hall | | | | | |
| Violation Number 3 | | | | | |
| Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 6; and Tex. Health & Safety Code § 382.085(b) | | | | | |
| Violation Description Failed to comply with permitted relative accuracy ("RA") limits. During the PEMS Reference Method ("RM") 4 stack testing for Boiler 3 (EPN B-03), the Respondent demonstrated RA failure of CO and conducted the relative accuracy test audit ("RATA") for O2 improperly. The RA standards/limits for CO are 10 percent ("%") for the RM and 5% for the alternate method ("AM") for pound per million British thermal units ("lb/MMBtu"). From June 29, 2006 through June 25, 2007, the Respondent conducted four RATAs in which the CO RA exceeded these limits (see Table 1). During the same RATAs and one conducted on December 18, 2007, the test method for dry weight for O2 was not done properly, invalidating the results for the O2 monitor. | | | | | |
| Base Penalty | | \$10,000 | | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Harm | | | Percent | |
| | Release | Major | Moderate | | Minor |
| | Actual | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10% |
| | Potential | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | Percent |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 0% |
| Matrix Notes | Human health or the environment could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or the environment. | | | | |
| Adjustment | | | | | \$9,000 |
| | | | | | \$1,000 |
| Violation Events | | | | | |
| Number of Violation Events | | 5 | Number of violation days | | 538 |
| <i>mark only one with an x</i> | daily | <input type="checkbox"/> | | | |
| | weekly | <input type="checkbox"/> | | | |
| | monthly | <input type="checkbox"/> | | | |
| | quarterly | <input type="checkbox"/> | | | |
| | semiannual | <input type="checkbox"/> | | | |
| | annual | <input type="checkbox"/> | | | |
| | single event | <input checked="" type="checkbox"/> | | | |
| Violation Base Penalty | | | | | \$5,000 |
| Five single events are recommended for the RATAs conducted on June 29, 2006, September 28, 2006, December 19, 2006, June 25, 2007, and December 18, 2007. | | | | | |
| Good Faith Efforts to Comply | | 0.0% | Reduction | | \$0 |
| | | Before NOV | NOV to EDRP/ Settlement Offer | | |
| Extraordinary | <input type="checkbox"/> | <input type="checkbox"/> | | | |
| Ordinary | <input type="checkbox"/> | <input type="checkbox"/> | | | |
| N/A | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (mark with x) | | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | | |
| Violation Subtotal | | | | | \$5,000 |
| Economic Benefit (EB) for this violation | | | Statutory Limit Test | | |
| Estimated EB Amount | | \$0 | Violation Final Penalty Total | | \$12,200 |
| This violation Final Assessed Penalty (adjusted for limits) | | | | | \$12,200 |

Economic Benefit Worksheet

Respondent Targa Midstream Services Limited Partnership
Case ID No. 38026
Reg. Ent. Reference No. RN100222900
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

| | | | | | | | |
|--------------------------|--|--|--|------|-----|-----|-----|
| 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) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The economic benefit is included with Violation No. 4.

