

**Executive Summary – Enforcement Matter – Case No. 60543**  
**Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC**  
**RN106018260**  
**Docket No. 2021-0408-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

MB Frac I II and III, 9850 Farm-to-Market Road 1942, Baytown, Chambers County

**Type of Operation:**

Natural gas processing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2023-0185-IWD-E and 2022-0677-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** November 3, 2023

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$83,200

**Amount Deferred for Expedited Settlement:** \$6,240

**Total Paid to General Revenue:** \$38,480

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

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$38,480

Name of SEP: Barbers Hill Independent School District (Third-Party Pre-Approved)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014 and January 2021

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***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** May 4, 2020 through May 18, 2020, October 13, 2020 through October 30, 2020, November 5, 2020 through November 25, 2020, December 7, 2020 through December 21, 2020, February 10, 2021 through February 24, 2021, March 16, 2021 through April 1, 2021, and March 16, 2021 through May 18, 2021

**Date(s) of NOE(s):** May 7, 2021, April 8, 2021, March 11, 2021, March 26, 2021, April 28, 2021, May 3, 2021, and May 26, 2021

***Violation Information***

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,621.79 pounds ("lbs") of carbon monoxide ("CO"), 1,944.42 lbs of nitrogen oxides ("NOx"), 4.73 lbs of sulfur dioxide ("SO<sub>2</sub>"), and 7,368.02 lbs of volatile organic compounds ("VOC") from the Flare, Emissions Point Number ("EPN") 1SK25.001, and released 2.26 lbs of CO, 130.78 lbs of NO<sub>x</sub>, 0.04 lb of SO<sub>2</sub>, 6.31 lbs of VOC, and 7.49 lbs of particulate matter ("PM") from the FRAC I Heater Combined Stack, EPN 1HR15, during an emissions event (Incident No. 299154) that began on December 17, 2018 and lasted 160 hours. The emissions event occurred due to a Transient Recovery Voltage layer-to-layer failure that caused a transformer in the Frac I Variable Frequency Drive building to malfunction while attempting to bring the plant back online after a planned shutdown activity, 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. 8 and 11.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the CO, NO<sub>x</sub>, PM, SO<sub>2</sub>, and VOC emissions from the FRAC I Heater Combined Stack, EPN 1HR15, on the final record for Incident No. 299154 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(D), (G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,348.66 lbs of CO, 579.96 lbs of NO<sub>x</sub>, 1.48 lbs of SO<sub>2</sub>, and 638.53 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 328268) that began on January 14, 2020 and lasted 26 hours. The emissions event occurred when instability in the propylene refrigeration system caused a high liquid level in the refrigeration compressor suction knock-out drum, resulting in flaring. Since the emissions event

**Executive Summary – Enforcement Matter – Case No. 60543**  
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**RN106018260**  
**Docket No. 2021-0408-AIR-E**

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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 670.07 lbs of CO, 289.17 lbs of NO<sub>x</sub>, 0.64 lb of SO<sub>2</sub>, and 372.43 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 319718) that occurred on August 27, 2019 and lasted 10 hours. The emissions event occurred due to the 'Hand, Off & Auto' switches for the refrigeration compressor lube oil pumps being cross wired during the installation by a third-party that caused the power to the primary pump to be cut when the switch for the stand-by pump was placed in the 'Off' position during a preventative maintenance activity, resulting in a loss in oil pressure and 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, FOP No. O3586, GTC and STC Nos. 8 and 11.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 319718 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to prevent unauthorized emissions. Specifically, the Respondent released 537.56 lbs of CO, 259.03 lbs of NO<sub>x</sub>, 0.67 lb of SO<sub>2</sub>, and 51.28 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 326252) that occurred on December 9, 2019 and lasted seven hours. The emissions event occurred when an attempt was made to lower the temperature by lowering the temperature setpoint in the refrigeration compressor subcooler after an alarm was received that caused a corresponding level increase in the refrigeration compressor suction knock-out drum when the liquid level in the deethanizer overhead chiller dropped, resulting in the compressor to shut down and 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

**Executive Summary – Enforcement Matter – Case No. 60543**  
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**RN106018260**  
**Docket No. 2021-0408-AIR-E**

7. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 326252 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to prevent unauthorized emissions. Specifically, the Respondent released 630.00 lbs of CO, 316.00 lbs of NO<sub>x</sub>, 1.00 lb of SO<sub>2</sub>, and 993.18 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 349644) that occurred on January 27, 2021 and lasted eight hours. The emissions event occurred when a flow control valve was not operating as expected because it required adjustments that caused the actuation of certain pressure safety valves during a planned startup, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,091.00 lbs of CO, 3,012.00 lbs of NO<sub>x</sub>, 0.57 lb of SO<sub>2</sub>, and 10,059.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 337357) that began on June 16, 2020 and lasted 13 hours 15 minutes. The emissions event occurred when the seal needed to be replaced while performing routine preventative maintenance on Ethane Injection Pump A, the pump shroud was rubbing against the shaft, the outlet shutdown valve was not reset to open before attempting to start Ethane Injection Pump B, the bypass was accessed to open the shutdown valve, and the breaker for Ethane Injection Pump B tripped on high discharge pressure that initiated the safety interlocks, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,175.00 lbs of CO, 1,948.00 lbs of NO<sub>x</sub>, 2.00 lbs of SO<sub>2</sub>, and 8,286.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 339396) that began on July 21, 2020 and lasted 30 hours 30 minutes. The emissions event occurred due to a three-phase fault on the transmission system that caused a loss of power, 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

**Executive Summary – Enforcement Matter – Case No. 60543**  
**Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC**  
**RN106018260**  
**Docket No. 2021-0408-AIR-E**

TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. On November 20, 2020, provided the estimated total quantities for the CO, NO<sub>x</sub>, PM, SO<sub>2</sub>, and VOC emissions that were released from the FRAC I Heater Combined Stack, EPN 1HR15, during Incident No. 299154;
- b. On November 25, 2020, provided the estimated total quantities for the speciated VOC that were released during Incident No. 319718; and
- c. On December 21, 2020, provided the estimated total quantities for the speciated VOC that were released during Incident No. 326252.

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also 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. 299154;
    - ii. Implement measures and/or procedures designed to ensure that all of the required information are identified on the final records for reportable emission events;
    - iii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 328268;
    - iv. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 319718;
    - v. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 326252;
    - vi. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 349644;

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**RN106018260**  
**Docket No. 2021-0408-AIR-E**

vii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 337357; and

viii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 339396.

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

***Contact Information***

**TCEQ Attorney:** N/A

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

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

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

**Respondent:** Brad Widener, Vice President of Operations, Energy Transfer GC NGL Fractionators LLC f/k/a 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

<b>DATES</b>	<b>Assigned</b>	17-Mar-2021			
	<b>PCW</b>	13-Sep-2023	<b>Screening</b>	24-Mar-2021	<b>EPA Due</b>

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC
<b>Reg. Ent. Ref. No.</b>	RN106018260 (PCW No. 1 of 2)
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60543	<b>No. of Violations</b>	7
<b>Docket No.</b>	2021-0408-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>	Mackenzie Mehlmann
		<b>EC's Team</b>	Enforcement Team 2
<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>\$19,500</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>60.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$11,700</b>
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Notes: Enhancement for two NOVs with same/similar violations, five NOVs with dissimilar violations, and two orders containing a denial of liability.

<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: \$9,313  
 Estimated Cost of Compliance: \$42,250  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$31,200</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: [Empty box]

<b>Final Penalty Amount</b>	<b>\$31,200</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$31,200</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$6,240</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>\$24,960</b>
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Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

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	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	2	40%
	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) 60%

#### >> 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/similar violations, five NOVs with dissimilar violations, and two orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

