

Executive Summary – Enforcement Matter – Case No. 60786
Targa Gas Processing LLC
RN106579683
Docket No. 2021-0661-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

High Plains Gas Plant, located approximately 4,700 feet east of the Farm-to-Market Road 1379 and East County Road 230 intersection in Midland County

Type of Operation:

Gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 5, 2023

Comments Received: No

Penalty Information

Total Penalty Assessed: \$28,214

Amount Deferred for Expedited Settlement: \$5,642

Total Paid to General Revenue: \$22,572

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 7, 2021

Date(s) of NOE(s): May 13, 2021

Violation Information

1. Failed to identify all required information on the final records for reportable emissions events. Specifically, the Respondent did not identify the correct estimated

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Targa Gas Processing LLC
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total quantity of carbon monoxide ("CO") and nitrogen oxides ("NOx") on the final record for Incident Nos. 307786 and 307801 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(H) and 122.143(4), Federal Operating Permit ("FOP") No. O4115/General Operating Permit ("GOP") No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 309349 was due by May 24, 2019 at 4:35 p.m., but was not submitted until May 24, 2019 at 7:08 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,040.85 pounds ("lbs") of CO, 973.30 lbs of NOx, and 10.42 lbs of volatile organic compounds ("VOC") from the Flare-2-Pilot Gas, Emissions Point Number ("EPN") FLR-2, during an emissions event (Incident No. 309349) that began on May 23, 2019 and lasted 24 hours. The emissions event occurred when the third-party pipeline could not take the full volume of residue gas, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements, 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. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,577.32 lbs of CO, 5,298.25 lbs of NOx, and 998.84 lbs of VOC from the Flare-Pilot Gas, EPN FLR, during an emissions event (Incident Nos. 307786 and 307801) that began on May 3, 2019 and lasted 48 hours. The emissions event occurred due to issues with the third-party discharge outlets and a third-party residue outlet that caused the residue compression to shut down the Plant, resulting in flaring. Since Respondent did not comply with the emissions event reporting requirements, 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. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident Nos. 307786 and 307801 was due by May 4, 2019 at 12:00 a.m., but was not submitted until May 4, 2019 at 3:03 a.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On May 3, 2021, replaced and repositioned the malfunctioning transmitter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 307786;
- b. On May 4, 2019, submitted the initial notification for Incident No. 307786;
- c. On May 24, 2019, submitted the initial notification for Incident No. 309349;
- d. On June 19, 2019, conducted training regarding reportable emissions events and the expectations to ensure that the initial notifications for reportable emissions events are submitted in a timely manner and all of the required information on the final records for reportable emissions events are identified;
- e. On October 27, 2020, provided the estimated total quantity of CO and NOx released during Incident Nos. 307786 and 307801; and
- f. By May 18, 2021, connected to a larger gas processing system with additional capacity that allows the flexibility to redirect gas volumes to other facilities and plants and increased the residue takeaway capacity at the Plant in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 307786, 307801, and 309349.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Danielle Porras, Enforcement Division, Enforcement Team 2, MC R-12, (713) 767-3682; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Daniel Bryant, Environmental Supervisor, Targa Gas Processing LLC, P.O. Box 190, Midkiff, Texas 79755-0190

Jimmy Oxford, Vice President of Operations, Targa Gas Processing LLC, P.O. Box 190, Midkiff, Texas 79755-0190

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	18-May-2021	Screening	20-May-2021	EPA Due	
	PCW	17-Mar-2023				

RESPONDENT/FACILITY INFORMATION	
Respondent	Targa Gas Processing LLC
Reg. Ent. Ref. No.	RN106579683
Facility/Site Region	7-Midland
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	60786	No. of Violations	5
Docket No.	2021-0661-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$25,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	20.0%	Adjustment	Subtotals 2, 3, & 7	\$5,150
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Notes	Enhancement due to one order containing a denial of liability.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$2,686
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$10,259	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$103,750	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$28,214
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$28,214
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$28,214
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DEFERRAL	20.0%	Reduction	Adjustment	-\$5,642
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$22,572
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Screening Date 20-May-2021

Docket No. 2021-0661-AIR-E

PCW

Respondent Targa Gas Processing LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 60786