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

\$0

TOTAL

\$0

| | | | | |
|---|--|--|--------------------------------------|----------------------|
| Screening Date 23-Jul-2009 | Docket No. 2009-1180-AIR-E | PCW | | |
| Respondent Targa Midstream Services Limited Partnership | <small>Policy Revision 2 (September 2002)</small> | | | |
| Case ID No. 38026 | <small>PCW Revision October 30, 2008</small> | | | |
| Reg. Ent. Reference No. RN100222900 | | | | |
| Media [Statute] Air | | | | |
| Enf. Coordinator Miriam Hall | | | | |
| Violation Number 4 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 8; and Tex. Health & Safety Code § 382.085(b) | | | |
| Violation Description | Failed to comply with permitted RA limits. During the PEMS RM 4 stack testing for Boiler 4 (EPN B-04), the Respondent demonstrated RA failure of CO and conducted the RATA for O2 improperly. The RA standards/limits for CO are 10% RM and 5% AM for lb/MMBtu. On March 29, 2006, September 28, 2006, and December 18, 2007, the Respondent conducted RATAs in which the CO RA exceeded these limits (see Table 2). During the same RATAs, the test method for dry weight for O2 was not done properly, invalidating the result for the O2 monitor. | | | |
| Base Penalty | | \$10,000 | | |
| >> Environmental, Property and Human Health Matrix | | | | |
| OR | Harm | | | |
| | Release | Major | Moderate | Minor |
| | Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| | Potential | <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text"/> |
| | | Percent | 10% | |
| >> Programmatic Matrix | | | | |
| | Falsification | Major | Moderate | Minor |
| | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| | | Percent | 0% | |
| Matrix Notes | Human health or the environment could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or the environment. | | | |
| Adjustment | | \$9,000 | | |
| | | \$1,000 | | |
| Violation Events | | | | |
| Number of Violation Events | | 3 | 629 | |
| | | Number of violation days | | |
| <small>mark only one with an x</small> | daily | <input type="text"/> | Violation Base Penalty | |
| | weekly | <input type="text"/> | | |
| | monthly | <input type="text"/> | | |
| | quarterly | <input type="text"/> | | |
| | semiannual | <input type="text"/> | | |
| | annual | <input type="text"/> | | |
| | single event | <input checked="" type="checkbox"/> | | |
| | | \$3,000 | | |
| Three single events are recommended for the RATAs conducted on March 29, 2006, September 28, 2006, and December 18, 2007. | | | | |
| Good Faith Efforts to Comply | | 0.0% | Reduction | |
| | | \$0 | | |
| | Extraordinary | Before NOV | NOV to EDPRP/Settlement Offer | |
| | Ordinary | <input type="text"/> | <input type="text"/> | |
| | N/A | <input checked="" type="checkbox"/> | (mark with x) | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | |
| Violation Subtotal | | \$3,000 | | |
| Economic Benefit (EB) for this violation | | Statutory Limit Test | | |
| Estimated EB Amount | | \$319 | Violation Final Penalty Total | |
| | | \$7,320 | | |
| | | This violation Final Assessed Penalty (adjusted for limits) | | |
| | | \$7,320 | | |

Economic Benefit Worksheet

Respondent Targa Midstream Services Limited Partnership
Case ID No. 38026
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 4

| | |
|-------------------------|------------------------------|
| Percent Interest | Years of Depreciation |
| 5.0 | 15 |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Overtime 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 | \$1,500 | 29-Mar-2006 | 30-Jun-2010 | 4.26 | \$319 | n/a | \$319 |
| Other (as needed) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The estimated cost for gaining approval for an alternate test method and/or permit amendment from the date of the first violation to the estimated 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

\$1,500

TOTAL

\$319

| | | | | | |
|--|--|-------------------------------------|--------------------------------------|-------------------------------------|---------|
| Screening Date 23-Jul-2009 | Docket No. 2009-1180-AIR-E | PCW | | | |
| Respondent Targa Midstream Services Limited Partnership | <small>Policy Revision 2 (September 2002)</small> | | | | |
| Case ID No. 38026 | <small>PCW Revision October 30, 2008</small> | | | | |
| Reg. Ent. Reference No. RN100222900 | | | | | |
| Media [Statute] Air | | | | | |
| Enf. Coordinator Miriam Hall | | | | | |
| Violation Number | 5 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code §§ 117.340(b)(1), and 117.8120(1)(B), and Tex. Health & Safety Code § 382.085(b) | | | | |
| Violation Description | Failed to comply with RA limits. During the PEMS RM 4 stack testing for Boiler 9 (EPN B-09), the Respondent demonstrated RA failures of NOx and CO and conducted the RATA for O2 improperly. The RA standards are 20% for NOx and 10% for CO for parts per million ("ppm"). During RA tests conducted on June 28, 2006, September 20, 2006, and December 20, 2006, one or both of these standards were exceeded (see Table 3). In addition, during these three RATAs and the one conducted on June 26, 2007, the test method for dry weight for O2 was not done properly, invalidating the results for the O2 monitor. | | | | |
| Base Penalty | | \$10,000 | | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Harm | | | Percent | |
| | Release | Major | Moderate | | Minor |
| | Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> | 10% |
| | Potential | <input type="text"/> | <input type="text"/> | <input checked="" type="checkbox"/> | |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | Percent |
| | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | 0% |
| Matrix Notes | Human health or the environment could have been exposed to insignificant amounts of pollutants which would not have exceeded levels that are protective of human health or the environment. | | | | |
| Adjustment | | | | | \$9,000 |
| | | | | | \$1,000 |
| Violation Events | | | | | |
| Number of Violation Events | | 4 | Number of violation days | | 363 |
| <small>mark only one with an x</small> | daily | <input type="text"/> | | | |
| | weekly | <input type="text"/> | | | |
| | monthly | <input type="text"/> | | | |
| | quarterly | <input type="text"/> | | | |
| | semiannual | <input type="text"/> | | | |
| | annual | <input type="text"/> | | | |
| | single event | <input checked="" type="checkbox"/> | | | |
| Four single events are recommended for the RATAs conducted on June 28, 2006, September 20, 2006, December 20, 2006, and June 26, 2007. | | | | | |
| Good Faith Efforts to Comply | | 0.0% Reduction | | \$0 | |
| | Extraordinary | Before NOV | NOV to EDP/PP/ Settlement Offer | | |
| | Ordinary | <input type="text"/> | <input type="text"/> | | |
| | N/A | <input checked="" type="checkbox"/> | (mark with x) | | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | | |
| Violation Subtotal | | | | | \$4,000 |
| Economic Benefit (EB) for this violation | | | Statutory Limit Test | | |
| Estimated EB Amount | | \$0 | Violation Final Penalty Total | | \$9,760 |
| This violation Final Assessed Penalty (adjusted for limits) | | | | | \$9,760 |

