

Executive Summary – Enforcement Matter – Case No. 60024
Lone Star NGL Fractionators LLC
RN106018260
Docket No. 2020-1439-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

LDH Energy Mont Belvieu Fractioner Project, 10030 A Farm-to-Market Road 1942,
Mont Belvieu, Chambers County

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2021-0232-AIR-E
and 2021-0408-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 7, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$14,250

Amount Deferred for Expedited Settlement: \$2,850

Total Paid to General Revenue: \$11,400

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

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: March 6, 2020 through October 16, 2020 and September
22, 2020 through November 3, 2020

Date(s) of NOE(s): October 23, 2020 and November 10, 2020

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Lone Star NGL Fractionators LLC
RN106018260
Docket No. 2020-1439-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,808.77 pounds ("lbs") of carbon monoxide, 542.49 lbs of nitrogen oxides, 3.00 lbs of sulfur dioxide, and 2,068.11 lbs of volatile organic compounds from the Flare, Emissions Point Number 1SK25.001, during an emissions event (Incident No. 298168) that began on November 30, 2018 and lasted 31 hours. The emissions event occurred due to a loss of power when a transformer at an electrical substation experienced a phase-to-phase fault, 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 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. 93813, Federal Operating Permit ("FOP") No. O3586, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 12 and 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to submit a permit compliance certification ("PCC") within 30 days of any certification period. Specifically, the PCC for the January 1, 2019 through June 30, 2019 certification period was due by July 30, 2019, but was not submitted until October 22, 2020 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2)(A), FOP No. O3586, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent submitted the PCC for the January 1, 2019 through December 31, 2019 certification period on October 22, 2020.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 298168; and

ii. Implement measures and/or procedures designed to ensure that the PCCs are submitted in a timely manner.

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

Executive Summary – Enforcement Matter – Case No. 60024
Lone Star NGL Fractionators LLC
RN106018260
Docket No. 2020-1439-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mackenzie Mehlmann, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2572; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Brad Widener, Vice President of Operations Mount Belvieu Region, Lone Star NGL Fractionators LLC, 12353 Eagle Pointe Drive, Mont Belvieu, Texas 77535

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	26-Oct-2020			
	PCW	16-Dec-2020	Screening	30-Oct-2020	EPA Due

RESPONDENT/FACILITY INFORMATION					
Respondent	Lone Star NGL Fractionators LLC				
Reg. Ent. Ref. No.	RN106018260				
Facility/Site Region	12-Houston	Major/Minor Source	Major		

CASE INFORMATION					
Enf./Case ID No.	60024	No. of Violations	2		
Docket No.	2020-1439-AIR-E	Order Type	1660		
Media Program(s)	Air	Government/Non-Profit	No		
Multi-Media		Enf. Coordinator	Mackenzie Mehlmann		
		EC's Team	Enforcement Team 5		
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000		

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
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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	90.0%	Adjustment	Subtotals 2, 3, & 7	\$6,750
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Notes: Enhancement for two NOVs with same or similar violations and four orders containing 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	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,529
 Estimated Cost of Compliance: \$11,750
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$14,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$14,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$14,250
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,850
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$11,400
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Screening Date 30-Oct-2020

Docket No. 2020-1439-AIR-E

PCW

Respondent Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60024

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260

Media Air

Enf. Coordinator Mackenzie Mehlmann

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	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>)	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) 90%

>> 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 two NOVs with same or similar violations and four orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 90%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 90%

Screening Date 30-Oct-2020 **Docket No.** 2020-1439-AIR-E **PCW**
Respondent Lone Star NGL Fractionators LLC *Policy Revision 4 (April 2014)*
Case ID No. 60024 *PCW Revision March 26, 2014*
Reg. Ent. Reference No. RN106018260
Media Air
Enf. Coordinator Mackenzie Mehlmann

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, Federal Operating Permit ("FOP") No. O3586, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 12 and 15, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,808.77 pounds ("lbs") of carbon monoxide, 542.49 lbs of nitrogen oxides, 3.00 lbs of sulfur dioxide, and 2,068.11 lbs of volatile organic compounds from the Flare, Emissions Point Number 1SK25.001, during an emissions event (Incident No. 298168) that began on November 30, 2018 and lasted 31 hours. The emissions event occurred due to a loss of power when a transformer at an electrical substation experienced an electrical phase-to-phase fault, 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 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			Percent
		Major	Moderate	Minor	
	Actual			x	15.0%
	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 2 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly 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 \$3,750

