

**Executive Summary – Enforcement Matter – Case No. 59920**  
**Targa Pipeline Mid-Continent WestTex LLC**  
**RN102217015**  
**Docket No. 2020-1314-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

A-10 Hutt Compressor Station, located approximately 8.5 miles southeast from the South County Road 1160 and Ranch Road 1213 intersection near Midland, Midland County

**Type of Operation:**

Natural gas compressor station

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** February 18, 2022

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$7,800

**Amount Deferred for Expedited Settlement:** \$1,560

**Total Paid to General Revenue:** \$6,240

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - High

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** September 2, 2020

**Date(s) of NOE(s):** September 16, 2020

**Executive Summary – Enforcement Matter – Case No. 59920**  
**Targa Pipeline Mid-Continent WestTex LLC**  
**RN102217015**  
**Docket No. 2020-1314-AIR-E**

***Violation Information***

Failed to prevent unauthorized emissions. Specifically, the Respondent released 56,073.75 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 293463) that began on October 2, 2018 and lasted 42 hours and seven minutes. The emissions event occurred when two compressor engine units were shutdown for a maintenance activity that caused the field pressure to increase above the vent setpoint, resulting in the release to the atmosphere. 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 avoided 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), 116.615(2), and 122.143(4), Standard Permit Registration No. 148737, Air Quality Standard Permit for Oil and Gas Handling Facilities, Special Conditions No. (a)(4), Federal Operating Permit No. O3757/General Operating Permit No. 514, Site-wide Requirements (b)(2) and (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 293463; and
- b. Within 45 days, submit written certification to demonstrate compliance with a.

**Executive Summary – Enforcement Matter – Case No. 59920**  
**Targa Pipeline Mid-Continent WestTex LLC**  
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**Docket No. 2020-1314-AIR-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Amanda Diaz, Enforcement Division,  
Enforcement Team 4, MC R-12, (713) 422-8912; Michael Parrish, Enforcement Division,  
MC 219, (512) 239-2548

**Respondent:** Francis Foret, Senior Vice President of Operations, Targa Pipeline Mid-  
Continent WestTex LLC, P.O. Box 190, MidKiff, Texas 79755

Jimmy E. Oxford, Senior Vice President of Operations, Targa Pipeline Mid-Continent  
WestTex LLC, P.O. Box 190, MidKiff, Texas 79755

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned PCW</b>	21-Sep-2020	<b>Screening</b>	1-Oct-2020	<b>EPA Due</b>	
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<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Targa Pipeline Mid-Continent WestTex LLC
<b>Reg. Ent. Ref. No.</b>	RN102217015
<b>Facility/Site Region</b>	7-Midland
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	59920	<b>No. of Violations</b>	1
<b>Docket No.</b>	2020-1314-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Amanda Diaz
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$7,500</b>
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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.

<b>Compliance History</b>	<b>4.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$300</b>
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Notes: Enhancement for three NOVs with dissimilar violations. Reduction for one disclosure of violations is below zero.

<b>Culpability</b>	No	<b>0.0%</b> Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$0</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$1,707  
 Estimated Cost of Compliance: \$10,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$7,800</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b> Adjustment	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$7,800</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$7,800</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$1,560</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$6,240</b>
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**Screening Date** 1-Oct-2020

**Docket No.** 2020-1314-AIR-E

**PCW**

**Respondent** Targa Pipeline Mid-Continent WestTex LLC

*Policy Revision 4 (April 2014)*

**Case ID No.** 59920

*PCW Revision March 26, 2014*

**Reg. Ent. Reference No.** RN102217015

**Media** Air

**Enf. Coordinator** Amanda Diaz

### 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> )	0	0%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <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> )	1	-2%
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)** 4%

#### >> 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 three NOVs with dissimilar violations. Reduction for one disclosure of violations is below zero.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 4%