#### >> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 60%

**Screening Date** 24-Mar-2021 **Docket No.** 2021-0408-AIR-E **PCW**  
**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC *Policy Revision 4 (April 2014)*  
**Case ID No.** 60543 *PCW Revision March 26, 2014*  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**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. 8 and 11.B, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,621.79 pounds ("lbs") of carbon monoxide ("CO"), 1,944.42 lbs of nitrogen oxides ("NOx"), 4.73 lbs of sulfur dioxide ("SO2"), and 7,368.02 lbs of volatile organic compounds ("VOC") from the Flare, Emissions Point Number ("EPN") 1SK25.001, and released 2.26 lbs of CO, 130.78 lbs of NOx, 0.04 lb of SO2, 6.31 lbs of VOC, and 7.49 lbs of particulate matter ("PM"), from the FRAC I Heater Combined Stack, EPN 1HR15, during an emissions event (Incident No. 299154) that began on December 17, 2018 and lasted 160 hours. The emissions event occurred due to a Transient Recovery Voltage layer-to-layer failure that caused a transformer in the Frac I Variable Frequency Drive building to malfunction while attempting to bring the plant back online after a planned shutdown activity, 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		30.0%
	Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

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

**Adjustment** \$17,500

\$7,500

**Violation Events**

Number of Violation Events 1 7 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$7,500

One monthly event is recommended.

**Good Faith Efforts to Comply** 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$7,500

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

**Estimated EB Amount** \$2,564 **Violation Final Penalty Total** \$12,000

**This violation Final Assessed Penalty (adjusted for limits)** \$12,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**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	17-Dec-2018	1-Feb-2024	5.13	\$2,564	n/a	\$2,564

**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. 299154. 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** \$2,564

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b)(1)(D), (G), and (H) and 122.143(4), FOP No. 03586, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the CO, NOx, PM, SO2, and VOC emissions from the FRAC I Heater Combined Stack, EPN 1HR15, on the final record for Incident No. 299154.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				x	1.0%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 Number of violation days 856

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDCRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$403

Violation Final Penalty Total \$400

This violation Final Assessed Penalty (adjusted for limits) \$400

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**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	\$1,500	7-Jan-2019	1-Feb-2024	5.07	\$380	n/a	\$380
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	7-Jan-2019	20-Nov-2020	1.87	\$23	n/a	\$23

**Notes for DELAYED costs**

Estimated cost to provide the estimated total quantities for the CO, NOx, PM, SO2, and VOC emissions that were released from the FRAC I Heater Combined Stack, EPN 1HR15, during Incident No. 299154 (\$250) and to implement measures and/or procedures designed to ensure that all of the required information are identified on the final records for reportable emissions events (\$1,500). The Dates Required are the date the final record was due and the Final Dates are the date the emissions data was provided 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**

\$403

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. 03586, GTC and STC Nos. 12 and 15.B, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,348.66 lbs of CO, 579.96 lbs of NOx, 1.48 lbs of SO2, and 638.53 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 328268) that began on January 14, 2020 and lasted 26 hours. The emissions event occurred when instability in the propylene refrigeration system caused a high liquid level in the refrigeration compressor suction knock-out drum, 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

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					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 Number of violation days 2

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 EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	

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

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,026

Violation Final Penalty Total \$6,000

This violation Final Assessed Penalty (adjusted for limits) \$6,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

### 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	14-Jan-2020	1-Feb-2024	4.05	\$2,026	n/a	\$2,026

**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. 328268. 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** \$2,026

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. O3586, GTC and STC Nos. 8 and 11.B, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 670.07 lbs of CO, 289.17 lbs of NOx, 0.64 lb of SO2, and 372.43 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 319718) that occurred on August 27, 2019 and lasted 10 hours. The emissions event occurred due to the 'Hand, Off & Auto' switches for the refrigeration compressor lube oil pumps being cross wired during the installation by a third-party that caused the power to the primary pump to be cut when the switch for the stand-by pump was placed in the 'Off' position during a preventative maintenance activity, resulting in a loss in oil pressure and 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

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

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 Number of violation days 1

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	

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

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,218

Violation Final Penalty Total \$6,000

This violation Final Assessed Penalty (adjusted for limits) \$6,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**Media** Air  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	27-Aug-2019	1-Feb-2024	4.44	\$2,218	n/a	\$2,218

**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. 319718. The Date Required is the date the emissions event occurred 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** \$2,218

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 319718.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 561 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	

Notes

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$15

Violation Final Penalty Total \$400

This violation Final Assessed Penalty (adjusted for limits) \$400

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**Media** Air  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	10-Sep-2019	25-Nov-2020	1.21	\$15	n/a	\$15

**Notes for DELAYED costs**

Estimated cost to provide the estimated total quantities for the speciated VOC that were released during Incident No. 319718. The Date Required is the date the final record was due and the Final Date is the date the speciated VOC data was provided.

