

Executive Summary – Enforcement Matter – Case No. 59726
Targa Midstream Services LLC
RN100222900
Docket No. 2020-1162-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Mont Belvieu Complex, 10319 Highway 146, Mont Belvieu, Chambers County

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2023-0490-AIR-E and 2021-1310-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 29, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$406,204

Amount Deferred for Expedited Settlement: \$81,240

Total Paid to General Revenue: \$162,482

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) A Conditional Offset: \$54,160

Name of SEP: Texas Natural Gas Foundation (Third-Party Pre-Approved)

SEP B Conditional Offset: \$54,161

Name of SEP: Barbers Hill Independent School District - Energy Efficiency

Building Upgrade/Retrofit Project (Third-Party Pre-Approved)

SEP C Conditional Offset: \$54,161

Name of SEP: Barbers Hill Independent School District - Alternative Fuel School

Bus Replacement (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

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Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 23, 2019 through October 24, 2019, October 5, 2020 through November 23, 2020, and October 27, 2020 through November 10, 2020

Date(s) of NOE(s): August 10, 2020, December 7, 2020, and January 14, 2021

Violation Information

1. Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit. Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 submitted on May 13, 2013 that the firing rate would not exceed 79.2 million British thermal units per hour ("MMBtu/hr") for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.001 MMBtu/hr to 24.51 MMBtu/hr for 19,727 hours from February 3, 2015 to November 8, 2018 and represented in the revised registration for Standard Permit Registration No. 110145 submitted on October 3, 2018 that the firing rate would not exceed 87 MMBtu/hr for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.12 MMBtu/hr to 17.50 MMBtu/hr for 1,126 hours from November 12, 2018 to January 3, 2019 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, Federal Operating Permit ("FOP") No. O612, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to comply with the representations with regard to construction plans and operation procedures in a permit application. Specifically, the Respondent represented in the permit application for New Source Review ("NSR") Permit No. 5452 that the firing rate would not exceed 137 MMBtu/hr for Furnace B, but the represented firing rate was exceeded by a range from 0.0001 MMBtu/hr to 253.06 MMBtu/hr for 14,295 hours from January 1, 2016 through January 2, 2019. Also, the Respondent represented in the permit application for NSR Permit No. 5452 that the Equipment Fugitives was for 2,239 valves, 5,173 flanges/connectors, no pumps, and no compressors; but since January 26, 2014, the Respondent identified 3,079 valves, 10,783 flanges/connectors, 27 pumps, and three compressors in their leak detection and repair component count and that the Frac Plant Fugitives was for 672 valves, 747 flanges/connectors, no pumps, and no compressors; but the Respondent identified 1,069 valves, 3,476 flanges/connectors, three pumps, and six compressors in their leak detection and repair component count [30 TEX. ADMIN. CODE §§ 116.110(a), 116.116(a)(1), and 122.143(4), NSR Permit No. 5452, Special Conditions ("SC") No. 1, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the carbon monoxide ("CO") concentration limit of 50 parts per million by volume on a dry basis ("ppmvd") corrected to three percent oxygen by a range from 0.01 ppmvd to

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2,159.50 ppmvd for 273 hours on 53 days from February 19, 2018 to November 23, 2018 for Boiler No. 11, Emissions Point Number ("EPN") B-11 [30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(v), FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to comply with the emissions limit. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") emissions limit of 0.01 pound per MMBtu ("lb/MMBtu") for boilers fired on fuel deriving more than 75 percent of its heating value from natural gas by a range from 0.0001 lb/MMBtu to 0.09 lb/MMBtu for 292 hours on 29 days from February 19, 2018 to November 23, 2018 for Boiler 11, EPN B-11 [30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(ii), FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to report all instances of deviations. Specifically, the deviation report for the July 26, 2019 through January 25, 2020 reporting period did not include the deviations for failing to conduct monthly volatile organic compounds ("VOC") and highly reactive volatile organic compounds ("HRVOC") monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O612, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the VOC MAER of 1.75 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 123.42 lbs/hr for 208 hours, exceeded the CO MAER of 1.71 lbs/hr by a range from 0.05 lb/hr to 33.80 lbs/hr for 217 hours, and exceeded the NOx MAER of 0.85 lb/hr by a range from 0.03 lb/hr to 16.94 lbs/hr for 214 hours from April 3, 2019 to May 17, 2019 for Flare Routine, EPN FLR-5, resulting in approximately 2,420.44 lbs of unauthorized VOC, 974.95 lbs of unauthorized CO, and 489.68 lbs of unauthorized NOx [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 101616, PSDTX696M2, GHGPSDTX26M1, and N214M1, SC No. 1, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to conduct weekly sorbent or stain tube testing to measure ammonia. Specifically, the Respondent did not conduct stain tube testing of Combustion Turbine No. 1 to measure ammonia from July 27, 2019 through January 25, 2020 [30 TEX. ADMIN. CODE §§ 117.8130(3) and 122.143(4), FOP No. O612, GTC and STC No. 1.A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to report all instances of deviations. Specifically, the deviation report for the January 26, 2019 through July 25, 2019 reporting period did not include the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia [30 TEX. ADMIN. CODE

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§§ 122.143(4) and 122.145(2)(A), FOP No. 0612, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit. Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 that the firing rate would not exceed 87 MMBtu/hr for the LEP1 Heater, but the represented firing rate was exceeded by a range from 1.00 MMBtu/hr to 17.00 MMBtu/hr for 2,940 hours from January 26, 2019 to July 5, 2019 [30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, FOP No. 0612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,631.73 lbs of CO, 3,321.88 lbs of NOx, and 19,675.69 lbs of VOC from the Flare, EPN FLRN-1, during an emissions event (Incident No. 343926) that began on October 12, 2020 and lasted 27 hours. The emissions event occurred due to a faulty nitrogen pressure switch that caused the C5 Compressor to trip, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been prevented by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 56431, SC No. 1, FOP No. 0612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On November 23, 2018, demonstrated compliance with the CO concentration limit and NOx emissions limit for Boiler No. 11, EPN B-11;
- b. On December 6, 2018, obtained revised Standard Permit Registration No. 91519 authorizing 397 valves, 2,729 flanges/connectors, three pumps, and six compressors as Frac Plant Fugitives, EPN FUG-FRAC; and
- c. On March 25, 2020, implemented a high alarm in order to comply with the represented firing rate for the LEP1 Heater.

Technical Requirements:

1. The Order will require the Respondent to implement and complete three SEPs (see SEP Attachments A, B, and C).

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2. The Order will also require the Respondent to:

a. Within 30 days:

i. Implement procedures in order to comply with the represented firing rate for the Hot Oil Heater and/or submit an administratively complete revised registration for Standard Permit Registration No. 110145 to increase the firing rate for the Hot Oil Heater;

ii. Implement procedures designed to comply with the represented firing rate for Furnace B and/or submit an administratively complete amendment application for NSR Permit No. 5452 to increase the firing rate for Furnace B and/or to authorize 840 valves, 5,610 flanges/connectors, 27 pumps, and three compressors as Equipment Fugitives, EPN FUG-FRAC2;

iii. Submit a revised deviation report for the July 26, 2019 through January 25, 2020 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia;

iv. Implement procedures designed to ensure that all instances of deviations are reported in a timely manner;

v. Implement procedures designed to comply with the VOC, CO, and NO_x hourly MAERs for Flare Routine, EPN FLR-5;

vi. Begin conducting weekly sorbent or stain tube testing of Combustion Turbine No. 1 to measure ammonia;

vii. Submit a revised deviation report for the January 26, 2019 through July 25, 2019 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia; and

viii. Implement procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343926.

b. If a revised registration for Standard Permit Registration No. 110145 and/or an amendment application for NSR Permit No. 5452 have been submitted, respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the revised registration and/or permit amendment application by any deadline specified in writing.

c. Within 45 days, submit written certification to demonstrate compliance with a.