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN106579683

Media Air

Enf. Coordinator Danielle Porras

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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) 20%

>> 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 due to one order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 20%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 20%

Screening Date 20-May-2021
Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
Media Air
Enf. Coordinator Danielle Porras

Docket No. 2021-0661-AIR-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b)(1)(H) and 122.143(4), Federal Operating Permit ("FOP") No. O4115/General Operating Permit ("GOP") No. 514, Terms and Conditions No. (b)(40)(F), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to identify all required information on the final records for reportable emissions events. Specifically, the Respondent did not identify the correct estimated total quantity of carbon monoxide ("CO") and nitrogen oxides ("NOx") on the final record for Incident Nos. 307786 and 307801.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
				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 1 529 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

25.0%

Reduction \$62

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

Notes The Respondent completed the corrective measures on October 27, 2020, prior to the Notice of Enforcement ("NOE") dated May 13, 2021.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$30

Violation Final Penalty Total \$238

This violation Final Assessed Penalty (adjusted for limits) \$238

Economic Benefit Worksheet

Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
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	\$1,500	17-May-2019	19-Jun-2019	0.09	\$7	n/a	\$7
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	17-May-2019	27-Oct-2020	1.45	\$18	n/a	\$18

Notes for DELAYED costs

Estimated costs to provide the estimated total quantity of CO and NOx released during Incident Nos. 307786 and 307801 (\$250) and to conduct training regarding reportable emissions events and the expectations to ensure that all of the required information on the final records for reportable emissions events is identified (\$1,500). The Dates Required are the date the final record was due and the Final Dates are the dates of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,750

TOTAL \$30

Screening Date 20-May-2021 **Docket No.** 2021-0661-AIR-E **PCW**
Respondent Targa Gas Processing LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 60786 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN106579683
Media Air
Enf. Coordinator Danielle Porras

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 309349 was due by May 24, 2019 at 4:35 p.m., but was not submitted until May 24, 2019 at 7:08 p.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
				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 1 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 25.0% Reduction \$62

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

Notes The Respondent completed the corrective measures on June 19, 2019, prior to the NOE dated May 13, 2021.

Violation Subtotal \$188

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

Estimated EB Amount \$10 **Violation Final Penalty Total** \$238

This violation Final Assessed Penalty (adjusted for limits) \$238

Economic Benefit Worksheet

Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
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	\$1,500	24-May-2019	19-Jun-2019	0.07	\$5	n/a	\$5
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	24-May-2019	24-May-2019	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to submit the initial notification for Incident No. 309349 (\$250) and to conduct training regarding reportable emissions events and the expectations to ensure that the initial notifications for reportable emissions events are submitted in a timely manner (\$1,500). The Dates Required are the date the initial notification was due and the Final Dates are the dates of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,750

TOTAL

\$10

Screening Date 20-May-2021 **Docket No.** 2021-0661-AIR-E **PCW**
Respondent Targa Gas Processing LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 60786 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN106579683
Media Air
Enf. Coordinator Danielle Porras

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,040.85 pounds ("lbs") of CO, 973.30 lbs of NOx, and 10.42 lbs of volatile organic compounds ("VOC") from the Flare-2-Pilot Gas, Emissions Point Number ("EPN") FLR 2, during an emissions event (Incident No. 309349) that began on May 23, 2019 and lasted 24 hours. The emissions event occurred when the third-party pipeline could not take the full volume of residue gas, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements, 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 that 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 10.0% Reduction \$1,250

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

Notes The Respondent completed the corrective measures by May 18, 2021, after the NOE dated May 13, 2021.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$10,219 **Violation Final Penalty Total** \$13,750

This violation Final Assessed Penalty (adjusted for limits) \$13,750

Economic Benefit Worksheet

Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
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)	\$100,000	3-May-2019	18-May-2021	2.04	\$10,219	n/a	\$10,219

Notes for DELAYED costs

Estimated cost to replace and reposition the malfunctioning transmitter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 307786 and to connect to a larger gas processing system with additional capacity that allows the flexibility to redirect gas volumes to other facilities and plants and increase the residue takeaway capacity at the Plant in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 307786, 307801, and 309349. The Date Required is the date the first emissions event began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$100,000