See the Economic Benefit in Violation No. 2 for the delayed cost to implement measures and/or procedures designed to ensure that all of the required information are identified on the final records for reportable emission events.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$250

**TOTAL** \$15

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 6

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 537.56 lbs of CO, 259.03 lbs of NOx, 0.67 lb of SO2, and 51.28 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 326252) that occurred on December 9, 2019 and lasted seven hours. The emissions event occurred when an attempt was made to lower the temperature by lowering the temperature setpoint in the refrigeration compressor subcooler after an alarm was received that caused a corresponding level increase in the refrigeration compressor suction knock-out drum when the liquid level in the deethanizer overhead chiller dropped, resulting in the compressor to shut down and 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		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 1 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 \$2,075

Violation Final Penalty Total \$6,000

This violation Final Assessed Penalty (adjusted for limits) \$6,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**Media** Air  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

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

### 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	9-Dec-2019	1-Feb-2024	4.15	\$2,075	n/a	\$2,075

**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. 326252. The Date Required is the date the emissions event occurred 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** \$2,075

Screening Date 24-Mar-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 4 (April 2014)

Case ID No. 60543

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106018260 (PCW No. 1 of 2)

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 326252.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				x	1.0%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 464 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single 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 \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$12

Violation Final Penalty Total \$400

This violation Final Assessed Penalty (adjusted for limits) \$400

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 1 of 2)  
**Media** Air  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	23-Dec-2019	21-Dec-2020	1.00	\$12	n/a	\$12

**Notes for DELAYED costs**

Estimated cost to provide the estimated total quantities for the speciated VOC that were released during Incident No. 326252. The Date Required is the date the final record was due and the Final Date is the date the speciated VOC data was provided.

See the Economic Benefit in Violation No. 2 for the delayed cost to implement measures and/or procedures designed to ensure that all of the required information are identified on the final records for reportable emission events.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$250

**TOTAL** \$12



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	3-May-2021	<b>Screening</b>	6-May-2021	<b>EPA Due</b>	
	<b>PCW</b>	13-Sep-2023				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC
<b>Reg. Ent. Ref. No.</b>	RN106018260 (PCW No. 2 of 2)
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60543	<b>No. of Violations</b>	3
<b>Docket No.</b>	2021-0408-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>	Mackenzie Mehlmann
		<b>EC's Team</b>	Enforcement Team 2
<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>\$32,500</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>60.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$19,500</b>
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Notes

Enhancement for two NOVs with same/similar violations, five NOVs with dissimilar violations, and two orders containing a denial of liability.

<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	\$5,099
Estimated Cost of Compliance	\$30,000

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$52,000</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>\$52,000</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$52,000</b>
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<b>DEFERRAL</b>	<b>0.0%</b> Reduction	<b>Adjustment</b>	<b>\$0</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral for orders in which the Respondent has two or more prior administrative penalty orders as set out in Tex. Water Code § 7.105(b)(2), (b)(4), and (b)(6).

<b>PAYABLE PENALTY</b>	<b>\$52,000</b>
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**Screening Date** 6-May-2021

**Docket No.** 2021-0408-AIR-E

**PCW**

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

*Policy Revision 5 (January 28, 2021)*

**Case ID No.** 60543

*PCW Revision February 11, 2021*

**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)

**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	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	2	40%
	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)** 60%

>> **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/similar violations, five NOVs with dissimilar violations, and two orders containing a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 60%

>> **Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 60%

Screening Date 6-May-2021

Docket No. 2021-0408-AIR-E

PCW

Respondent Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 60543

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN106018260 (PCW No. 2 of 2)

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.B, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 630.00 pounds ("lbs") of carbon monoxide ("CO"), 316.00 lbs of nitrogen oxides ("NOx"), 1.00 lb of sulfur dioxide ("SO2"), and 993.18 lbs of volatile organic compounds ("VOC") from the Flare, Emissions Point Number ("EPN") 1SK25.001, during an emissions event (Incident No. 349644) that occurred on January 27, 2021 and lasted eight hours. The emissions event occurred when a flow control valve was not operating as expected because it required adjustments that caused the actuation of certain pressure safety valves during a planned startup, 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	30.0%
	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 \$17,500