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d. If a revised registration for Standard Permit Registration No. 110145 and/or an amendment application for NSR Permit No. 5452 have been submitted, within 180 days after the effective date of this Order, submit written certification that either the revised Standard Permit Registration No. 110145 and/or the amendment for NSR Permit No. 5452 have been obtained or that operations have ceased until such time that appropriate authorizations are obtained to demonstrate compliance.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mackenzie Mehlmann, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2572; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

SEP A Third-Party Administrator: Texas Natural Gas Foundation, 2315 Newfield Lane, Austin, Texas 78703

SEP B & C Third-Party Administrator: Carl R. Griffith & Associates, Inc., 2901 Turtle Creek Drive, Suite 445, Port Arthur, Texas 77642

Respondent: Calvin Greene, Senior Environmental Specialist, Targa Midstream Services LLC, 10319 Highway 146, Mont Belvieu, Texas 77580
Bill Grantham, Vice President of Operations, Targa Midstream Services LLC, 10319 Highway 146, Mont Belvieu, Texas 77580

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	17-Aug-2020			
	PCW	23-Jan-2024	Screening	24-Aug-2020	EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent	Targa Midstream Services LLC				
Reg. Ent. Ref. No.	RN100222900				
Facility/Site Region	12-Houston		Major/Minor Source	Major	

CASE INFORMATION

Enf./Case ID No.	59726	No. of Violations	10
Docket No.	2020-1162-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Mackenzie Mehlmann
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$206,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$206,500
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Notes

Enhancement for one NOV with same/similar violations, four NOVs with dissimilar violations, six orders containing a denial of liability, and two orders without a denial of liability.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$7,499
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$11,481
Estimated Cost of Compliance	\$36,608

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$405,501
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.2%	Adjustment	\$703
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Enhancement to capture the avoided costs of compliance associated with Violation No. 7.

Final Penalty Amount	\$406,204
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$406,204
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DEFERRAL	20.0%	Reduction	Adjustment	-\$81,240
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$324,964
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Screening Date

24-Aug-2020

Docket No.

2020-1162-AIR-E

PCW

Respondent

Targa Midstream Services LLC

Case ID No.

59726

Reg. Ent. Reference No.

RN100222900

Media

Air

Enf. Coordinator

Mackenzie Mehlmann

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	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	2	50%
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 (<i>number of judgments or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
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)

183%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same/similar violations, four NOVs with dissimilar violations, six orders containing a denial of liability, and two orders without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)

183%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

100%

Screening Date

24-Aug-2020

Docket No.

2020-1162-AIR-E

PCW

Policy Revision 4 (April 2014)
PCW Revision March 26, 2014

Respondent

Targa Midstream Services LLC

Case ID No.

59726

Reg. Ent. Reference No.

RN100222900

Media

Air

Enf. Coordinator

Mackenzie Mehlmann

Violation Number

1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, Federal Operating Permit ("FOP") No. O612, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit. Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 submitted on May 13, 2013 that the firing rate would not exceed 79.2 million British thermal units per hour ("MMBtu/hr") for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.001 MMBtu/hr to 24.51 MMBtu/hr for 19,727 hours from February 3, 2015 to November 8, 2018 and represented in the revised registration for Standard Permit Registration No. 110145 submitted on October 3, 2018 that the firing rate would not exceed 87 MMBtu/hr for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.12 MMBtu/hr to 17.50 MMBtu/hr for 1,126 hours from November 12, 2018 to January 3, 2019.

Base Penalty

\$25,000

>> Environmental, Property and Human Health Matrix

OR

Release

Major

Moderate

Minor

Actual

x

Potential

Percent

15.0%

>>Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

\$21,250

\$3,750

Violation Events

Number of Violation Events

16

1426

Number of violation days

daily

weekly

monthly

quarterly

semiannual

annual

single event

x

Violation Base Penalty

\$60,000

Sixteen quarterly events are recommended for the instances non-compliance that occurred from February 3, 2015 to January 3, 2019.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Before NOE/NOV

NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

x

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal

\$60,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$2,520

Violation Final Penalty Total

\$120,208

This violation Final Assessed Penalty (adjusted for limits)

\$120,208

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

Targa Midstream Services LLC 59726 RN100222900 Air 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	\$5,000	3-Feb-2015	1-Mar-2025	10.08	\$2,520	n/a	\$2,520
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to obtain a revised Standard Permit Registration No. 110145 to increase the firing rate for the Hot Oil Heater. Date Required is the first date of non-compliance. Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$5,000	TOTAL	\$2,520
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726			PCW Revision March 26, 2014
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.110(a), 116.116(a)(1), and 122.143(4), New Source Review ("NSR") Permit No. 5452, Special Conditions ("SC") No. 1, FOP No. 0612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with the representations with regard to construction plans and operation procedures in a permit application. Specifically, the Respondent represented in the permit application for NSR Permit No. 5452 that the firing rate would not exceed 137 MMBtu/hr for Furnace B, but the represented firing rate was exceeded by a range from 0.0001 MMBtu/hr to 253.06 MMBtu/hr for 14,295 hours from January 1, 2016 through January 2, 2019. Also, the Respondent represented in the permit application for NSR Permit No. 5452 that the Equipment Fugitives was for 2,239 valves, 5,173 flanges/connectors, no pumps, and no compressors; but since January 26, 2014, the Respondent identified 3,079 valves, 10,783 flanges/connectors, 27 pumps, and three compressors in their leak detection and repair component count and that the Frac Plant Fugitives was for 672 valves, 747 flanges/connectors, no pumps, and no compressors; but the Respondent identified 1,069 valves, 3,476 flanges/connectors, three pumps, and six compressors in their leak detection and repair component count.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual Potential		x	
			Percent	15.0%
>> Programmatic Matrix				
	Falsification	Major Moderate Minor		
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$21,250	
			\$3,750	
Violation Events				
	Number of Violation Events	27	2402	Number of violation days
	daily weekly monthly quarterly semiannual annual single event		x	
			Violation Base Penalty	\$101,250
	Twenty-seven quarterly events are recommended from the January 26, 2014 non-compliance date through the August 24, 2020 screening date.			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
	Extraordinary Ordinary N/A	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		
		x		
Notes	The Respondent does not meet the good faith criteria for this violation.			
		Violation Subtotal	\$101,250	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$2,994	Violation Final Penalty Total	\$202,851
	This violation Final Assessed Penalty (adjusted for limits)			\$202,851