TOTAL \$10,219

Screening Date 20-May-2021 **Docket No.** 2021-0661-AIR-E **PCW**
Respondent Targa Gas Processing LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 60786 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN106579683
Media Air
Enf. Coordinator Danielle Porras

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration No. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,577.32 lbs of CO, 5,298.25 lbs of NOx, and 998.84 lbs of VOC from the Flare-Pilot Gas, EPN FLR, during an emissions event (Incident Nos. 307786 and 307801) that began on May 3, 2019 and lasted 48 hours. The emissions event occurred due to issues with the third-party discharge outlets and a third-party residue outlet that caused the residue compression to shut down the Plant, resulting in flaring. Since Respondent did not comply with the emissions event reporting requirements, 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 that 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 Number of violation days 2

daily	
weekly	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$12,500

One weekly event is recommended.

Good Faith Efforts to Comply 10.0% Reduction \$1,250

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

Notes The Respondent completed the corrective measures by May 18, 2021, after the NOE dated May 13, 2021.

Violation Subtotal \$11,250

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$13,750

This violation Final Assessed Penalty (adjusted for limits) \$13,750

Economic Benefit Worksheet

Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

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

\$0

TOTAL

\$0

Screening Date 20-May-2021 **Docket No.** 2021-0661-AIR-E **PCW**
Respondent Targa Gas Processing LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 60786 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN106579683
Media Air
Enf. Coordinator Danielle Porras

Violation Number 5
Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 04115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 307786 was due by May 4, 2019 at 12:00 a.m., but was not submitted until May 4, 2019 at 3:03 a.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
				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 1 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 25.0% Reduction \$62

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

Notes The Respondent completed the corrective measures on June 19, 2019, prior to the NOE dated May 13, 2021.

Violation Subtotal \$188

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$238

This violation Final Assessed Penalty (adjusted for limits) \$238

Economic Benefit Worksheet

Respondent Targa Gas Processing LLC
Case ID No. 60786
Reg. Ent. Reference No. RN106579683
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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	4-May-2019	4-May-2019	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the initial notification for Incident No. 307786. The Date Required is the date the initial notification was due and the Final Date is the date of compliance.

See the Economic Benefit in Violation No. 2 for the estimated cost to develop training regarding reportable emissions events and the expectations to ensure that the initial notifications for reportable emissions events are submitted in a timely manner.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$0



Compliance History Report

Compliance History Report for CN604041806, RN106579683, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator: CN604041806, Targa Gas Processing LLC **Classification:** SATISFACTORY **Rating:** 0.71
Regulated Entity: RN106579683, High Plains Gas Plant **Classification:** SATISFACTORY **Rating:** 1.57
Complexity Points: 5 **Repeat Violator:** NO
CH Group: 03 - Oil and Gas Extraction
Location: Approximately 4,218 feet east of the Farm-to-Market Road 1379 and East County Road 230 intersection, Midland County, Texas
TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

AIR OPERATING PERMITS PERMIT 4115	AIR OPERATING PERMITS ACCOUNT NUMBER MLA017Q
AIR NEW SOURCE PERMITS REGISTRATION 119439	AIR NEW SOURCE PERMITS REGISTRATION 107601
AIR NEW SOURCE PERMITS AFS NUM 4832900188	AIR EMISSIONS INVENTORY ACCOUNT NUMBER MLA017Q

TAX RELIEF ID NUMBER 18751

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

Date Compliance History Report Prepared: December 21, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 21, 2017 to December 21, 2022

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

Name: Danielle Porras

Phone: (713) 767-3682

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:

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 18, 2018	(1504070)
Item 2	November 12, 2018	(1524867)
Item 3	January 15, 2020	(1610713)
Item 4	June 18, 2020	(1651405)
Item 5	July 08, 2020	(1651502)
Item 6	July 09, 2020	(1657556)
Item 7	July 20, 2020	(1646941)
Item 8	October 12, 2020	(1679009)
Item 9	November 18, 2020	(1666036)

Item 10	December 09, 2020	(1692924)
Item 11	January 26, 2021	(1699662)
Item 12	January 27, 2021	(1699687)
Item 13	March 12, 2021	(1704525)
Item 14	March 19, 2021	(1705577)
Item 15	May 07, 2021	(1711017)
Item 16	October 11, 2021	(1764832)
Item 17	October 14, 2021	(1764825)
Item 18	January 28, 2022	(1773828)
Item 19	August 22, 2022	(1833098)

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.