Economic Benefit Worksheet

Respondent Targa Midstream Services Limited Partnership
Case ID No. 38026
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 5

| | |
|-------------------------|------------------------------|
| 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) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The economic benefit is included with Violation No. 4.

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

\$0

TOTAL

\$0

TARGA MIDSTREAM SERVICES LIMITED PARTNERSHIP

Docket No. 2009-1180-AIR-E

RN100222900

Case No. 38026

Attachment to PCW

Table 1 – Boiler 3 (EPN B-03) - Violation No. 3

| RATA Date | *RM CO ¹ (lb/MMBtu) | *AM CO ² (lb/MMBtu) | O ₂ Data Invalid? |
|--------------------|-----------------------------------|-----------------------------------|---------------------------------|
| June 29, 2006 | 12.27% | 10.97% | Yes |
| September 28, 2006 | 37.39% | 24.86% | Yes |
| December 19, 2006 | 39.37% | 27.39% | Yes |
| June 25, 2007 | 23.05% | 24.04% | Yes |
| December 18, 2007 | Passed | Passed | Yes |

Table 2 – Boiler 4 (EPN B-04) - Violation No. 4

| RATA Date | *RM CO ¹ (lb/MMBtu) | *AM CO ² (lb/MMBtu) | O ₂ Data Invalid? |
|--------------------|-----------------------------------|-----------------------------------|---------------------------------|
| March 29, 2006 | 35.11% | 46.38% | Yes |
| September 28, 2006 | 15.63% | 12.08% | Yes |
| December 18, 2007 | 20.79% | 14.19% | Yes |

Table 3 – Boiler 9 (EPN B-09) - Violation No. 5

| RATA Date | *RM CO ¹ (ppm) | *RM NO _x ³ (ppm) | O ₂ Data Invalid? |
|--------------------|------------------------------|---|---------------------------------|
| June 28, 2006 | 3,332.73% | Passed | Yes |
| September 20, 2006 | 5,974.00% | 50.16% | Yes |
| December 20, 2006 | 256.57% | 110.14% | Yes |
| June 26, 2007 | Passed | Passed | Yes |