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

Estimated EB Amount \$1,360 **Violation Final Penalty Total** \$7,125

This violation Final Assessed Penalty (adjusted for limits) \$7,125

Economic Benefit Worksheet

Respondent Lone Star NGL Fractionators LLC
Case ID No. 60024
Reg. Ent. Reference No. RN106018260
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	30-Nov-2018	19-Aug-2021	2.72	\$1,360	n/a	\$1,360

Notes for DELAYED costs

Estimated 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. 298168. 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

\$1,360

Screening Date 30-Oct-2020
Respondent Lone Star NGL Fractionators LLC
Case ID No. 60024
Reg. Ent. Reference No. RN106018260
Media Air
Enf. Coordinator Mackenzie Mehlmann

Docket No. 2020-1439-AIR-E

PCW

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

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2)(A), FOP No. O3586, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit a permit compliance certification ("PCC") within 30 days of any certification period. Specifically, the PCC for the January 1, 2019 through June 30, 2019 certification period was due by July 30, 2019, but was not submitted until October 22, 2020.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>
100% of the rule requirements were not met.					

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Lone Star NGL Fractionators LLC
Case ID No. 60024
Reg. Ent. Reference No. RN106018260
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	\$1,500	30-Jul-2019	19-Aug-2021	2.06	\$154	n/a	\$154
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Jul-2019	22-Oct-2020	1.23	\$15	n/a	\$15

Notes for DELAYED costs

Estimated costs to submit the PCC for the January 1, 2019 through December 31, 2019 certification period (\$250) and to implement measures and/or procedures designed to ensure that the PCCs are submitted in a timely manner (\$1,500). The Dates Required is the the date the PCC was due and the Final Dates are the date the PCC was submitted 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 \$1,750

TOTAL \$169



Compliance History Report

Compliance History Report for CN604309419, RN106018260, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN604309419, Lone Star NGL Fractionators LLC	Classification: SATISFACTORY	Rating: 19.99
Regulated Entity:	RN106018260, LDH ENERGY MONT BELVIEU FRACTIONER PROJECT	Classification: SATISFACTORY	Rating: 25.87
Complexity Points:	17	Repeat Violator:	NO
CH Group:	03 - Oil and Gas Extraction		
Location:	10030 A FM 1942 MONT BELVIEU, TX, CHAMBERS COUNTY		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 93813	AIR NEW SOURCE PERMITS EPA PERMIT N182
AIR NEW SOURCE PERMITS PERMIT 110274	AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX5
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX34	AIR NEW SOURCE PERMITS REGISTRATION 155025
AIR NEW SOURCE PERMITS AFS NUM 4807100132	AIR OPERATING PERMITS PERMIT 3586
AIR OPERATING PERMITS PERMIT 3838	AIR OPERATING PERMITS ACCOUNT NUMBER CIA019S
AIR EMISSIONS INVENTORY ACCOUNT NUMBER CIA019S	POLLUTION PREVENTION PLANNING ID NUMBER P10606
TAX RELIEF ID NUMBER 18761	INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 96793
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000081347	

Compliance History Period:	September 01, 2015 to August 31, 2020	Rating Year:	2020	Rating Date:	09/01/2020
Date Compliance History Report Prepared:	December 02, 2020				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	December 02, 2015 to December 02, 2020				

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: 12/09/2016 ADMINORDER 2016-0773-AIR-E (1660 Order-Agreed Order With Denial)
 - 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: General Terms & Conditions OP
 - Description: Failure to report all deviations (CATEGORY B3 VIOLATION).
 - Classification: Moderate
 - Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
 - Rqmt Prov: General Terms & Conditions OP
 - Description: Failure to submit the deviation report, dated August 10, 2015, within the required timeframe (CATEGORY B3 VIOLATION).

