UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:	)	
	)	Docket No. CAA-08-2024-0009
Targa Badlands, LLC	)	
	)	
	)	
	)	
811 Louisiana St, Suite 1200 Houston, TX 77022	)	
	)	
	)	
Respondent	)	
	)	**CONSENT AGREEMENT**
	)	

Complainant, the authorized representative of the United States Environmental Protection Agency (EPA), and Respondent, Targa Badlands, LLC, by their undersigned representatives, hereby consent and agree as follows:

I. PRELIMINARY STATEMENT

1. This Consent Agreement and Final Order is a civil administrative penalty assessment proceeding brought under section 113(d) of the Clean Air Act ("CAA" or "Act"), 42 U.S.C. § 7413(d), entered into by the EPA, by its duly delegated officials, and by Respondent for the purposes of commencing and concluding this matter, as authorized by 40 C.F.R. § 22.13(b), and pursuant to 40 C.F.R. § 22.18(b)(2)-(3).

2. Complainant and Respondent, (together, the "Parties") having agreed that settlement of this action is in the public interest, consent to the entry of this Consent Agreement ("Consent Agreement" or "Agreement") and the entry of a final order ("Final Order") without adjudication of any issues of law or fact herein, and Respondent agrees to comply with the terms of this Consent Agreement and the Final Order issued by the Regional Judicial Officer ("RJO") approving this Consent Agreement.

3. The Parties consent to service of the Final Order by email at the following valid email addresses: dimascio.nicholas@epa.gov (for Complainant), hburks@targaresources.com (for Respondent) and jpabon@targaresources.com (for Respondent's counsel).

II. JURISDICTION

4. This Consent Agreement is entered into under the authority vested in the Administrator of the EPA by Section 113(d) of the Act, 42 U.S.C. § 7413(d). The undersigned EPA official has been duly authorized to institute this action. The alleged violations in this Consent Agreement are pursuant to Section 113(a)(3)(A) of the Act.

5. As authorized by CAA Section 113(d)(1), 42 U.S.C. § 7413(d), 40 C.F.R. § 19.4, the EPA and the United States Department of Justice jointly determined this matter is appropriate for a civil administrative penalty assessment, although it involves a penalty exceeding the amount stated in CAA Section 113(d)(1) and alleged violations that occurred more than one year before the initiation of this proceeding.

6. On April 3, 2024, the EPA issued to Respondent a notice of violation (NOV) and provided a copy of the NOV to the Mandan, Hidatsa and Arikara Nation, providing notice to both that the EPA found Respondent committed the alleged violations described in this Agreement and providing Respondent an opportunity to confer with the EPA. Meetings regarding those issues subsequently took place between Respondent and the EPA. Respondent was responsive and cooperative in addressing the concerns identified in the NOV.

7. The EPA Region 8 RJO is authorized to ratify this Consent Agreement which memorializes a settlement between Complainant and Respondent in a Final Order. 40 C.F.R. §§ 22.18(b), 22.4.

8. The Final Order issued by the RJO approving this Agreement simultaneously commences and concludes this proceeding. 40 C.F.R. § 22.13(b).

III. RESPONDENT

9. Respondent Targa Badlands, LLC, is a limited liability company incorporated in the State of Delaware and at all relevant times to this Agreement was and is doing business on the Fort Berthold Indian Reservation in the State of North Dakota.

10. Respondent is a "person" as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

IV. DEFINITIONS

11. "Assessed Penalty" means the civil administrative penalty assessed in Paragraph 184 of this Agreement.

12. "Day" or "day" shall mean any of the seven days of the week. In computing any period of time under this Agreement, where the last day would fall on a Saturday, Sunday, or federal holiday, the period shall run until 11:59 p.m. Mountain Time of the next day that is not a Saturday, Sunday, or federal holiday.

13. "Effective Date" shall have the definition provided in Section XIV (Effective Date) of this Agreement.

14. "Facilities" shall mean the six compressor stations listed in Paragraph 72 of this Agreement.

15. "Proof of Payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.

16. "Reporting Period" means the half of the calendar year (*i.e.*, January through June, and July through December) included in each Semi-Annual Report required by Paragraph 186.f of this Agreement.