N/A

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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: HIGH PLAINS GAS PLANT

Reg Entity Add: 13800 EAST COUNTY ROAD 230

Reg Entity City: MIDLAND

Reg Entity No: RN106579683

EPA Case No: 06-2020-3371

Order Issue Date (yyyymmdd): 20200623

Case Result: Targa Resources-High Plai

Statute: CAA

Sect of Statute: 112[R][7]

Classification: Minor

Program: Risk Management Progra

Citation: 40 CFR

Violation Type: Failure to ensure performance

Cite Sect:

Cite Part: 68

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
TARGA GAS PROCESSING LLC
RN106579683

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-0661-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Targa Gas Processing 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 approximately 4,700 feet east of the Farm-to-Market Road 1379 and East County Road 230 intersection in Midland 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 \$28,214 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$22,572 of the penalty and \$5,642 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On May 3, 2021, replaced and repositioned the malfunctioning transmitter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 307786;
 - b. On May 4, 2019, submitted the initial notification for Incident No. 307786;
 - c. On May 24, 2019, submitted the initial notification for Incident No. 309349;
 - d. On June 19, 2019, conducted training regarding reportable emissions events and the expectations to ensure that the initial notifications for reportable emissions events are submitted in a timely manner and all of the required information on the final records for reportable emissions events are identified;
 - e. On October 27, 2020, provided the estimated total quantity of carbon monoxide ("CO") and nitrogen oxides ("NOx") released during Incident Nos. 307786 and 307801; and
 - f. By May 18, 2021, connected to a larger gas processing system with additional capacity that allows the flexibility to redirect gas volumes to other facilities and plants and increased the residue takeaway capacity at the Plant in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 307786, 307801, and 309349.

II. ALLEGATIONS

During a record review for the Plant conducted on April 7, 2021, an investigator documented that the Respondent:

1. Failed to identify all required information on the final records for reportable emissions events, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(H) and 122.143(4), Federal Operating Permit ("FOP") No. O4115/General Operating Permit ("GOP") No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify the correct estimated total quantity of CO and NOx on the final record for Incident Nos. 307786 and 307801.

2. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 309349 was due by May 24, 2019 at 4:35 p.m., but was not submitted until May 24, 2019 at 7:08 p.m.
3. 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. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 12,040.85 pounds ("lbs") of CO, 973.30 lbs of NOx, and 10.42 lbs of volatile organic compounds ("VOC") from the Flare-2-Pilot Gas, Emissions Point Number ("EPN") FLR-2, during an emissions event (Incident No. 309349) that began on May 23, 2019 and lasted 24 hours. The emissions event occurred when the third-party pipeline could not take the full volume of residue gas, resulting in flaring. Since the Respondent did not comply with the emissions event reporting requirements, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. 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. 107601, FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 10,577.32 lbs of CO, 5,298.25 lbs of NOx, and 998.84 lbs of VOC from the Flare-Pilot Gas, EPN FLR, during an emissions event (Incident Nos. 307786 and 307801) that began on May 3, 2019 and lasted 48 hours. The emissions event occurred due to issues with the third-party discharge outlets and a third-party residue outlet that caused the residue compression to shut down the Plant, resulting in flaring. Since Respondent did not comply with the emissions event reporting requirements, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4115/GOP No. 514, Terms and Conditions No. (b)(40)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident Nos. 307786 and 307801 was due by May 4, 2019 at 12:00 a.m., but was not submitted until May 4, 2019 at 3:03 a.m.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ"

and shall be sent with the notation "Re: Targa Gas Processing LLC, Docket No. 2021-0661-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. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.
5. 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.
6. 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.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission Date

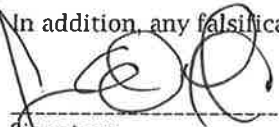

For the Executive Director Date
5/25/2023

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

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

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

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



Signature Date
4/4/23

Jimmy E Oxford

Name (Printed or typed) Title
Authorized Representative of VP operations
Targa Gas Processing 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.