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP

Description: Failure to submit a Permit Compliance Certification (CATEGORY A.12.i.7 VIOLATION).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 10 OP

Description: Failure to comply with existing carbon monoxide (CO) emissions limits (CATEGORY A.12.i.6 VIOLATION).

2 Effective Date: 01/20/2017 ADMINORDER 2015-1485-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a revision application for a Federal Operating Permit to include all applicable requirements for each emissions unit.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms & Condition 11B OP

Standar Permit PERMIT

Description: Failure to operate in accordance with Standard Permit representations. (Category A2c Violation)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms & Condition 11B OP

Description: Failure to provide records upon request.

3 Effective Date: 05/30/2018 ADMINORDER 2017-0761-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 F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 11B OP

Description: Failed to comply with the maximum emissions rates ("MER") for the Flare, Emission Point Number ("EPN") 1SK25.001, in violation of 30 TEX. ADMIN. CODE §§116.115(b)(2)(F), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE §382.085(b), Federal Operating Permit ("FOP") No. O3586, Special Terms and Conditions No. 11.B, and Standard Permit Registration No. 93813. Specifically, from January 9, 2016 through January 8, 2017, the Respondent exceeded the nitrogen oxides ("NOx") MER of 10.13 tons p

Classification: Minor

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: 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. O3586, General Terms and Conditions. Specifically, the deviation report for the January 9, 2016 through July 8, 2016 reporting period did not include 159 deviations for open-ended lines, and the deviation report for the July 9, 2016 through January 8, 2017 reporting period did not include 159 deviations for open-ended lines and

4 Effective Date: 08/05/2019 ADMINORDER 2018-0809-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

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: SC 1 OP
 Special Terms and Conditions 1A OP
 Description: Failure to comply with the Maximum Allowable Emission Rate (MAER) for NOx (HPV A8GC2).
 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 1 OP
 Special Terms and Conditions 1A OP
 Description: Failure to comply with the Maximum Allowable Emission Rate (MAER) for SO2. B19
 Classification: Major
 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: SC1 OP
 Special Terms and Conditions 1A OP
 Description: Failure to comply with the Maximum Allowable Emission Rate (MAER) for NOx (HPV A8GC2).

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	January 29, 2016	(1295334)
Item 2	October 18, 2016	(1343760)
Item 3	February 24, 2017	(1389277)
Item 4	July 13, 2017	(1409157)
Item 5	July 18, 2017	(1410740)
Item 6	April 04, 2018	(1479614)
Item 7	June 25, 2018	(1498362)
Item 8	September 23, 2019	(1597599)
Item 9	November 14, 2019	(1598827)
Item 10	December 12, 2019	(1612471)

E. Written notices of violations (NOV) (CEEDS 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:	07/30/2020	(1592279)		
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter A 101.27(b) 30 TAC Chapter 122, SubChapter B 122.143(10) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)			
	Description:	Failure to return the emissions fee basis form within the required time frame. (Category B18.g.11 violation)			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter F 116.620(c)(1)(E) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP, Special Term and Condition 1A OP FOP, Special Term and Condition 9 OP			
	Description:	Failure to perform weekly audio, visual, and olfactory (AVO) inspections in the Fac I Unit (Unit ID: 1FUG). (Category C1 violation)			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 116, SubChapter F 116.620(a)(12) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)			

5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 FOP, Special Term and Condition 9 OP
 Description: Failure to prevent visible emissions from the process gas flare (Unit ID: 1SK25.001). (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to develop, implement, and follow an adequate quality assurance plan (QAP) for the online gas analyzer for the process gas flare (Unit ID: 1SK25.001). (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to conduct weekly calibration checks for all constituents affecting the process gas flare's (Unit ID: 1SK25.001) gas molecular weight and net heating value. (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to maintain records of corrective actions after gas monitor downtime for the process gas flare (Unit ID: 1SK25.001). (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.726(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to maintain records for five years. (Category B3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to calculate the percent measurement data availability for process gas flare (Unit ID: 1SK25.001). (Category C1 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(h)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(d)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 1A OP
 Description: Failure to maintain enough valid data points for the continuous emission monitoring system to determine hourly emissions of nitrogen oxides (NOx) and carbon monoxide (CO) for emission point numbers 1HR15 (Frac I) and 2HR15 (Frac II). (Category C1 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 9 OP
 Description: Failure to maintain nitrogen oxide (NOx) emissions within the emission rates listed in the standard permit registration for emission point number (EPN) 2HR15, Frac II combined heater stack. (Category B13 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 8 OP
 Description: Failure to maintain nitrogen oxide (NOx) emissions within the limits established in the compliance assurance monitoring summary (CAMS) for emission point number 1HR15 (Frac I). (Category C1 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)