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
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	Costs Saved	EB Amount
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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
Permit Costs	\$5,000	26-Jan-2014	1-Mar-2025	11.10	\$2,775	n/a	\$2,775
Permit Costs	\$900	26-Jan-2014	6-Dec-2018	4.86	\$219	n/a	\$219
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated cost to obtain an amendment for NSR Permit No. 5452 to increase the firing rate for Furnace B and to authorize 840 valves, 5,610 flanges/connectors, 27 pumps, and three compressors as Equipment Fugitives, Emissions Point Number ("EPN") FUG-FRAC2, (\$5,000) and actual cost to obtain revised Standard Permit Registration No. 91519 authorizing 397 valves, 2,729 flanges/connectors, three pumps, and six compressors as Frac Plant Fugitives, EPN FUG-FRAC, (\$900). Dates Required are the first date of non-compliance. Final Dates are the date of compliance and the estimated date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$5,900	TOTAL	\$2,994
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726	PCW Revision March 26, 2014		
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(v), FOP No. O612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with the concentration limit. Specifically, the Respondent exceeded the carbon monoxide ("CO") concentration limit of 50 parts per million by volume on a dry basis ("ppmvd") corrected to three percent oxygen by a range from 0.01 ppmvd to 2,159.50 ppmvd for 273 hours on 53 days from February 19, 2018 to November 23, 2018 for Boiler No. 11, EPN B-11.			
Base Penalty			\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			X
Potential				
Percent			15.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
Percent			0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment			\$21,250	
			\$3,750	
>> Violation Events				
Number of Violation Events		3	53	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	X		
	semiannual			
	annual			
	single event			
Violation Base Penalty			\$11,250	
Three quarterly events are recommended for the instances of non-compliance that occurred from February 19, 2018 to March 16, 2018 and from August 5, 2018 to November 23, 2018.				
Good Faith Efforts to Comply		25.0%	Reduction \$2,812	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	X			
N/A				
Notes	The Respondent completed the corrective measures on November 23, 2018, prior to the Notice of Enforcement ("NOE") dated August 10, 2020.			
Violation Subtotal			\$8,438	
>> Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount		\$57	Violation Final Penalty Total \$19,722	
This violation Final Assessed Penalty (adjusted for limits)			\$19,722	

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
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	Costs Saved	EB Amount
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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	19-Feb-2018	23-Nov-2018	0.76	\$57	n/a	\$57
Notes for DELAYED costs	Estimated cost to demonstrate compliance with the CO concentration limit and nitrogen oxides ("NOx") emissions limit for Boiler No. 11, EPN B-11. Date Required is the first date of non-compliance. Final Date is the date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$1,500	TOTAL	\$57
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59726			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	4			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(ii), FOP No. O612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with the emissions limit. Specifically, the Respondent exceeded the NOx emissions limit of 0.01 pound per MMBtu ("lb/MMBtu") for boilers fired on fuel deriving more than 75 percent of its heating value from natural gas by a range from 0.0001 lb/MMBtu to 0.09 lb/MMBtu for 292 hours on 29 days from February 19, 2018 to November 23, 2018 for Boiler 11, EPN B-11.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			X
	Potential			
			Percent	15.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$21,250	
			\$3,750	
Violation Events				
	Number of Violation Events	3	29	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	X		
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$11,250
	Three quarterly events are recommended for the instances of non-compliance that occurred from February 19, 2018 to March 16, 2018 and from August 5, 2018 to November 23, 2018.			
Good Faith Efforts to Comply	25.0%		Reduction	\$2,812
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	X			
N/A				
Notes	The Respondent completed the corrective measures on November 23, 2018, prior to the NOE dated August 10, 2020.			
		Violation Subtotal	\$8,438	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$0	Violation Final Penalty Total	\$19,722
	This violation Final Assessed Penalty (adjusted for limits)			\$19,722

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No. Targa Midstream Services LLC 59726 RN100222900 Air 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	See the Economic Benefit in Violation No. 3.						

Avoided CostsANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$0	TOTAL	\$0
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726			PCW Revision March 26, 2014
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	5			
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 0612, GTC, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to report all instances of deviations. Specifically, the deviation report for the July 26, 2019 through January 25, 2020 reporting period did not include the deviations for failing to conduct monthly volatile organic compounds ("VOC") and highly reactive volatile organic compounds ("HRVOC") monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual Potential			
			Percent	0.0%
>> Programmatic Matrix				
	Falsification	Major Moderate Minor		
			Percent	1.0%
Matrix Notes	Less than 30% of the rule requirements were not met.			
		Adjustment	\$24,750	
			\$250	
Violation Events				
	Number of Violation Events	1	182	Number of violation days
	daily weekly monthly quarterly semiannual annual single event			
			Violation Base Penalty	\$250
	One single event is recommended.			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
	Extraordinary Ordinary N/A	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		
	Notes	The Respondent does not meet the good faith criteria for this violation.		
		Violation Subtotal	\$250	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$396	Violation Final Penalty Total	\$501
	This violation Final Assessed Penalty (adjusted for limits)			\$501

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
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	Costs Saved	EB Amount
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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	\$1,500	24-Feb-2020	1-Sep-2024	4.52	\$339	n/a	\$339
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	24-Feb-2020	1-Sep-2024	4.52	\$57	n/a	\$57

Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the July 26, 2019 through January 25, 2020 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia (\$250) and to implement procedures designed to ensure that all instances of deviation reports are reported in a timely manner (\$1,500). Dates Required is the date the deviation report was due. Final Dates are the estimated dates of compliance.

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,750

TOTAL \$396

Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW																	
Respondent	Targa Midstream Services LLC			<i>Policy Revision 4 (April 2014)</i>																	
Case ID No.	59726	<i>PCW Revision March 26, 2014</i>																			
Reg. Ent. Reference No.	RN100222900																				
Media	Air																				
Enf. Coordinator	Mackenzie Mehlmann																				
Violation Number	6																				
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 101616, PSDTX696M2, GHGPSDTX26M1, and N214M1, SC No. 1, FOP No. O612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)																				
Violation Description	<p>Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the VOC MAER of 1.75 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 123.42 lbs/hr for 208 hours, exceeded the CO MAER of 1.71 lbs/hr by a range from 0.05 lb/hr to 33.80 lbs/hr for 217 hours, and exceeded the NOx MAER of 0.85 lb/hr by a range from 0.03 lb/hr to 16.94 lbs/hr for 214 hours from April 3, 2019 to May 17, 2019 for Flare Routine, EPN FLR-5, resulting in approximately 2,420.44 lbs of unauthorized VOC, 974.95 lbs of unauthorized CO, and 489.68 lbs of unauthorized NOx.</p>																				
			Base Penalty	\$25,000																	
>> Environmental, Property and Human Health Matrix																					
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td>Release</td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>x</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual			x	Potential				Percent	15.0%
		Harm																			
	Release	Major	Moderate	Minor																	
Actual			x																		
Potential																					
>> Programmatic Matrix																					
	Falsification	Major	Moderate	Minor	Percent	0.0%															
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.																				
			Adjustment	\$21,250																	
					\$3,750																
Violation Events																					
Number of Violation Events		1	44	Number of violation days																	
	<table border="1"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td>x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event				Violation Base Penalty	\$3,750		
daily																					
weekly																					
monthly																					
quarterly	x																				
semiannual																					
annual																					
single event																					
One quarterly event is recommended for the instances of non-compliance that occurred from April 3, 2019 through May 17, 2019.																					
Good Faith Efforts to Comply		0.0%	Reduction		\$0																
	<table border="1"> <tr> <td></td> <td>Before NOE/NOV</td> <td>NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td>x</td> <td></td> </tr> </table>		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x									
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																			
Extraordinary																					
Ordinary																					
N/A	x																				
Notes	The Respondent does not meet the good faith criteria for this violation.																				
			Violation Subtotal	\$3,750																	
Economic Benefit (EB) for this violation			Statutory Limit Test																		
Estimated EB Amount		\$2,710	Violation Final Penalty Total		\$7,513																
This violation Final Assessed Penalty (adjusted for limits)			\$7,513																		