*Maximum RM and AM Limits

1. 10%
2. 5%
3. 20%

Compliance History Report

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------------------|-------------------|------------------------|--------|------|------------------------|--------|-------|------------------------|--------|-------|------------------------|--------|-------|------------------------|----------------|---------|------------------------|---------|------------|------------------------|--------|-------|------------------------|--------|-------|------------------------|--------|------------|------------------------|--------------|-------|------------------------|--------------|-------|------------------------|--------------|-------|------------------------|--------------|-------|-----------------------|----------------|---------|-----------------------|--------|-----|
| Customer/Respondent/Owner-Operator: | CN601301559 Targa Midstream Services Limited Partnership | Classification: AVERAGE | Rating: 3.10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Regulated Entity: | RN100222900 MONT BELVIEU FRACTIONATOR | Classification: AVERAGE | Site Rating: 8.70 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ID Number(s): | <table style="width: 100%; border-collapse: collapse;"> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>5452</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>12790</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>22042</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>36531</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>ACCOUNT NUMBER</td><td>CI0022A</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>AFS NUM</td><td>4807100010</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>56431</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>PERMIT</td><td>56435</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>EPA ID</td><td>PSDTX696M1</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>REGISTRATION</td><td>85385</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>REGISTRATION</td><td>81524</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>REGISTRATION</td><td>84814</td></tr> <tr><td>AIR NEW SOURCE PERMITS</td><td>REGISTRATION</td><td>83115</td></tr> <tr><td>AIR OPERATING PERMITS</td><td>ACCOUNT NUMBER</td><td>CI0022A</td></tr> <tr><td>AIR OPERATING PERMITS</td><td>PERMIT</td><td>612</td></tr> </table> | | | AIR NEW SOURCE PERMITS | PERMIT | 5452 | AIR NEW SOURCE PERMITS | PERMIT | 12790 | AIR NEW SOURCE PERMITS | PERMIT | 22042 | AIR NEW SOURCE PERMITS | PERMIT | 36531 | AIR NEW SOURCE PERMITS | ACCOUNT NUMBER | CI0022A | AIR NEW SOURCE PERMITS | AFS NUM | 4807100010 | AIR NEW SOURCE PERMITS | PERMIT | 56431 | AIR NEW SOURCE PERMITS | PERMIT | 56435 | AIR NEW SOURCE PERMITS | EPA ID | PSDTX696M1 | AIR NEW SOURCE PERMITS | REGISTRATION | 85385 | AIR NEW SOURCE PERMITS | REGISTRATION | 81524 | AIR NEW SOURCE PERMITS | REGISTRATION | 84814 | AIR NEW SOURCE PERMITS | REGISTRATION | 83115 | AIR OPERATING PERMITS | ACCOUNT NUMBER | CI0022A | AIR OPERATING PERMITS | PERMIT | 612 |
| AIR NEW SOURCE PERMITS | PERMIT | 5452 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | PERMIT | 12790 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | PERMIT | 22042 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | PERMIT | 36531 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | ACCOUNT NUMBER | CI0022A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | AFS NUM | 4807100010 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | PERMIT | 56431 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | PERMIT | 56435 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX696M1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85385 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81524 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84814 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83115 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR OPERATING PERMITS | ACCOUNT NUMBER | CI0022A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR OPERATING PERMITS | PERMIT | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Location: | 10319 HIGHWAY 146, MONT BELVIEU, TX, 77580 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TCEQ Region: | REGION 12 - HOUSTON | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Date Compliance History Prepared: | August 18, 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agency Decision Requiring Compliance History: | Enforcement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Compliance Period: | August 18, 2004 to August 18, 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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.

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- Effective Date: 11/06/2005 ADMINORDER 2005-0584-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to prevent unauthorized emissions from the T-2 Relief Valve when the Motor Operated Valve failed to operate on September 15, 2004.
 - Effective Date: 05/28/2006 ADMINORDER 2005-1636-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: 5452 General Condition 8 PERMIT
 Description: Exceeded CO allowable of 12.58 lb/hr. Test result was 22.2 lb/hr CO.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: 5452 SC19D PERMIT

Description: Failure to sample F-B as required by permit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5452 SC19D PERMIT
Description: Failure to sample F-A as required by permit.
Effective Date: 05/03/2009 ADMINORDER 2008-1299-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 56431, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions during Incident No. 98657.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)
Description: Failed to properly report Incident No. 98657.
Effective Date: 06/15/2009 ADMINORDER 2009-0130-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 5414, Special Condition No. 1 PERMIT
Description: Targa failed to properly lineup the distribution valves, resulting in the release of 287 pounds (lbs) of (propylene) to the atmosphere.