\$7,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,512

Violation Final Penalty Total \$12,000

This violation Final Assessed Penalty (adjusted for limits) \$12,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)  
**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	\$5
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	27-Jan-2021	1-Feb-2024	3.01	\$1,507	n/a	\$1,507

**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. 349644. The Date Required is the date the emissions event occurred 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** \$1,512

**Screening Date** 6-May-2021 **Docket No.** 2021-0408-AIR-E **PCW**  
**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 60543 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)  
**Media** Air  
**Enf. Coordinator** Mackenzie Mehlmann

**Violation Number** 2

**Rule Cite(s)** 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,091.00 lbs of CO, 3,012.00 lbs of NOx, 0.57 lb of SO2, and 10,059.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 337357) that began on June 16, 2020 and lasted 13 hours 15 minutes. The emissions event occurred when the seal needed to be replaced while performing routine preventative maintenance on Ethane Injection Pump A, the pump shroud was rubbing against the shaft, the outlet shutdown valve was not reset to open before attempting to start Ethane Injection Pump B, the bypass was accessed to open the shutdown valve, and the breaker for Ethane Injection Pump B tripped on high discharge pressure that initiated the safety interlocks, 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		50.0%
	Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

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

**Adjustment** \$12,500

\$12,500

**Violation Events**

Number of Violation Events 1 1 Number of violation days

daily	
weekly	x
monthly	
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$12,500

One weekly 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** \$12,500

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$1,820

**Violation Final Penalty Total** \$20,000

**This violation Final Assessed Penalty (adjusted for limits)** \$20,000

# Economic Benefit Worksheet

**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)  
**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	\$5
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	16-Jun-2020	1-Feb-2024	3.63	\$1,815	n/a	\$1,815

**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. 337357. 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**  
 (Empty box for notes)

<b>Approx. Cost of Compliance</b>	\$10,000	<b>TOTAL</b>	\$1,820
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**Screening Date** 6-May-2021 **Docket No.** 2021-0408-AIR-E **PCW**  
**Respondent** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 60543 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)  
**Media** Air  
**Enf. Coordinator** Mackenzie Mehlmann

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 93813, FOP No. 03586, GTC and STC Nos. 12 and 15.B, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,175.00 lbs of CO, 1,948.00 lbs of NOx, 2.00 lbs of SO2, and 8,286.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 339396) that began on July 21, 2020 and lasted 30 hours 30 minutes. The emissions event occurred due to a three-phase fault on the transmission system that caused a loss of power, 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**

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text" value="50.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

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

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**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 checked="" 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** Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC  
**Case ID No.** 60543  
**Reg. Ent. Reference No.** RN106018260 (PCW No. 2 of 2)  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	21-Jul-2020	1-Feb-2024	3.53	\$1,767	n/a	\$1,767

**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. 339396. 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**  
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<b>Approx. Cost of Compliance</b>	\$10,000		<b>TOTAL</b>	\$1,767
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# Compliance History Report

Compliance History Report for CN604309419, RN106018260, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

**Customer, Respondent, or Owner/Operator:** CN604309419, Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC **Classification:** SATISFACTORY **Rating:** 8.85

**Regulated Entity:** RN106018260, MB FRAC I II AND III **Classification:** SATISFACTORY **Rating:** 8.17  
**Complexity Points:** 20 **Repeat Violator:** NO

**CH Group:** 13 - Pipeline Transportation of Natural Gas, Refined Petroleum, and All Other Products

**Location:** 9850 Farm-to-Market Road 1942, Baytown, Chambers County, Texas

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**

**AIR OPERATING PERMITS** PERMIT 3586  
**AIR OPERATING PERMITS** ACCOUNT NUMBER CIA019S  
**AIR NEW SOURCE PERMITS** EPA PERMIT N182  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGSPDXTX5  
**AIR NEW SOURCE PERMITS** REGISTRATION 169497  
**AIR NEW SOURCE PERMITS** AFS NUM 4807100132  
**WASTEWATER** EPA ID TX0140082  
**POLLUTION PREVENTION PLANNING** ID NUMBER P10606  
**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXR000081347