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 4%

Screening Date 1-Oct-2020

Docket No. 2020-1314-AIR-E

PCW

Respondent Targa Pipeline Mid-Continent WestTex LLC

Policy Revision 4 (April 2014)

Case ID No. 59920

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102217015

Media Air

Enf. Coordinator Amanda Diaz

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 148737, Air Quality Standard Permit for Oil and Gas Handling Facilities, Special Conditions No. (a)(4), Federal Operating Permit No. O3757/General Operating Permit No. 514, Site-wide Requirements (b)(2) and (b)(9)(E)(ii), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 56,073.75 pounds of volatile organic compounds as fugitives emissions, during an emissions event (Incident No. 293463) that began on October 2, 2018 and lasted 42 hours and seven minutes. The emissions event occurred when two compressor engine units were shutdown for a maintenance activity that caused the field pressure to increase above the vent setpoint, resulting in the release to the atmosphere. 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 avoided 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

Based on the Air Quality Analysis Audit that was performed on the air dispersion modeling that was submitted by the Respondent, human health or the environment has been exposed to significant amounts of pollutants which did 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 EDRP/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

Statutory Limit Test

Estimated EB Amount \$1,707

Violation Final Penalty Total \$7,800

This violation Final Assessed Penalty (adjusted for limits) \$7,800

## Economic Benefit Worksheet

**Respondent** Targa Pipeline Mid-Continent WestTex LLC  
**Case ID No.** 59920  
**Reg. Ent. Reference No.** RN102217015  
**Media** Air  
**Violation No.** 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				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	2-Oct-2018	1-Mar-2022	3.41	\$1,707	n/a	\$1,707

#### Notes for DELAYED costs

Estimated delayed cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 293463. The Date Required is the date the emissions event began and the 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**

\$1,707

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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 CN604821355, RN102217015, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

**Customer, Respondent, or Owner/Operator:** CN604821355, Targa Pipeline  
Mid-Continent WestTex LLC

**Classification:** SATISFACTORY **Rating:** 0.44

**Regulated Entity:** RN102217015, A 10 HUTT  
COMPRESSOR STATION

**Classification:** HIGH **Rating:** 0.00

**Complexity Points:** 4 **Repeat Violator:** NO

**CH Group:** 03 - Oil and Gas Extraction

**Location:** Approximately 8.5 miles southeast from the South County Road 1160 and Ranch Road 1213 intersection, near  
Midland, Midland County, Texas

**TCEQ Region:** REGION 07 - MIDLAND

**ID Number(s):**

**AIR OPERATING PERMITS PERMIT 3757** **AIR OPERATING PERMITS ACCOUNT NUMBER MS0171W**  
**AIR NEW SOURCE PERMITS ACCOUNT NUMBER MLO271W** **AIR NEW SOURCE PERMITS REGISTRATION 148737**  
**AIR NEW SOURCE PERMITS AFS NUM 4832900183** **AIR EMISSIONS INVENTORY ACCOUNT NUMBER MLA012L**

**Compliance History Period:** September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

**Date Compliance History Report Prepared:** February 26, 2021

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 26, 2016 to February 26, 2021

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

**Name:** Amanda Diaz

**Phone:** (713) 422-8912

**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:**

N/A

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	November 10, 2016	(1371696)
Item 2	August 03, 2017	(1422017)
Item 3	April 20, 2018	(1480561)
Item 4	July 10, 2018	(1499824)
Item 5	July 13, 2018	(1499878)
Item 6	July 30, 2018	(1497724)
Item 7	October 01, 2018	(1336968)
Item 8	February 26, 2020	(1632123)
Item 9	April 06, 2020	(1618799)
Item 10	April 07, 2020	(1618647)



**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: 11/06/2020 (1680085)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6603  
 Description: Failure to inspect spark plugs, belts and hoses every 2160 hours as required by  
 40 CFR Part 63, Subpart ZZZZ Table 2d. 8(a-c) in compliance with 40 CFR  
 66.6603 and 30 Texas Administrative Code (TAC) §122.143(4).
- 2 Date: 12/11/2020 (1618796)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 5C THSC Chapter 382 382.085(b)  
 O-3757 OP  
 Registration No. 148737 REG  
 Description: Failure to report an emissions event within 24 hours of discovery.
- 3 Date: 12/11/2020 (1618795)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 5C THSC Chapter 382 382.085(b)  
 O-3757 OP  
 Registration No. 148737 PERMIT  
 Description: Failure to report an emissions event within 24 hours of discovery.