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 | 08/24/2004 | (251770) |
| 2 | 11/11/2004 | (292110) |
| 3 | 12/09/2004 | (335384) |
| 4 | 01/03/2005 | (343556) |
| 5 | 05/24/2005 | (375908) |
| 6 | 07/25/2005 | (401605) |
| 7 | 08/05/2005 | (395757) |
| 8 | 08/19/2005 | (395704) |
| 9 | 08/19/2005 | (397399) |
| 10 | 08/19/2005 | (397726) |
| 11 | 08/24/2005 | (397833) |
| 12 | 11/04/2005 | (433386) |
| 13 | 02/27/2006 | (455063) |
| 14 | 03/31/2006 | (461076) |
| 15 | 08/11/2006 | (455067) |
| 16 | 08/11/2006 | (455579) |
| 17 | 08/31/2007 | (566916) |
| 18 | 09/07/2007 | (572701) |
| 19 | 03/13/2008 | (615058) |
| 20 | 08/27/2008 | (593595) |
| 21 | 08/29/2008 | (701516) |
| 22 | 01/16/2009 | (707732) |
| 23 | 02/18/2009 | (680029) |
| 24 | 03/23/2009 | (723311) |
| 25 | 04/06/2009 | (735852) |
| 26 | 04/06/2009 | (735868) |
| 27 | 04/06/2009 | (735977) |
| 28 | 04/06/2009 | (736011) |
| 29 | 05/26/2009 | (742845) |

30 05/28/2009 (742989)
 31 05/28/2009 (743058)
 32 05/28/2009 (743068)
 33 06/03/2009 (743023)
 34 06/03/2009 (743504)
 35 06/03/2009 (743508)
 36 06/04/2009 (743517)
 37 06/04/2009 (743524)
 38 06/30/2009 (760317)
 39 07/01/2009 (743850)
 40 07/10/2009 (722720)
 41 07/10/2009 (739399)
 42 07/10/2009 (739430)
 43 08/13/2009 (759229)

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

Date: 08/31/2007 (566916) **CN601301559**

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, SC # 10 OP
 FOP # O-00612, SC # 1A OP
 NSR # 56431, SC # 2C PERMIT

Description: Failure to prevent visible emissions greater than 5 minutes in any two-hour period from the air-assisted main flare from 0215 to 0435 on June 19, 2006, and from 0800 to 0900 on July 15, 2006.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, SC # 2E OP

Description: Failure to report the use of the air-assisted main flare in the Annual Emissions Inventory.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, SC # 1A OP

Description: Failure to submit the quarterly NOx RATA test results.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, SC # 3(A)(iv)(3) OP
 FOP # O-00612, SC # 3(B)(iv)(3) OP
 FOP # O-00612, SC # 3(D)(iii)(2) OP
 FOP # O-00612, SC # 3(C)(iii)(2) OP

Description: Failure to record all visible emissions observations conducted at least quarterly.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, SC # 9 OP

Description: Failure to conduct monthly flare opacity readings per OP-MON.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP # O-00612, General Terms & Condition OP

Description: Failure to report the overdue PEMS Nox RATA reports for EPN's B-08, B-09, and F-B; the failure to record quarterly visible emissions observations; and the failure to conduct monthly flare opacity readings per OP-MON on the previous semi-annual deviation report.

Date: 08/29/2008 (701516) CN601301559
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 Permit O-00612 Gen. Terms and Conditions OP
 Description: Failure to submit the semiannual deviation report within 30 days of the end of the second deviation reporting period.

Date: 02/18/2009 (680029) CN601301559
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Condition 9 OP
 Description: Failure to perform monthly opacity readings from the flare during the months of January 2007 through March 2007; and May 2007 through July 2007. (Category B3 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8100(b)(4)(A)(I)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 1 A OP
 Description: Failure to meet relative accuracy standards (RATA) for CO and O2 during the RATA of B-04 during the period 6/25/2007 through 7/25/2007 and 7/26/2007 through 1/25/2008. (Category B3 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP
 Description: Failure to submit deviations in deviation reports dated 2/22/2007 and 8/29/2007. (Category B3 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP
 Description: Failure to install and monitor for HRVOC in cooling towers #4 and #4A during the period 1/26/2007 through 1/25/2008. (Category A4 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(c)
 5C THSC Chapter 382 382.085(b)
 NSR 56435 SC 6 A PERMIT
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP
 Description: Failure to submit predictive emission monitoring system for boilers (B-08, B-03, B-04, B-09) during 7/25/2007 through 1/25/2008. (Category A4 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
 5C THSC Chapter 382 382.085(b)
 O-00612 Special Terms and Conditions 1 A OP
 Description: Failure to operate fuel flow meters correctly on the furnaces (F-B, F-C, F-D) and boilers (B-08, B-09) during 1/26/2007 through 1/25/2008. (Category B1 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(C)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to provide a permanent label attached to the cleaner. (Category C 7 Violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
 30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)