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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)	\$10,000	3-Apr-2019	1-Sep-2024	5.42	\$2,710	n/a	\$2,710
Notes for DELAYED costs	Estimated cost to implement procedures designed to comply with the VOC, CO, and NOx hourly MAERs for Flare Routine, EPN FLR-5. Date Required is the first date of non-compliance. Final Date is the estimated date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$10,000	TOTAL	\$2,710
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59726			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	7			
Rule Cite(s)	30 Tex. Admin. Code §§ 117.8130(3) and 122.143(4), FOP No. O612, GTC and STC No. 1.A, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to conduct weekly sorbent or stain tube testing to measure ammonia. Specifically, the Respondent did not conduct stain tube testing of Combustion Turbine No. 1 to measure ammonia from July 27, 2019 through January 25, 2020.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR		Harm		
	Release	Major	Moderate	Minor
	Actual			
	Potential			x
		Percent	7.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	Percent	0.0%		
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$23,250	
			\$1,750	
Violation Events				
	Number of Violation Events	2	182	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
			Violation Base Penalty	\$3,500
	Two single events are recommended (one event for each quarter the weekly testing was not conducted).			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary			
	N/A	x		
	Notes	The Respondent does not meet the good faith criteria for this violation.		
		Violation Subtotal	\$3,500	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$709	Violation Final Penalty Total	\$7,012
	This violation Final Assessed Penalty (adjusted for limits)			\$7,012

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	\$25	27-Jul-2019	1-Sep-2024	5.10	\$6	n/a	\$6
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	Estimated cost to begin conducting weekly sorbent or stain tube testing of Combustion Turbine No. 1 to measure ammonia. Date Required is the first date of non-compliance. Final Date is the estimated date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$683	25-Jan-2020	24-Aug-2020	0.58	\$20	\$683	\$703
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	Estimated avoided cost to conduct conducting weekly sorbent or stain tube testing of Combustion Turbine No. 1 to measure ammonia (\$25/test * 27 missed weekly testing from July 27, 2019 through January 25, 2020 plus \$8 in interest). Date Required is the last day the weekly testing could have been conducted. Final Date is the screening date.						

Approx. Cost of Compliance	\$708	TOTAL	\$709
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726			PCW Revision March 26, 2014
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	8			
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 0612, GTC, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to report all instances of deviations. Specifically, the deviation report for the January 26, 2019 through July 25, 2019 reporting period did not include the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual Potential			Percent 0.0%
>> Programmatic Matrix				
	Falsification	Major Moderate Minor		Percent 1.0%
			x	
Matrix Notes	Less than 30% of the rule requirements were not met.			
		Adjustment	\$24,750	
			\$250	
Violation Events				
	Number of Violation Events	1	487	Number of violation days
	daily weekly monthly quarterly semiannual annual single event			Violation Base Penalty \$250
			x	
	One single event is recommended.			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary			
	Ordinary			
	N/A	x		
	Notes	The Respondent does not meet the good faith criteria for this violation.		
		Violation Subtotal	\$250	
Economic Benefit (EB) for this violation				
	Statutory Limit Test			
	Estimated EB Amount	\$63	Violation Final Penalty Total	\$501
	This violation Final Assessed Penalty (adjusted for limits)			\$501

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

Targa Midstream Services LLC 59726 RN100222900 Air 8

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Amount

Item Description

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	24-Aug-2019	1-Sep-2024	5.03	\$63	n/a	\$63

Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the January 26, 2019 through July 25, 2019 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia. Date Required is the date the deviation report was due. Final Date is the estimated date of compliance.

See the Economic Benefit in Violation No. 5 for the delayed cost to implement procedures designed to ensure that all instances of deviations are reported in a timely manner.

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250 TOTAL \$63

Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726			PCW Revision March 26, 2014
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	9			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, FOP No. 0612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit. Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 that the firing rate would not exceed 87 MMBtu/hr for the LEP1 Heater, but the represented firing rate was exceeded by a range from 1.00 MMBtu/hr to 17.00 MMBtu/hr for 2,940 hours from January 26, 2019 to July 5, 2019.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual			x
	Potential			
				Percent 15.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$21,250	
			\$3,750	
Violation Events				
	Number of Violation Events	2	160	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$7,500
	Two quarterly events are recommended for the instances of non-compliance that occurred from January 26, 2019 to July 5, 2019.			
Good Faith Efforts to Comply	25.0%		Reduction	\$1,875
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures on March 25, 2020, prior to the NOE dated December 7, 2020.			
		Violation Subtotal	\$5,625	
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount	\$87	Violation Final Penalty Total	\$13,148	
		This violation Final Assessed Penalty (adjusted for limits)	\$13,148	

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	26-Jan-2019	25-Mar-2020	1.16	\$87	n/a	\$87
Notes for DELAYED costs	Estimated cost to implement a high alarm in order to comply with the represented firing rate for the LEP1 Heater. Date Required is the first date of non-compliance. Final Date is the date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$1,500	TOTAL	\$87
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Screening Date	24-Aug-2020	Docket No.	2020-1162-AIR-E	PCW
Respondent	Targa Midstream Services LLC			Policy Revision 4 (April 2014)
Case ID No.	59726	PCW Revision March 26, 2014		
Reg. Ent. Reference No.	RN100222900			
Media	Air			
Enf. Coordinator	Mackenzie Mehlmann			
Violation Number	10			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 56431, SC No. 1, FOP No. O612, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,631.73 lbs of CO, 3,321.88 lbs of NOx, and 19,675.69 lbs of VOC from the Flare, EPN FLRN-1, during an emissions event (Incident No. 343926) that began on October 12, 2020 and lasted 27 hours. The emissions event occurred due to a faulty nitrogen pressure switch that caused the C5 Compressor to trip, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been prevented by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.			
			Base Penalty	\$25,000
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major	Moderate	Minor
	Actual		x	
	Potential			
			Percent	30.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
			Adjustment	\$17,500
				\$7,500
Violation Events				
Number of Violation Events		1	2	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$7,500
			One monthly event is recommended.	
Good Faith Efforts to Comply		0.0%	Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.			
			Violation Subtotal	\$7,500
Economic Benefit (EB) for this violation				
Estimated EB Amount		\$1,945	Violation Final Penalty Total	\$15,026
			This violation Final Assessed Penalty (adjusted for limits)	\$15,026

Economic Benefit Worksheet

Respondent Targa Midstream Services LLC
Case ID No. 59726
Reg. Ent. Reference No. RN100222900
Media Air
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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)	\$10,000	12-Oct-2020	1-Sep-2024	3.89	\$1,945	n/a	\$1,945
Notes for DELAYED costs	Estimated cost to implement procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343926. Date Required is the date the emissions event began. Final Date is the estimated date of compliance.						