17. "Semi-Annual Report" means the semi-annual report required by Paragraph 186.f of this Agreement.

V. GOVERNING LAW

18. The Act's purpose is "to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population." 42 U.S.C. § 7401(b)(1).

19. Section 108 of the Act, 42 U.S.C. § 7408, directs the EPA to identify pollutants that "may reasonably be anticipated to endanger public health or welfare" and to issue air quality criteria based on the "latest scientific knowledge" about the effects of the pollutants on public health and the environment. These pollutants are known as "criteria pollutants."

A. New Source Performance Standards

20. Section 111(b) of the Act authorizes the Administrator of the EPA to promulgate standards of performance applicable to "new sources" within categories of sources that cause "air pollution which may reasonably be anticipated to endanger public health or welfare." 42 U.S.C. § 7411(b).

21. A "new source" is any stationary source, the construction or modification of which is commenced after the promulgation of the standards of performance that will apply to such source. 42 U.S.C. § 7411(a)(2).

22. A "stationary source" is a building, structure, facility, or installation that emits or may emit any air pollutant. 42 U.S.C. § 7411(a)(3).

23. It is unlawful for owners or operators of any new source to operate in violation of applicable standards of performance after the standards have gone into effect. 42 U.S.C. § 7411(e).

1. 40 C.F.R. Part 60, Subpart JJJJ (NSPS JJJJ)

24. In 2008, the EPA promulgated "Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines" under Section 111 of the Act, 73 Fed. Reg. 3591 (Jan. 18, 2008). These standards are set forth in 40 C.F.R., Part 60, Subpart JJJJ.

25. The provisions of NSPS JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE).

26. The "date that construction commences" is the date the engine is ordered by the owner or operator. 40 C.F.R. § 60.4230(a).

27. Owners and operators of lean burn stationary SI ICE are subject to the requirements of NSPS JJJJ if the maximum engine power is greater than 500 horsepower (HP) and less than 1,350 HP if the stationary SI ICE is manufactured on or after January 1, 2008. 40 C.F.R. § 60.4230(a)(4)(ii).

28. An owner or operator of a stationary SI ICE manufactured after January 1, 2008, that is subject to 40 C.F.R. § 60.4233(e) must comply with the emission standards in Table 1 of Subpart JJJJ over the entire life of the engine. 40 C.F.R. § 60.4234.

2. 40 C.F.R. Part 60, Subpart OOOO (NSPS OOOO)

29. In 2012, the EPA promulgated "Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution" under Section 111 of the Clean Air Act. 77 Fed. Reg. 49,542 (Aug. 16, 2012). These standards are set forth in 40 C.F.R part 60, Subpart OOOO, which includes 40 C.F.R. §§ 60.5360–5430.

30. Each of these standards is a "standard of performance" within the meaning of Section 111(a)(1) of the Clean Air Act, 42 U.S.C. § 7411(a)(1), or a "design, equipment, work practice, or operational standard, or combination thereof" under Section 111(h) of the Clean Air Act, 42 U.S.C. § 7411(h).

31. NSPS OOOO applies to "affected facilities" for which owners or operators commence construction, modification, or reconstruction after August 23, 2011, and on or before September 18, 2015. 40 C.F.R. § 60.5365.

32. A "reciprocating compressor affected facility" under NSPS OOOO includes a single reciprocating compressor. 40 C.F.R § 60.5365(c).

33. NSPS OOOO requires reciprocating compressor affected facilities to comply with one of the rod packing requirements of 40 C.F.R. § 60.5385(a)(1)-(3).

34. A "storage vessel affected facility" under NSPS OOOO includes a single storage vessel located in the natural gas production segment that has the potential for volatile organic compounds (VOC) emissions equal to or greater than 6 tons per year (tpy), as determined according to 40 C.F.R. § 60.5365(e).

35. NSPS OOOO requires "[a]t all times, including periods of startup, shutdown, and malfunction, owners and operators shall maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions." 40 C.F.R. § 60.5370(b).

36. NSPS OOOO requires storage vessel affected facilities that utilize a control device to be equipped with a cover that meets the requirements of 40 C.F.R. § 60.5411(b) and is connected through a closed vent system that meets the requirements of § 60.5411(c), and emissions must be routed to a control device that meets the conditions specified in § 60.5412(c) and (d). 40 C.F.R. § 60.5395(e)(1).