5C THSC Chapter 382 382.085(b)
 O-00612 Special Terms and Conditions 1 A OP
Description: Failure to maintain proper emergency engine records during the period 1/26/2007 through 1/25/2008. (Category C7 Violation)

Self Report? NO **Classification:** Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT LLL 60.647(c)
 5C THSC Chapter 382 382.085(b)

Description: Failure to provide an analysis demonstrating the facility is less than 2 long tons per day (LT/D) of hydrogen sulfide (H2S) in the acid gas (expressed as sulfur). (Category B1 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 56435 SC 5 A PERMIT
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP

Description: Failure to maintain records of initial certification by TCEQ of PEMS. (Category B18 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR SC 5 B (2) PERMIT
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP

Description: Failure to conduct and provide records of statistical test analysis to TCEQ. (Category B1 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(A)
 5C THSC Chapter 382 382.085(b)
 NSR SC 7 PERMIT
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP

Description: Failure to provide testing results for August 2007 through November 2007 of the furnace and no records provided for the period 1/26/2007 through 1/25/2008 for the heater records. (Category B1 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR SC 14 A PERMIT
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP

Description: Failure to provide notification letter to TCEQ Houston Regional Office of sampling test done on site. (Category B3 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(A)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP
 O-00612 Special Terms and Conditions 10 OP
 SC 14A PERMIT

Description: Failure to maintain sampling test dates and records of EPN: F-CD, F-A1, F-A2, F-A3, and F-B. (Category B1 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(E)(iv)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(9)
 5C THSC Chapter 382 382.085(b)
 O-00612 General Terms and Conditions OP

O-00612 Special Terms and Conditions 1 A OP

O-00612 Special Terms and Conditions 10 OP

SC 11J PERMIT

Description: Failure to provide delay of repair and leak repair records for January 2008. (Category B1 Violation)

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 MIDSTREAM SERVICES
LIMITED PARTNERSHIP
RN100222900**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2009-1180-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 Midstream Services Limited Partnership ("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, represented by Matthew Paulson of the law firm of Baker Botts L.L.P., appear before the Commission and together stipulate that:

1. The Respondent owns and operates a natural gas fractionator at 10319 Highway 146 in Mont Belvieu, Chambers 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 notices of the violations alleged in Section II ("Allegations") on or about July 6 and 15, 2009.
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 Thirty-Seven Thousand Seven Hundred Twenty Dollars (\$37,720) is assessed by the Commission in settlement of the violations alleged in Section

II ("Allegations"). The Respondent has paid Thirty Thousand One Hundred Seventy-Six Dollars (\$30,176) of the administrative penalty and Seven Thousand Five Hundred Forty-Four Dollars (\$7,544) 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 on July 17, 2009, the Respondent installed a monitor to measure highly reactive volatile organic compounds ("HRVOC") at the inlets of cooling tower Nos. 4 and 4A.
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 install a HRVOC monitor on the inlets of cooling tower Nos. 4 and 4A from January 26, 2007 through July 17, 2009, in violation of 30 TEX. ADMIN. CODE §§ 115.764(a)(1) and 122.143(4); Federal Operating Permit ("FOP") No. O-00612, General Terms and Conditions ("GTC"); and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 21, 2009.
2. Failed to submit an alternate monitoring plan to obtain approval for using a predictive emission monitoring system ("PEMS") to measure and record the in-stack concentration of nitrogen oxides ("NO_x"), carbon monoxide ("CO"), and diluent gases [oxygen ("O₂") or carbon dioxide] from Boilers Emission Point Nos. ("EPN"s) B-03, B-04, B-08, and B-09, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), and 122.145(1)(A); 40 CODE OF FEDERAL REGULATIONS § 60.49b(c); New Source Review Permit ("NSRP") No. 56435, Special Condition ("SC") 6.A.; FOP No. O-00612, GTC and Special Terms and Conditions No. 10; and TEX.

HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 21, 2009.