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$10,000	TOTAL	\$1,945
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The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN601301559, RN100222900, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator:	CN601301559, Targa Midstream Services LLC	Classification:	SATISFACTORY	Rating:	1.68
Regulated Entity:	RN100222900, MONT BELVIEU COMPLEX	Classification:	SATISFACTORY	Rating:	12.54
Complexity Points:	28	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	10319 HIGHWAY 146, MONT BELVIEU, CHAMBERS COUNTY, TEXAS 77580				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CI0022A
AIR OPERATING PERMITS PERMIT 615
AIR NEW SOURCE PERMITS REGISTRATION 12790
AIR NEW SOURCE PERMITS PERMIT 22088
AIR NEW SOURCE PERMITS REGISTRATION 75496
AIR NEW SOURCE PERMITS PERMIT 56431
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX696M1
AIR NEW SOURCE PERMITS REGISTRATION 84814
AIR NEW SOURCE PERMITS REGISTRATION 97147
AIR NEW SOURCE PERMITS REGISTRATION 109750
AIR NEW SOURCE PERMITS REGISTRATION 109040
AIR NEW SOURCE PERMITS REGISTRATION 110145
AIR NEW SOURCE PERMITS REGISTRATION 112896
AIR NEW SOURCE PERMITS REGISTRATION 109927
AIR NEW SOURCE PERMITS REGISTRATION 119978
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX26M1
AIR NEW SOURCE PERMITS REGISTRATION 155185
AIR NEW SOURCE PERMITS REGISTRATION 151160
AIR NEW SOURCE PERMITS REGISTRATION 153705
AIR NEW SOURCE PERMITS REGISTRATION 151159
AIR NEW SOURCE PERMITS REGISTRATION 167190
AIR NEW SOURCE PERMITS REGISTRATION 163816
AIR NEW SOURCE PERMITS REGISTRATION 163817
AIR NEW SOURCE PERMITS REGISTRATION 168476
AIR NEW SOURCE PERMITS REGISTRATION 165164
AIR NEW SOURCE PERMITS REGISTRATION 146066
AIR NEW SOURCE PERMITS REGISTRATION 142523
AIR NEW SOURCE PERMITS REGISTRATION 149385
AIR NEW SOURCE PERMITS REGISTRATION 156824
AIR NEW SOURCE PERMITS REGISTRATION 156148
AIR NEW SOURCE PERMITS REGISTRATION 160740
AIR NEW SOURCE PERMITS REGISTRATION 158817
AIR NEW SOURCE PERMITS REGISTRATION 156206
AIR NEW SOURCE PERMITS REGISTRATION 172297
AIR NEW SOURCE PERMITS REGISTRATION 172295
AIR NEW SOURCE PERMITS REGISTRATION 131418
WASTEWATER PERMIT WQ0005329000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER CI0022A
POLLUTION PREVENTION PLANNING ID NUMBER P03569
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 31048

AIR OPERATING PERMITS PERMIT 612
AIR NEW SOURCE PERMITS PERMIT 5452
AIR NEW SOURCE PERMITS ACCOUNT NUMBER CI0022A
AIR NEW SOURCE PERMITS REGISTRATION 141933
AIR NEW SOURCE PERMITS AFS NUM 4807100010
AIR NEW SOURCE PERMITS PERMIT 56435
AIR NEW SOURCE PERMITS REGISTRATION 82049
AIR NEW SOURCE PERMITS REGISTRATION 91519
AIR NEW SOURCE PERMITS PERMIT 101616
AIR NEW SOURCE PERMITS REGISTRATION 139467
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX817
AIR NEW SOURCE PERMITS REGISTRATION 119145
AIR NEW SOURCE PERMITS EPA PERMIT N214
AIR NEW SOURCE PERMITS REGISTRATION 113495
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX26
AIR NEW SOURCE PERMITS REGISTRATION 153740
AIR NEW SOURCE PERMITS EPA PERMIT N214M1
AIR NEW SOURCE PERMITS REGISTRATION 152140
AIR NEW SOURCE PERMITS REGISTRATION 153852
AIR NEW SOURCE PERMITS REGISTRATION 162721
AIR NEW SOURCE PERMITS REGISTRATION 168475
AIR NEW SOURCE PERMITS REGISTRATION 164547
AIR NEW SOURCE PERMITS REGISTRATION 161824
AIR NEW SOURCE PERMITS REGISTRATION 164548
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX696M2
AIR NEW SOURCE PERMITS REGISTRATION 143075
AIR NEW SOURCE PERMITS REGISTRATION 147730
AIR NEW SOURCE PERMITS REGISTRATION 151450
AIR NEW SOURCE PERMITS REGISTRATION 157061
AIR NEW SOURCE PERMITS REGISTRATION 156205
AIR NEW SOURCE PERMITS EPA PERMIT N214M2
AIR NEW SOURCE PERMITS REGISTRATION 155495
AIR NEW SOURCE PERMITS REGISTRATION 157060
AIR NEW SOURCE PERMITS REGISTRATION 167750
AIR NEW SOURCE PERMITS REGISTRATION 153008
STORMWATER PERMIT TXR05EL71
WASTEWATER EPA ID TX0002887
AIR EMISSIONS INVENTORY ACCOUNT NUMBER CI0021C
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD980625974

Compliance History Period: September 01, 2017 to August 31, 2022 **Rating Year:** 2022 **Rating Date:** 09/01/2022

Date Compliance History Report Prepared: July 13, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 13, 2018 to July 13, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Mackenzie Mehlmann

Phone: (512) 239-2572

Site and Owner/Operator History:

- 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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 05/23/2019 ADMINORDER 2018-0359-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
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)
Rqmt Prov: FOP Special Term & Condition (ST&C) 12 OP
NSR Special Condition (SC) 1 PERMIT
Description: Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), Federal Operating Permit ("FOP") No. 0615, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 12, and New Source Review ("NSR") Permit No. 22088, Special Conditions ("SC") No. 1.
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)
Rqmt Prov: FOP General Terms and Conditions OP
Description: Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE §382.085(b), and FOP No. 0615, GTC.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
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)
Rqmt Prov: FOP Special Term & Condition (ST&C) 12 OP
NSR Special Condition (SC)1 PERMIT
Description: Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), FOP No. 0615, GTC and STC No. 12, and NSR Permit No. 22088, SC No. 1.
- 2 Effective Date: 11/22/2019 ADMINORDER 2018-1293-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
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)
Rqmt Prov: General Terms & Conditons (GT&C) OP
Special Condition (SC) 1 PERMIT
Special Terms & Conditions (ST&C) 20 OP
Description: Failed to comply with the maximum allowable emissions rates. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 6 tons per year ("tpy") based on a 12-month rolling period and the volatile organic compounds ("VOC") MAER of 25 tpy based on a 12-month rolling period for the 12-month periods ending from January 2017 through January 2018 and the carbon monoxide ("CO") MAER of 20 tpy based on a 12-month rolling period for the 12-month periods ending from January 2017 through Oct
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)

Rqmt Prov: General Terms & Conditions OP

Special Condition No. 6 PERMIT

Special Terms & Conditions No. 20 OP

Description: Failed to comply with the flare gas recovery system ("FGRS") downtime limit. Specifically, the Respondent exceeded the FGRS downtime limit of 438 hours per year based on a rolling 12-month period by 625 hours for the 12-month period ending on January 2018, resulting in flaring of the process waste gas.

3 Effective Date: 11/20/2020 ADMINORDER 2020-0612-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

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

5C THSC Chapter 382 382.0518(a)

5C THSC Chapter 382 382.085(b)

Description: Failed to obtain authorization prior to constructing or modifying a source of air contaminants. Specifically, the Respondent constructed and conducted dry abrasive cleaning and surface coating activities prior to obtaining the proper authorization.

4 Effective Date: 02/01/2021 ADMINORDER 2020-0401-AIR-E (Findings Order-Agreed Order Without Denial)

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)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event. (Category A12i6)

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)

Rqmt Prov: NSR 5452, Special Condition 1 PERMIT

NSR 56431, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, Targa failed to prevent emissions when a power loss led to a flaring event and venting from the T-6 tower (Category A12.i.(6)).

5 Effective Date: 08/24/2021 ADMINORDER 2020-1041-AIR-E (1660 Order-Agreed Order With Denial)

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)

Rqmt Prov: FOP O615 GTC and STC No. 12 OP

Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on August 10, 2017, TCEQ/STEERS Incident No. 265126. (Category A12.i.6)

6 Effective Date: 07/07/2022 ADMINORDER 2021-0914-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Terms and Conditions No. 2.F OP

Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 293834 was due by October 6, 2018 at 8:00 a.m., but was not submitted until October 8, 2018 at 2:45 p.m.