**AIR OPERATING PERMITS** PERMIT 3838  
**AIR NEW SOURCE PERMITS** REGISTRATION 93813  
**AIR NEW SOURCE PERMITS** PERMIT 110274  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGSPDXTX34  
**AIR NEW SOURCE PERMITS** REGISTRATION 155025  
**WASTEWATER** PERMIT WQ0005399000  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER CIA019S  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 96793  
**TAX RELIEF** ID NUMBER 18761

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

**Date Compliance History Report Prepared:** May 31, 2023

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 31, 2018 to May 31, 2023

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

**Name:** Mackenzie Mehlmann

**Phone:** (512) 239-2572

**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

- 1 Effective Date: 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).

2 Effective Date: 03/11/2022 ADMINORDER 2020-1439-AIR-E (1660 Order-Agreed Order With Denial)

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(b)

Rqmt Prov: FOP No. O3586 GTC and STC Nos. 12 and 15 OP

Registration No. 93813 General Condition REG

Description: Failure to prevent unauthorized emissions. (Catagory A12i6)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.146(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O3586, GTC and STC No. 16 OP

General Terms & Conditions OP

Description: Failed to submit a PCC within 30 days of any certification period (Category A12(i)(7)).

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	June 25, 2018	(1498362)
Item 2	July 24, 2018	(1839446)
Item 3	October 24, 2018	(1839462)
Item 4	January 18, 2019	(1839477)
Item 5	April 25, 2019	(1839432)
Item 6	July 08, 2019	(1839447)
Item 7	September 23, 2019	(1597599)
Item 8	November 14, 2019	(1598827)
Item 9	December 12, 2019	(1612471)
Item 10	January 22, 2020	(1839488)
Item 11	April 21, 2020	(1839443)
Item 12	July 17, 2020	(1839459)
Item 13	October 16, 2020	(1839474)
Item 14	January 20, 2021	(1677726)
Item 15	January 25, 2021	(1839489)
Item 16	April 27, 2021	(1839434)
Item 17	June 24, 2021	(1724370)
Item 18	October 01, 2021	(1839433)
Item 19	October 28, 2021	(1839470)
Item 20	January 17, 2022	(1839480)
Item 22	April 12, 2022	(1839435)
Item 23	May 17, 2022	(1812921)
Item 24	July 14, 2022	(1839450)
Item 25	August 19, 2022	(1833122)
Item 26	August 29, 2022	(1781440)
Item 27	October 18, 2022	(1858722)
Item 28	December 19, 2022	(1860779)
Item 29	January 16, 2023	(1877833)

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

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

- 1 Date: 08/31/2022 (1858723)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 2 Date: 09/30/2022 (1865064)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 3 Date: 10/31/2022 (1877832)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 12/31/2022 (1884642)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 5 Date: 02/01/2023 (1846368)  
 Self Report? NO Classification: Moderate  
 Citation: FOP, General Terms and Conditions PERMIT  
 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: Failure to report all deviation from permit requirements (Category C3)  
 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, ST&C 16 PERMIT  
 FOP, ST&C 1A PERMIT  
 FOP, ST&C 9 PERMIT  
 Description: Failure to perform weekly audio, visual, and olfactory (AVO) inspections in the Facility Unit (Unit ID: 1FUG). (Category C1 violation)
- 6 Date: 02/27/2023 (1866222)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
 30 TAC Chapter 115, SubChapter H 115.782(c)(1)(B)(iii)  
 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)  
 FOP, Special Term & Condition 11 OP  
 NSR, Special Condition 17J OP  
 Description: Failure to repair a leaking component at the next following shutdown. (Category B3).  
 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 deviations on semi-annual deviation report for the reporting period of May 17, 2021, through, November 16, 2021. (Category B3)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)  
 5C THSC Chapter 382 382.085(b)  
 FOP, Special Term & Condition 11 OP

FOP, Special Terms & Conditions 1A OP  
NSR, Special Condition 7D OP

Description: Failure to meet the performance standards for the flare's (EPN: 1SK25.001) gas chromatograph. (Category B3)