Description: FOP General Terms and Conditions OP
 Failure to report all instances of deviations. (Category B3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, ST&C 8 OP
 Description: Failure to maintain nitrogen oxide (NOx) emissions within the limits established in the compliance assurance monitoring summary (CAMS) for emission point number 2HR15 (Frac II). (Category C1 violation)

2 Date: 11/10/2020 (1672530)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Description: Failure to prevent visible emissions from the flare (EPN: 1SK25.001) (Category C4).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Description: Failure to document information in the flare observation logs (Category B3).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 12 OP
 Description: Failure to prevent exceedance of the Maximum Allowable Emission Rate (MAER) for EPN: 1HR15 (Category B13).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 2 OP
 Description: Failure to create the final record for non-reportable emission events within two weeks (Category C3).

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

Component Appendices

Appendix A

All NOV's Issued During Component Period 12/2/2015 and 12/2/2020

- 1 Date: 04/12/2016 (1306274)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC-1 PERMIT
Description: Failure to demonstrate that LDH met the demonstration criteria for an affirmative
 defense for emissions event 225346 on December 25 - 28, 2016. [Category B13].
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
Description: Failure to submit the Initial Notification of a reportable emissions event via STEERS to
 the applicable TCEQ regional office within 24 hours of discovery. [Category C3]
- 2 Date: 05/10/2016 (1323037)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
Description: Failure to operate the flare without visible emissions (CATEGORY C4 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
Description: Failure to operate the facility without open-ended lines (Category C10 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 10 OP
Description: Failure to authorize slop water loading operations in the FRAC II unit (CATEGORY B14
 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
Description: Failure to maintain internal temperature records for a thermal oxidizer (CATEGORY C1
 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
Description: Failure to operate the flare with the required minimum net heating value (CATEGORY C4
 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 10 OP
Description: Failure to operate a heater within the required maximum firing rate (CATEGORY C4
 VIOLATION).
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
Description: Failure to properly record and maintain flare log records (CATEGORY B3 VIOLATION).
- Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 10 OP
Description: Failure to operate the FRAC I heater within the required NOx emissions limits
(CATEGORY C4 VIOLATION).

3 Date: 09/15/2016 (1322339)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to minimize the unauthorized emissions during a shutdown of the Frac III Unit.
[Category B13]

4 Date: 10/18/2016 (1341989)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event. [Category B-13]

5 Date: 04/18/2017 (1382496)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized
emissions during an emissions event. (Category B14)

6 Date: 05/10/2017 (1358919)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to perform manual sampling of flare waste gas in a timely manner when the
flare analyzer was inoperable (CATEGORY C1 VIOLATION).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to operate the flare without visible emissions (CATEGORY C4 VIOLATION).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to operate the facility without open-ended lines (CATEGORY C10 VIOLATION).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 7A OP
Description: Failure to operate the FRAC I and FRAC II heaters within the required pounds per hour
limit for NOx and CO (CATEGORY C4 VIOLATION).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain a continuously operating flare flow meter (CATEGORY C1
VIOLATION).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 7A OP

Description: Failure to operate the thermal oxidizer (TO) at or above the minimum required

temperature (CATEGORY C3 VIOLATION).