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)

Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Term and Condition 12 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 579 pounds of volatile organic compounds as fugitive emissions, during an emission event (Incident No. 293834) that occurred on October 5,

2018 and lasted two hours and 35 minutes. The emissions event occurred due to a worn ring groove on the lower spool piece of Well No. 13 that caused the spool to lose its packing seal, resulting in the release to the atmosphere.

- 7 Effective Date: 10/04/2022 ADMINORDER 2021-0399-AIR-E (1660 Order-Agreed Order With Denial)
 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)
 Rqmt Prov: GTC and STC No. 7 OP
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 810.80 pounds ("lbs") of carbon monoxide, 406.14 lbs of nitrogen oxides, and 2,439.86 lbs of volatile organic compounds from the Main Plant Flare, Emissions Point Number FLRN-1, during an emissions event (Incident No. 347267) that occurred on December 8, 2020 and lasted four hours. The emissions event occurred when the Low Ethane Propane Tower T-21 lost the bottom pumps that pull products from the tower and the co
- 8 Effective Date: 01/17/2023 ADMINORDER 2021-1230-AIR-E (1660 Order-Agreed Order With Denial)
 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)
 Rqmt Prov: 615 OP
 615 PERMIT
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1 PERMIT
 SPECIAL CONDITION 12 OP
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,200 pounds of propylene as fugitive emissions, during an emissions event (Incident No. 284084) that occurred on May 19, 2018 and lasted two minutes. The emissions event occurred when the relief valve on a customer's tank truck relieved to the atmosphere during a loading activity. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 27, 2018	(1766089)
Item 2	August 01, 2018	(1505802)
Item 3	September 28, 2018	(1511116)
Item 4	October 16, 2018	(1506126)
Item 5	October 24, 2018	(1766114)
Item 6	October 30, 2018	(1511093)
Item 7	February 26, 2019	(1533150)
Item 8	April 26, 2019	(1766085)
Item 9	June 05, 2019	(1556415)
Item 10	June 17, 2019	(1575841)
Item 11	July 23, 2019	(1766095)
Item 12	August 20, 2019	(1590778)
Item 13	October 25, 2019	(1766105)
Item 14	January 07, 2020	(1618507)
Item 15	January 16, 2020	(1618596)
Item 16	January 21, 2020	(1622544)
Item 17	January 28, 2020	(1766130)
Item 18	March 26, 2020	(1631432)
Item 19	April 22, 2020	(1645139)
Item 20	April 23, 2020	(1645301)
Item 21	April 27, 2020	(1766076)
Item 22	April 28, 2020	(1637901)
Item 23	May 05, 2020	(1592345)

Item 24	June 12, 2020	(1645772)
Item 25	July 27, 2020	(1766101)
Item 27	September 18, 2020	(1676801)
Item 28	October 21, 2020	(1677835)
Item 29	October 27, 2020	(1684648)
Item 30	October 28, 2020	(1766106)
Item 31	January 11, 2021	(1698580)
Item 32	January 14, 2021	(1698098)
Item 33	January 25, 2021	(1766121)
Item 34	April 08, 2021	(1696637)
Item 35	April 13, 2021	(1684244)
Item 36	April 20, 2021	(1766077)
Item 37	May 10, 2021	(1711551)
Item 38	May 12, 2021	(1683758)
Item 39	July 26, 2021	(1684152)
Item 40	July 29, 2021	(1766092)
Item 41	July 30, 2021	(1711451)
Item 42	September 28, 2021	(1690852)
Item 43	October 13, 2021	(1683668)
Item 44	October 15, 2021	(1690654)
Item 45	October 20, 2021	(1772544)
Item 46	December 03, 2021	(1774954)
Item 47	January 20, 2022	(1790584)
Item 48	February 28, 2022	(1780958)
Item 49	April 19, 2022	(1813320)
Item 50	July 11, 2022	(1817440)
Item 51	July 13, 2022	(1765678)
Item 52	July 14, 2022	(1835020)
Item 53	August 25, 2022	(1823321)
Item 54	September 08, 2022	(1839262)
Item 55	October 17, 2022	(1856157)
Item 56	October 20, 2022	(1852411)
Item 57	November 21, 2022	(1841007)
Item 58	November 29, 2022	(1861224)
Item 59	December 07, 2022	(1847293)
Item 60	December 20, 2022	(1861958)
Item 61	December 21, 2022	(1860471)
Item 62	January 23, 2023	(1875277)
Item 64	February 03, 2023	(1811923)
Item 65	February 13, 2023	(1878937)
Item 66	February 26, 2023	(1880184)
Item 67	March 09, 2023	(1869114)
Item 68	March 23, 2023	(1874690)
Item 69	April 17, 2023	(1898475)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date: 08/31/2022 (1856158)		
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
2	Date: 09/01/2022 (1824453)		
	Self Report? NO	Classification:	Moderate
	Citation: 101616 PERMIT 30 TAC Chapter 117, SubChapter B 117.345(b) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) GHGPSDTX26M1 PERMIT N214M1 PERMIT		

	O-612 OP PSDTX696M2 PERMIT		
	Description:	Failure to submit notification of testing by the required deadline.	
3	Date: 09/30/2022 (1862517)		
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter	
4	Date: 01/31/2023 (1898474)		
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter	
5	Date: 03/31/2023 (1846494)		
	Self Report? NO	Classification:	Moderate
	Citation: 119145 PERMIT 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) O612 OP		
	Description:	Failure to perform a Cylinder Gas Audit (CGA) on Standby Boiler [EPN: B-11] for 1st Quarter (1QTR) of 2021 (Category B1)	
	Self Report? NO	Classification:	Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5452 PERMIT 5C THSC Chapter 382 382.085(b) O612 OP		
	Description:	Failure to perform a Cylinder Gas Audit (CGA) on Hot Oil Heater [EPN: F-04] for 1st Quarter (1QTR) of 2021 (Category B1)	
	Self Report? NO	Classification:	Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5452 PERMIT 5C THSC Chapter 382 382.085(b) O612 OP		
	Description:	Failure to perform a Cylinder Gas Audit (CGA) on Hot Oil Heater [EPN: F-05] for 1st Quarter (1QTR) of 2021 (Category B1)	
	Self Report? NO	Classification:	Moderate
	Citation: 101616 PERMIT 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) O612 OP		
	Description:	Failure to perform a Cylinder Gas Audit (CGA) on Hot Oil Heater [EPN: F-10] for 1st Quarter (1QTR) of 2021 (Category B1)	
	Self Report? NO	Classification:	Moderate
	Citation: 101616 PERMIT 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) O612 OP		
	Description:	Failure to perform a Cylinder Gas Audit (CGA) on Hot Oil Heater [EPN: F-11] for 1st Quarter (1QTR) of 2021 (Category B1)	
	Self Report? NO	Classification:	Moderate
	Citation: 101616 PERMIT 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) O612 OP		
	Description:	Failure to prevent exceedance of firing rate limit of 161.17 Million British Thermal Units per hour (MMBtu/hr) for Hot Oil Heater [EPN: F-15] (Category B18.g.1)	
	Self Report? NO	Classification:	Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 56431 PERMIT 5C THSC Chapter 382 382.085(b) O612 OP		