3. Failed to comply with permitted relative accuracy ("RA") limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 6; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on May 25, 2009. During the PEMS Reference Method ("RM") 4 stack testing for Boiler 3 (EPN B-03), the Respondent demonstrated RA failure of CO and conducted the relative accuracy test audit ("RATA") for O₂ improperly. The RA standards/limits for CO are 10 percent ("%") for the RM and 5% for the alternate method ("AM") for pound per million British thermal units ("lb/MMBtu"). From June 29, 2006 through June 25, 2007, the Respondent conducted four RATAs in which the CO RA exceeded these limits (see table below). During the same RATAs and one conducted on December 18, 2007, the test method for dry weight for O₂ was not done properly, invalidating the results for the O₂ monitor.

| RATA Date | RM CO (lb/MMBtu) | AM CO (lb/MMBtu) | O ₂ Data Invalid? |
|--------------------|---------------------|---------------------|---------------------------------|
| June 29, 2006 | 12.27% | 10.97% | Yes |
| September 28, 2006 | 37.39% | 24.86% | Yes |
| December 19, 2006 | 39.37% | 27.39% | Yes |
| June 25, 2007 | 23.05% | 24.04% | Yes |
| December 18, 2007 | Passed | Passed | Yes |

4. Failed to comply with permitted RA limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); NSRP No. 56435, SC 6; and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on May 29, 2009. During the PEMS RM 4 stack testing for Boiler 4 (EPN B-04), the Respondent demonstrated RA failure of CO and conducted the RATA for O₂ improperly. The RA standards/limits for CO are 10% RM and 5% AM for lb/MMBtu. On March 29, 2006, September 28, 2006, and December 18, 2007, the Respondent conducted three RATAs in which the CO RA exceeded these limits (see table below). During the same RATAs, the test method for dry weight for O₂ was not done properly, invalidating the result for the O₂ monitor.

| RATA Date | RM CO (lb/MMBtu) | AM CO (lb/MMBtu) | O ₂ Data Invalid? |
|--------------------|---------------------|---------------------|---------------------------------|
| March 29, 2006 | 35.11% | 46.38% | Yes |
| September 28, 2006 | 15.63% | 12.08% | Yes |
| December 18, 2007 | 20.79% | 14.19% | Yes |

5. Failed to comply with RA limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 117.340(b)(1), and 117.8120(1)(B); and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on May 25, 2009. During the PEMS RM 4 stack testing for Boiler 9 (EPN B-09), the Respondent demonstrated RA failures of NO_x and CO and conducted the RATA for O₂ improperly. The RA standards are 20% for NO_x and 10% for CO for parts per million ("ppm"). During RA tests conducted on June 28, 2006, September 20, 2006, and December 20, 2006, one or both of these standards were exceeded (see table below). In addition, during these three RATAs and the one conducted on June 26, 2007, the test method for dry weight for O₂ was not done properly, invalidating the results for the O₂ monitor.

| RATA Date | RM CO (ppm) | RM NO _x (ppm) | O ₂ Data Invalid? |
|--------------------|----------------|-----------------------------|---------------------------------|
| June 28, 2006 | 3,332.73% | Passed | Yes |
| September 20, 2006 | 5,974.00% | 50.16% | Yes |
| December 20, 2006 | 256.57% | 110.14% | Yes |
| June 26, 2007 | Passed | Passed | Yes |

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 Midstream Services Limited Partnership, Docket No. 2009-1180-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit an alternate monitoring plan to obtain approval for using a PEMS to measure and record the in-stack concentration NO_x, CO, and O₂ from Boiler EPNs B-03, B-04, B-08, and B-09 to:

Air Program Support Section, MC 174
Field Operations Support Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- b. Within 60 days after the effective date of this Agreed Order, reconduct certification for initial PEMS testing for Boilers 3, 4, and 9 to verify that the monitoring units can perform over a range of operating conditions and develop operating and maintenance procedures to ensure that the monitoring units are calibrated and maintained to ensure compliance with applicable rules and regulations; and

- c. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, to demonstrate compliance with Ordering Provisions 2.a. and 2.b., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the Ordering Provisions. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. 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.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.
7. 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.
8. 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 Sordlien
For the Executive Director

3/16/2010
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.

Hunter Battle *PPF
JLK*
Signature

JAN 21, 2010
Date

HUNTER BATTLE
Name (Printed or typed)
Authorized Representative of
Targa Midstream Services Limited Partnership

VP
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.