**F. Environmental audits:**

Notice of Intent Date: 06/24/2015 (1268017)

Disclosure Date: 05/31/2016

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8  
 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to properly authorize all MSS emissions at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter O 106.359(c)

Description: Failure to record all instances of MSS activities.

Viol. Classification: Major

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

Description: Failure to properly authorize an engine (Kohler Emergency Engine).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(a)(2)

Description: Failure to maintain required maintenance records on engine.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter W 106.512(2)(C)(ii)  
 30 TAC Chapter 116, SubChapter F 116.615(8)  
 30 TAC Chapter 116, SubChapter F 116.620(a)(4)

Description: Failure to maintain records for all portable analyzer test.

Viol. Classification: Major

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

Description: Failure to properly authorize miscellaneous tanks.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.620(e)(4)

Description: Failure to maintain the required throughput records of condensate stored in tanks.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)

Description: Failure to correctly represent or authorize liquid being stored in tanks ST-01 and ST-02.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)  
 30 TAC Chapter 116, SubChapter F 116.610(a)(1)  
 30 TAC Chapter 116, SubChapter F 116.615(2)

Description: Failure to use pressurized trucks for condensate loading as represented in the air permit application causing exceedance of the standard permit emissions rate limitations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT GOP 514(b)(10)(A)(iv)

Description: Failure to conduct quarterly visible emission observations.

Viol. Classification: Major

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

Description: Failure to authorize engine #11 (EPN CM-11).

**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 PIPELINE MID-  
CONTINENT WESTTEX LLC  
RN102217015**

**§  
§  
§  
§  
§  
§**

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2020-1314-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 Pipeline Mid-Continent WestTex 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 compressor station located approximately 8.5 miles southeast from the South County Road 1160 and Ranch Road 1213 intersection near Midland, Midland County, Texas (the "Site"). The Site 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 \$7,800 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$6,240 of the penalty and \$1,560 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

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.

## **II. ALLEGATIONS**

During a record review conducted on September 2, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 148737, Air Quality Standard Permit for Oil and Gas Handling Facilities, Special Conditions No. (a)(4), Federal Operating Permit No. O3757/General Operating Permit No. 514, Site-wide Requirements (b)(2) and (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 56,073.75 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 293463) that began on October 2, 2018 and lasted 42 hours and seven minutes. The emissions event occurred when two compressor engine units were shutdown for a maintenance activity that caused the field pressure to increase above the vent setpoint, resulting in the release to the atmosphere. 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 avoided 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 Pipeline Mid-Continent WestTex LLC, Docket No. 2020-1314-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 undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 293463.
  - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. 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:

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

with a copy to:

Air Section Manager  
Midland Regional Office  
Texas Commission on Environmental Quality  
9900 West IH-20, Suite 100  
Midland, Texas 79706

3. All relief not expressly granted in this Order is denied.

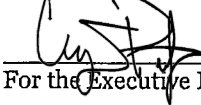
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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 Order Compliance Team 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



5/2/2022

\_\_\_\_\_  
For the Executive Director

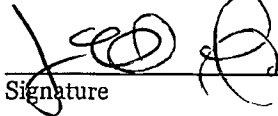
\_\_\_\_\_  
Date

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 Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



\_\_\_\_\_  
Signature

1/13/22

\_\_\_\_\_  
Date

Jimmy E Oxford  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Targa Pipeline Mid-Continent WestTex LLC

VP operations  
\_\_\_\_\_  
Title

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