Description:	Failure to prevent exceedances of volatile organic compound (VOC) limit of 130.96 in pounds per hour (lbs/hr) from Air Assisted Flare [EPN: FLRN-1] (Category C7)		
Self Report?	NO	Classification:	Moderate
Citation:	101616 PERMIT 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) O612 OP		
Description:	Failure to prevent 12-month rolling exceedances of nitrogen oxide (NOx) Combustion Emissions for Flare 6 [EPN: FLR-6] in normal operations (Category B13)		

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 LLC
RN100222900

§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2020-1162-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Targa Midstream Services LLC (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 together stipulate that:

1. The Respondent owns and operates a natural gas processing plant located at 10319 Highway 146 in Mont Belvieu, Chambers County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$406,204 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$162,482 of the penalty and \$81,240 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$162,482 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreements ("Attachments A, B, and C", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and

satisfactory completion of all provisions of the SEP Agreements, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). 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.
6. 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 Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On November 23, 2018, demonstrated compliance with the carbon monoxide ("CO") concentration limit and nitrogen oxides ("NOx") emissions limit for Boiler No. 11, Emissions Point Number ("EPN") B-11;
 - b. On December 6, 2018, obtained revised Standard Permit Registration No. 91519 authorizing 397 valves, 2,729 flanges/connectors, three pumps, and six compressors as Frac Plant Fugitives, EPN FUG-FRAC; and
 - c. On March 25, 2020, implemented a high alarm in order to comply with the represented firing rate for the LEP1 Heater.

II. ALLEGATIONS

1. During a record review for the Plant conducted from July 23, 2019 through October 24, 2019, an investigator documented that the Respondent:
 - a. Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, Federal Operating Permit ("FOP") No. O612, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 submitted on May 13, 2013 that the firing rate would not exceed 79.2 million British thermal units per hour ("MMBtu/hr") for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.001 MMBtu/hr to 24.51 MMBtu/hr for 19,727 hours from

February 3, 2015 to November 8, 2018 and represented in the revised registration for Standard Permit Registration No. 110145 submitted on October 3, 2018 that the firing rate would not exceed 87 MMBtu/hr for the Hot Oil Heater, but the represented firing rate was exceeded by a range from 0.12 MMBtu/hr to 17.50 MMBtu/hr for 1,126 hours from November 12, 2018 to January 3, 2019.

- b. Failed to comply with the representations with regard to construction plans and operation procedures in a permit application, in violation of 30 TEX. ADMIN. CODE §§ 116.110(a), 116.116(a)(1), and 122.143(4), New Source Review ("NSR") Permit No. 5452, Special Conditions ("SC") No. 1, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent represented in the permit application for NSR Permit No. 5452 that the firing rate would not exceed 137 MMBtu/hr for Furnace B, but the represented firing rate was exceeded by a range from 0.0001 MMBtu/hr to 253.06 MMBtu/hr for 14,295 hours from January 1, 2016 through January 2, 2019. Also, the Respondent represented in the permit application for NSR Permit No. 5452 that the Equipment Fugitives was for 2,239 valves, 5,173 flanges/connectors, no pumps, and no compressors; but since January 26, 2014, the Respondent identified 3,079 valves, 10,783 flanges/connectors, 27 pumps, and three compressors in their leak detection and repair component count and that the Frac Plant Fugitives was for 672 valves, 747 flanges/connectors, no pumps, and no compressors; but the Respondent identified 1,069 valves, 3,476 flanges/connectors, three pumps, and six compressors in their leak detection and repair component count.
- c. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(v), FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO concentration limit of 50 parts per million by volume on a dry basis ("ppmvd") corrected to three percent oxygen by a range from 0.01 ppmvd to 2,159.50 ppmvd for 273 hours on 53 days from February 19, 2018 to November 23, 2018 for Boiler No. 11, EPN B-11.
- d. Failed to comply with the emissions limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 119145, Air Quality Standard Permit for Boilers, General Requirements No. (4)(B)(ii), FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NO_x emissions limit of 0.01 pound per MMBtu ("lb/MMBtu") for boilers fired on fuel deriving more than 75 percent of its heating value from natural gas by a range from 0.0001 lb/MMBtu to 0.09 lb/MMBtu for 292 hours on 29 days from February 19, 2018 to November 23, 2018 for Boiler 11, EPN B-11.
- e. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O612, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the July 26, 2019 through January 25, 2020 reporting period did not include the deviations for failing to conduct monthly volatile organic compounds ("VOC") and highly

reactive volatile organic compounds ("HRVOC") monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia.

- f. Failed to comply with the maximum allowable emissions rates ("MAERs"), in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 101616, PSDTX696M2, GHGPSDTX26M1, and N214M1, SC No. 1, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 1.75 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 123.42 lbs/hr for 208 hours, exceeded the CO MAER of 1.71 lbs/hr by a range from 0.05 lb/hr to 33.80 lbs/hr for 217 hours, and exceeded the NOx MAER of 0.85 lb/hr by a range from 0.03 lb/hr to 16.94 lbs/hr for 214 hours from April 3, 2019 to May 17, 2019 for Flare Routine, EPN FLR-5, resulting in approximately 2,420.44 lbs of unauthorized VOC, 974.95 lbs of unauthorized CO, and 489.68 lbs of unauthorized NOx.
 - g. Failed to conduct weekly sorbent or stain tube testing to measure ammonia, in violation of 30 TEX. ADMIN. CODE §§ 117.8130(3) and 122.143(4), FOP No. O612, GTC and STC No. 1.A, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not conduct stain tube testing of Combustion Turbine No. 1 to measure ammonia from July 27, 2019 through January 25, 2020.
2. During a record review for the Plant conducted from October 5, 2020 through November 23, 2020, an investigator documented that the Respondent:
 - a. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O612, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the January 26, 2019 through July 25, 2019 reporting period did not include the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia.
 - b. Failed to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit, in violation of 30 TEX. ADMIN. CODE §§ 116.615(2) and 122.143(4), Standard Permit Registration No. 110145, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent represented in the registration for Standard Permit Registration No. 110145 that the firing rate would not exceed 87 MMBtu/hr for the LEP1 Heater, but the represented firing rate was exceeded by a range from 1.00 MMBtu/hr to 17.00 MMBtu/hr for 2,940 hours from January 26, 2019 to July 5, 2019.
3. During a record review for the Plant conducted from October 27, 2020 through November 10, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 56431, SC No. 1, FOP No. O612, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 6,631.73 lbs of CO, 3,321.88 lbs of NOx, and 19,675.69 lbs of VOC from the Flare, EPN FLRN-1, during an emissions event (Incident No. 343926) that began on October 12, 2020 and lasted 27 hours. The emissions event occurred due to a faulty nitrogen pressure switch that caused the C5 Compressor to trip, resulting in flaring. Since the emissions event

was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been prevented by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Targa Midstream Services LLC, Docket No. 2020-1162-AIR-E" to:

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

2. The Respondent shall implement and complete the SEPs as set forth in Section I, Paragraph No. 4. The amount of \$162,482 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEPs pursuant to the terms of the SEP Agreements, as defined in Attachments A, B, and C. Penalty payments for any portion of the SEPs deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

3. The Respondent shall undertake the following technical requirements at the Plant:

- a. Within 30 days after the effective date of this Order:

- i. Implement procedures in order to comply with the represented firing rate for the Hot Oil Heater and/or submit an administratively complete revised registration for Standard Permit Registration No. 110145 to increase the firing rate for the Hot Oil Heater, in accordance with 30 TEX. ADMIN. CODE § 116.611, to:

Air Permit Division, MC 163
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- ii. Implement procedures designed to comply with the represented firing rate for Furnace B and/or submit an administratively complete amendment application for NSR Permit No. 5452 to increase the firing

rate for Furnace B and/or to authorize 840 valves, 5,610 flanges/connectors, 27 pumps, and three compressors as Equipment Fugitives, EPN FUG-FRAC2, in accordance with 30 TEX. ADMIN. CODE § 116.111, to:

Air Permit Division, MC 163
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- iii. Submit a revised deviation report for the July 26, 2019 through January 25, 2020 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia;
 - iv. Implement procedures designed to ensure that all instances of deviations are reported in a timely manner;
 - v. Implement procedures designed to comply with the VOC, CO, and NO_x hourly MAERs for Flare Routine, EPN FLR-5;
 - vi. Begin conducting weekly sorbent or stain tube testing of Combustion Turbine No. 1 to measure ammonia;
 - vii. Submit a revised deviation report for the January 26, 2019 through July 25, 2019 reporting period to report the deviations for failing to conduct monthly VOC and HRVOC monitoring of the cooling tower and failing to conduct weekly stain tube testing to measure ammonia; and
 - viii. Implement procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343926.
- b. If a revised registration for Standard Permit Registration No. 110145 and/or an amendment application for NSR Permit No. 5452 have been submitted, respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the revised registration and/or permit amendment application by any deadline specified in writing.
 - c. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 3.a., as described in Ordering Provision No. 3.d.
 - d. If a revised registration for Standard Permit Registration No. 110145 and/or an amendment application for NSR Permit No. 5452 have been submitted, within 180 days after the effective date of this Order, submit written certification that either the revised Standard Permit Registration No. 110145 and/or the amendment for NSR Permit No. 5452 have been obtained or that operations have ceased until such time that appropriate authorizations are obtained, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondent and shall 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:

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 Street, Suite H
Houston, Texas 77023-1452

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this 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. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. This 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 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.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate

reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

4/8/2024

For the Executive Director


Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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 OAG 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 OAG 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.


Signature

Feb. 15, 2024
Date

Bill Grantham
Name (Printed or typed)
Authorized Representative of
Targa Midstream Services LLC

Vice President Operations
Title

☐ If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Attachment A
Docket Number: 2020-1162-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Targa Midstream Services LLC
Payable Penalty Amount:	\$324,964
SEP Offset Amount:	\$54,160
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Texas Natural Gas Foundation
Project Name:	<i>High Emission Vehicle Replacement Project</i>
Location of SEP:	TCEQ Air Quality Control Region 216 – Houston-Galveston - Preference for Chambers County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above, **Texas Natural Gas Foundation**, for the *High Emission Vehicle Replacement Project* (the “Project”). The contribution will be used in accordance with the Supplemental Environmental Project between the Third-Party Administrator and the TCEQ, which details the terms and conditions of the Project.

Specifically, the SEP Offset Amount will be used to reimburse an eligible public entity for the total purchase price or five-year lease price of a standard base model alternative-fueled vehicle that will replace an eligible older, diesel-fueled vehicle that the public entity has decommissioned and removed from its fleet. Public entities eligible to receive assistance include state agencies, counties, municipalities, school districts, or other political subdivisions created under the constitution or any statute of this state.

Old, diesel-fueled vehicles emit large amounts of nitrogen oxides (“NOx”) and particulate matter (“PM”), as well as other harmful pollutants such as volatile organic compounds (“VOCs”) and carbon monoxide (“CO”). These pollutants contribute to serious public health problems. This Project shall reduce NOx, PM, VOCs, and CO emissions by replacing high-emission, diesel-fueled vehicles with low-emission, alternative-fueled vehicles. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit from this SEP.

b. Environmental Benefit

This Project will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, replacing a model year 2002 heavy-duty diesel dump truck with a model year 2010 or newer dump truck powered by natural gas or propane may reduce passengers' exposure to NOx by 95% and PM by 99.9%. Moreover, replacing a model year 1989 diesel school bus with a model year 2010 or newer school bus powered by natural gas or propane may reduce passengers' exposure to NOx by 98%, VOCs by 83%; and PM by 99%.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Natural Gas Foundation SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas Natural Gas Foundation
Attention: Heather Ball, Executive Director
2315 Newfield Lane
Austin, Texas 78703

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached

Targa Midstream Services LLC
Docket No. 2020-1162-AIR-E
Agreed Order - Attachment A

Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment B
Docket Number: 2020-1162-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Targa Midstream Services LLC
Payable Penalty Amount:	\$324,964
SEP Offset Amount:	\$54,161
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Barbers Hill Independent School District
Project Name:	<i>Energy Efficiency Building Upgrade/Retrofit Project</i>
Total Project Budget:	\$1,151,928
Location of SEP:	Chambers County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment B.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Barbers Hill Independent School District** for the *Energy Efficiency Building Upgrade/Retrofit Project* (the “Project”). The Project is to pay a contractor to install and monitor sub-meters. The contractor's work will include installing revenue grade electric sub-meters in the line feed of certain facilities; installing revenue grade current transformers; incorporating all engineering, software, and graphics to accomplish effective monitoring of the status of this equipment; and a one-year warranty including parts and labor for the new sub-meters. In addition to sub-metering, the contractor will monitor, calibrate, and repair existing meters and complete energy efficiency upgrades and/or retrofits based on needs identified in energy audits. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ.

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. Respondent shall not profit from this SEP.

B. Environmental Benefit

The Project will result in reduced energy consumption by school district buildings and will contribute to the overall reduction of greenhouse gases. The sub-metering is expected to reduce energy consumption up to eight percent. The Project will reduce fuel and electricity usage for heating and cooling and day-to-day operations. These reductions will reduce emission of particulate matter, volatile organic carbon compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel and generation of electricity. It will also contribute to a reduction in peak loads on the State electric power grid.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Barbers Hill ISD SEP** and shall mail the contribution with a copy of the Agreed Order to:

John Johnson, Consultant
Carl R. Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment B, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached

Targa Midstream Services LLC
Docket No. 2020-1162-AIR-E
Agreed Order - Attachment B

Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ** Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment B and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment C
Docket Number: 2020-1162-AIRE
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Targa Midstream Services LLC
Payable Penalty Amount:	\$324,964
SEP Offset Amount:	\$54,161
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Barbers Hill Independent School District
Project Name:	<i>Alternative Fuel School Bus Replacement</i>
Total Project Budget:	\$1,590,000
Location of SEP:	Chambers County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment C.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to **Barbers Hill Independent School District** for the *Alternative Fuel School Bus Replacement* program (the “Project”). The Project is to reduce carbon monoxide (“CO”), nitrogen oxides (“NO_x”), particulate matter (“PM”), and volatile organic compounds (“VOCs”) emissions by replacing older school buses with new propane-fueled buses. The Third-Party Administrator is obligated to ensure that each Replacement Bus purchased has an engine that meets 2010 EPA Standards. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations.

The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ. All dollars contributed will be used solely for the direct cost of implementing the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

The Respondent’s signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a new 2010 ultra-low emission model, passengers’ exposures to NO_x may be reduced by 98 percent; VOCs by 93 percent; CO by 83 percent; and PM by 99 percent.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Barbers Hill ISD SEP** and shall mail the contribution with a copy of the Agreed Order to:

John Johnson, Consultant
Carl R. Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment C, including full expenditure of the SEP Offset Amount and submittal of required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

Texas Commission on Environmental Quality
Office of Legal Services Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.