- 7 Date: 02/14/2018 (1447361)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter D 117.2035(e)(9)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the test report within a required timeframe for EPN 002-Thermo.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter H 117.9200(1)(B)(ii)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct an initial Relative Accuracy Test Audit (RATA) within the required timeframe (Category B1).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter H 117.9200(1)(A)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct the initial compliance performance tests within the required timeframe for EPNs 002-Thermo and 003-SCR (Category B1).
- 8 Date: 05/10/2018 (1467565)
Self Report? NO Classification: Moderate
Citation: NSR SC 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, Lone Star failed to prevent emissions from the Plant Flare due to operator error (Category B13).
- 9 Date: 08/30/2019 (1551945)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
Special Term and Condition 9 OP
Description: Failure to comply with the maximum allowable emission rate (MAER) for EPN;
1SK25.001 (Category B13)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to continuously operate monitoring system for 95% of time flare is operational (Category B18g1).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
Special Term and Condition 1A OP
Description: Failure to initiate continuous monitoring upon analyzer malfunction (Category B1).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
Special Term and Condition 2F OP
Description: Failure to quantify emissions for process unit upsets (Category B17).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
Special Term and Condition 1.A OP
Description: Failure to maintain flare continuous flow monitoring system (Category C4).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085
Special Term and Condition 1.A OP
Description: Failure to prevent visible emissions from EPN; 1SK25.001 (Category C4).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
FOP, General Term & Condition OP
FOP, ST & C 8 OP
Description: Failure to calibrate monitoring device for EPNs: 1SK25.002 and 2SK25.002.

(Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, General Term and Condition OP
FOP, ST&C 8 OP

Description: Failure to maintain control temperature for direct flame incinerator, EPN; 2SK25.002 (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 9 OP

Description: Failure to comply with maximum allowable emission rate (MAER) of NOX for EPN: 1HR15 / FRAC 1 (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 9 OP

Description: Failure to comply with maximum allowable emission rate (MAER) of NOX for EPN: 2HR15 / FRAC 2 (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to submit Excess Emissions Reports within 30 days following end of reporting period (Category C3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1.A OP

Description: Failure to conduct weekly AVO inspections (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1.A OP

Description: Failure to conduct quarterly monitoring for components at Frac I and Frac II (Category C1).

Self Report? NO Classification: Moderate

Citation: 03586 OP
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct annual fugitive monitoring (Category C1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter F 116.620(c)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP

Description: Failure to prevent open ended lines (Category C10).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1.A OP

Description: Failure to comply with engine testing requirements (Category C4).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1.A OP

Description: Failure to comply with vent control requirements for EPN; 1SK25.002 (Category C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 1.A OP
Description: Failure to show emission calculations for unit shutdown vs. Delay of Repair (DOR) (Category C3).

10* Date: 07/30/2020 (1592279)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.27(b)
30 TAC Chapter 122, SubChapter B 122.143(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to return the emissions fee basis form within the required time frame. (Category B18.g.11 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter F 116.620(c)(1)(E)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
FOP, Special Term and Condition 9 OP
Description: Failure to perform weekly audio, visual, and olfactory (AVO) inspections in the Fac I Unit (Unit ID: 1FUG). (Category C1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.620(a)(12)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
FOP, Special Term and Condition 9 OP
Description: Failure to prevent visible emissions from the process gas flare (Unit ID: 1SK25.001). (Category C4 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to develop, implement, and follow an adequate quality assurance plan (QAP) for the online gas analyzer for the process gas flare (Unit ID: 1SK25.001). (Category C4 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to conduct weekly calibration checks for all constituents affecting the process gas flare's (Unit ID: 1SK25.001) gas molecular weight and net heating value. (Category C4 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to maintain records of corrective actions after gas monitor downtime for the process gas flare (Unit ID: 1SK25.001). (Category C3 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.726(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to maintain records for five years. (Category B3 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to calculate the percent measurement data availability for process gas flare (Unit ID: 1SK25.001). (Category C1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(h)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(d)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
Description: Failure to maintain enough valid data points for the continuous emission monitoring system to determine hourly emissions of nitrogen oxides (NOx) and carbon monoxide (CO) for emission point numbers 1HR15 (Frac I) and 2HR15 (Frac II). (Category C1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 9 OP
Description: Failure to maintain nitrogen oxide (NOx) emissions within the emission rates listed in the standard permit registration for emission point number (EPN) 2HR15, Frac II combined heater stack. (Category B13 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 8 OP
Description: Failure to maintain nitrogen oxide (NOx) emissions within the limits established in the compliance assurance monitoring summary (CAMS) for emission point number 1HR15 (Frac I). (Category C1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP General Terms and Conditions OP
Description: Failure to report all instances of deviations. (Category B3 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 8 OP
Description: Failure to maintain nitrogen oxide (NOx) emissions within the limits established in the compliance assurance monitoring summary (CAMS) for emission point number 2HR15 (Frac II). (Category C1 violation)