7 Date: 02/28/2023 (1901033)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
ENERGY TRANSFER GC NGL  
FRACTIONATORS LLC F/K/A LONE  
STAR NGL FRACTIONATORS LLC  
RN106018260

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BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2021-0408-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 Energy Transfer GC NGL Fractionators LLC f/k/a 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 9850 Farm-to-Market Road 1942 in Baytown, 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 \$83,200 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$38,480 of the penalty and \$6,240 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$38,480 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
  - a. On November 20, 2020, provided the estimated total quantities for the carbon monoxide ("CO"), nitrogen oxides ("NOx"), particulate matter ("PM"), sulfur dioxide ("SO<sub>2</sub>"), and volatile organic compounds ("VOC") emissions that were released from the FRAC I Heater Combined Stack, Emissions Point Number ("EPN") 1HR15, during Incident No. 299154;
  - b. On November 25, 2020, provided the estimated total quantities for the speciated VOC that were released during Incident No. 319718; and
  - c. On December 21, 2020, provided the estimated total quantities for the speciated VOC that were released during Incident No. 326252.

## II. ALLEGATIONS

1. During a record review for the Plant conducted from May 4, 2020 through May 18, 2020, an investigator documented that the Respondent:
  - a. 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. 8 and 11.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 4,621.79 pounds ("lbs") of CO, 1,944.42 lbs of NOx, 4.73 lbs of SO<sub>2</sub>, and 7,368.02 lbs of VOC from the Flare, EPN 1SK25.001, and released 2.26 lbs of CO,

130.78 lbs of NO<sub>x</sub>, 0.04 lb of SO<sub>2</sub>, 6.31 lbs of VOC, and 7.49 lbs of PM, from the FRAC I Heater Combined Stack, EPN 1HR15, during an emissions event (Incident No. 299154) that began on December 17, 2018 and lasted 160 hours. The emissions event occurred due to a Transient Recovery Voltage layer-to-layer failure that caused a transformer in the Frac I Variable Frequency Drive building to malfunction while attempting to bring the plant back online after a planned shutdown activity, 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.

- b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(D), (G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify the estimated total quantities for the CO, NO<sub>x</sub>, PM, SO<sub>2</sub>, and VOC emissions from the FRAC I Heater Combined Stack, EPN 1HR15, on the final record for Incident No. 299154.
2. During a record review for the Plant conducted from October 13, 2020 through October 30, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 1,348.66 lbs of CO, 579.96 lbs of NO<sub>x</sub>, 1.48 lbs of SO<sub>2</sub>, and 638.53 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 328268) that began on January 14, 2020 and lasted 26 hours. The emissions event occurred when instability in the propylene refrigeration system caused a high liquid level in the refrigeration compressor suction knock-out drum, 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.
3. During a record review for the Plant conducted from November 5, 2020 through November 25, 2020, an investigator documented that the Respondent:
  - a. 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, FOP No. O3586, GTC and STC Nos. 8 and 11.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 670.07 lbs of CO, 289.17 lbs of NO<sub>x</sub>, 0.64 lb of SO<sub>2</sub>, and 372.43 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 319718) that occurred on August 27, 2019 and lasted 10 hours. The emissions event occurred due to the 'Hand, Off & Auto' switches for the refrigeration compressor lube oil pumps being cross wired during the installation by a third-party that caused the power to the primary pump to be cut when the switch for the stand-by pump was placed in the 'Off' position during a preventative maintenance activity, resulting in a loss in oil pressure and 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.

- b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 319718.
4. During a record review for the Plant conducted from December 7, 2020 through December 21, 2020, an investigator documented that the Respondent:
  - a. 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 537.56 lbs of CO, 259.03 lbs of NO<sub>x</sub>, 0.67 lb of SO<sub>2</sub>, and 51.28 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 326252) that occurred on December 9, 2019 and lasted seven hours. The emissions event occurred when an attempt was made to lower the temperature by lowering the temperature setpoint in the refrigeration compressor subcooler after an alarm was received that caused a corresponding level increase in the refrigeration compressor suction knock-out drum when the liquid level in the deethanizer overhead chiller dropped, resulting in the compressor to shut down and 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.
  - b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and (H) and 122.143(4), FOP No. O3586, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 326252.
5. During a record review for the Plant conducted from February 10, 2021 through February 24, 2021, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 630.00 lbs of CO, 316.00 lbs of NO<sub>x</sub>, 1.00 lb of SO<sub>2</sub>, and 993.18 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 349644) that occurred on January 27, 2021 and lasted eight hours. The emissions event occurred when a flow control valve was not operating as expected because it required adjustments that caused the actuation of certain pressure safety valves during a planned startup, 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.