11

Date: 11/10/2020 (1672530)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to prevent visible emissions from the flare (EPN: 1SK25.001) (Category C4).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to document information in the flare observation logs (Category B3).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 12 OP
Description: Failure to prevent exceedance of the Maximum Allowable Emission Rate (MAER) for EPN: 1HR15 (Category B13).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 2 OP
Description: Failure to create the final record for non-reportable emission events within two weeks (Category C3).

Appendix B

All Investigations Conducted During Component Period December 02, 2015 and December 02, 2020

Item 1*	January 29, 2016**	(1295334)
Item 2	April 12, 2016**	(1306274)
Item 3	May 10, 2016**	(1323037)
Item 4	July 07, 2016**	(1342706)
Item 5	September 15, 2016**	(1322339)
Item 6	September 23, 2016**	(1338114)
Item 7	October 18, 2016**	(1341989)
Item 8	October 20, 2016**	(1330697)
Item 9*	February 24, 2017**	(1389277)
Item 10	March 22, 2017**	(1401610)
Item 11	April 18, 2017**	(1382496)
Item 12	May 10, 2017**	(1358919)
Item 13*	July 13, 2017**	(1409157)
Item 14*	July 18, 2017**	(1410740)
Item 15	December 01, 2017**	(1436997)
Item 16	February 20, 2018**	(1447361)
Item 17*	April 04, 2018**	(1479614)
Item 18	May 10, 2018**	(1467565)
Item 19*	June 25, 2018**	(1498362)
Item 20	June 29, 2018**	(1496920)
Item 21	August 30, 2019**	(1551945)
Item 22*	September 23, 2019**	(1597599)
Item 23*	November 14, 2019**	(1598827)
Item 24*	December 12, 2019**	(1612471)
Item 25	May 01, 2020**	(1645522)
Item 26	July 29, 2020**	(1592279)
Item 27	October 23, 2020	(1631080)
Item 28	November 10, 2020	(1672530)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
LONE STAR NGL
FRACTIONATORS LLC
RN106018260**

**§
§
§
§
§
§**

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2020-1439-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 Lone Star NGL Fractionators 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 10030 A Farm-to-Market Road 1942 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 \$14,250 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$11,400 of the penalty and \$2,850 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.
9. The Executive Director recognizes that on October 22, 2020, the Respondent submitted the permit compliance certification ("PCC") for the January 1, 2019 through December 31, 2019 certification period.

II. ALLEGATIONS

1. During a record review conducted from March 6, 2020 through October 16, 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. 93813, Federal Operating Permit ("FOP") No. O3586, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 12 and 15, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 2,808.77 pounds ("lbs") of carbon monoxide, 542.49 lbs of nitrogen oxides, 3.00 lbs of sulfur dioxide, and 2,068.11 lbs of volatile organic compounds from the Flare, Emissions Point Number 1SK25.001, during an emissions event (Incident No. 298168) that began on November 30, 2018 and lasted 31 hours. The emissions event occurred due to a loss of power when a transformer at an electrical substation experienced a phase-to-phase fault, 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 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.
2. During a record review conducted from September 22, 2020 through November 3, 2020, an investigator documented that the Respondent failed to submit a PCC within 30 days of any certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2)(A), FOP No. O3586, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the PCC for the January 1, 2019 through June 30, 2019 certification period was due by July 30, 2019, but was not submitted until October 22, 2020.

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: Lone Star NGL Fractionators LLC, Docket No. 2020-1439-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:
 - i. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 298168; and
 - ii. Implement measures and/or procedures designed to ensure that the PCCs are submitted in a timely manner.
 - 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

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 Plant 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



For the Executive Director

1/25/2022

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



Date

BRAD WIDENER

Name (Printed or typed)
Authorized Representative of
Lone Star NGL Fractionators LLC

V.P. 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.