6. During a record review for the Plant conducted from March 16, 2021 through April 1, 2021, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 6,091.00 lbs of CO, 3,012.00 lbs of NO<sub>x</sub>, 0.57 lb of SO<sub>2</sub>, and 10,059.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 337357) that began on June 16, 2020 and lasted 13 hours 15 minutes. The emissions event occurred when the seal needed to be replaced while performing routine preventative maintenance on Ethane Injection Pump A, the pump shroud was rubbing against the shaft, the outlet shutdown valve was not reset to open before attempting to start Ethane Injection Pump B, the bypass was accessed to open the shutdown valve, and the breaker for Ethane Injection Pump B tripped on high discharge pressure that initiated the safety interlocks, 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.
7. During a record review for the Plant conducted from March 16, 2021 through May 18, 2021, 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, FOP No. O3586, GTC and STC Nos. 12 and 15.B, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 4,175.00 lbs of CO, 1,948.00 lbs of NO<sub>x</sub>, 2.00 lbs of SO<sub>2</sub>, and 8,286.00 lbs of VOC from the Flare, EPN 1SK25.001, during an emissions event (Incident No. 339396) that began on July 21, 2020 and lasted 30 hours 30 minutes. The emissions event occurred due to a three-phase fault on the transmission system that caused a loss of power, 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.

### 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: Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC, Docket No. 2021-0408-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$38,480 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements at the Plant:
  - a. Within 30 days after the effective date of this Order:
    - i. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 299154;
    - ii. Implement measures and/or procedures designed to ensure that all of the required information are identified on the final records for reportable emission events;
    - iii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 328268;
    - iv. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 319718;
    - v. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 326252;
    - vi. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 349644;
    - vii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 337357; and
    - viii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 339396.
  - 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.

3.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:

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

with a copy to:

Air Section Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Street, Suite H  
Houston, Texas 77023-1452

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
6. 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.
7. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
8. 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.

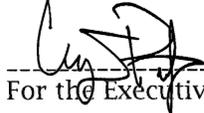
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic 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.
10. 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



-----  
11/29/2023

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For the Executive Director

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Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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



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Signature

-----  
10-02-2023  
-----  
Date

-----  
BRAD WIDENER  
-----  
Name (Printed or typed)

-----  
V.P. OPERATIONS  
-----  
Title

Authorized Representative of  
Energy Transfer GC NGL Fractionators LLC  
f/k/a Lone Star NGL Fractionators LLC

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

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

Attachment A

Docket Number: 2021-0408-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC
Payable Penalty Amount:	\$76,960
SEP Offset Amount:	\$38,480
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Barbers Hill Independent School District
Project Name:	<i>Alternative Fuel School Bus Replacement</i>
Total Project Budget:	\$1,590,000
Location of SEP:	Chambers County

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

**I. Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to **Barbers Hill Independent School District** for the *Alternative Fuel School Bus Replacement* program (the “Project”). The Project is to reduce carbon monoxide (“CO”), nitrogen oxides (“NO<sub>x</sub>”), particulate matter (“PM”), and volatile organic compounds (“VOCs”) emissions by replacing older school buses with new propane-fueled buses. The Third-Party Administrator is obligated to ensure that each Replacement Bus purchased has an engine that meets 2010 EPA Standards. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations.

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

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

B. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a new 2010 ultra-low emission model, passengers’ exposures to NO<sub>x</sub> may be reduced by 98 percent; VOCs by 93 percent; CO by 83 percent; and PM by 99 percent.

C. Minimum Expenditure

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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

**5. Publicity**

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

**6. Recognition**

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

**7. Other SEPs by TCEQ or Other Agencies**

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