3. 40 C.F.R. Part 60, Subpart OOOOa (NSPS OOOOa)

37. In 2016, the EPA promulgated "Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015" under Section 111 of the Clean Air Act. 81 Fed. Reg. 35,824 (June 3, 2016). These standards are set forth in 40 C.F.R Part 60, Subpart OOOOa, which includes 40 C.F.R. §§ 60.5360a–5432a.[1]

38. Each of these standards is a "standard of performance" within the meaning of Section 111(a)(1) of the Clean Air Act, 42 U.S.C. § 7411(a)(1), or a "design,

[1] Following promulgation of the 2016 final rule, the EPA granted reconsideration of fugitive emission requirements at well sites and compressor stations, well-site pneumatic pump standards, and the requirements for professional engineer certification of closed vent systems. 82 Fed. Reg. 25,730 (June 5, 2017); 83 Fed. Reg. 52,056 (Oct. 15, 2018). This reconsideration does not affect the allegations in this Notice of Violation.

equipment, work practice, or operational standard, or combination thereof" under Section 111(h) of the Clean Air Act, 42 U.S.C. § 7411(h).

39. NSPS OOOOa applies to "affected facilities" for which owners or operators commence construction, modification or reconstruction after September 18, 2015. 40 C.F.R. § 60.5365a.

40. A "reciprocating compressor affected facility" under NSPS OOOOa includes a single reciprocating compressor. 40 C.F.R § 60.5365a(c).

41. NSPS OOOOa requires reciprocating compressor affected facilities to comply with one of the rod packing requirements of 40 C.F.R. § 60.5385a(a)(1)-(3).

42. A "storage vessel affected facility" under NSPS OOOOa includes a single storage vessel that has the potential for VOC emissions equal to or greater than 6 tpy, as determined according to 40 C.F.R. § 60.5365a(e).

43. NSPS OOOOa requires "[a]t all times, including periods of startup, shutdown, and malfunction, owners and operators shall maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions." 40 C.F.R. § 60.5370a(b).

44. NSPS OOOOa requires storage vessel affected facilities that utilize a control device to be equipped with a cover that meets the requirements of 40 C.F.R. § 60.5411a(b) and is connected through a closed vent system that meets the requirements of § 60.5411a(c) and (d), and emissions must be routed to a control device that meets the conditions specified in § 60.5412(c) and (d). 40 C.F.R. § 60.5395a(b)(1).

B. National Emissions Standards for Hazardous Air Pollutants

45. In 1990, the EPA established emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants (HAP) in Section 112 of the Act. 42 U.S.C. § 7412.

46. A "major source" of HAP is any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tpy or more of any HAP or 25 tpy or more of any combination of HAP. 42 U.S.C. § 7412(a)(1).

1. 40 C.F.R. Part 63, Subpart HH (NESHAP HH)

47. In 1999, the EPA promulgated "Subpart HH—National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production

Facilities" under section 112 of the Act, 64 Fed. Reg. 32628 (July 17, 1999). These standards are set forth in 40 C.F.R., part 63, subpart HH, which includes §§ 63.760–777.

48. Subpart HH defines a "glycol dehydration unit" to mean a device in which a liquid glycol absorbent (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled. 40 C.F.R. § 63.761.

49. Subpart HH defines Urban Area (UA) plus offset and Urban Cluster (UC) as the area occupied by each urbanized area, each urban cluster that contains at least 10,000 people, and the area located two miles or less from each urbanized area boundary. 40 C.F.R. § 63.761.

50. For purposes of Subpart HH, "major source" has the same meaning as in 40 C.F.R. § 63.2, except that certain emissions points are not aggregated to determine whether such emissions points are major sources. 40 C.F.R. § 63.761.

51. "Area source" means any stationary source of hazardous air pollutants that is not a major source as defined in 40 C.F.R. Part 63. 40 C.F.R. § 63.2.

52. For area sources, the affected source for purposes of Subpart HH include each triethylene glycol (TEG) dehydration unit located at a facility that meets the criteria specified in 40 C.F.R. § 63.760(a). 40 C.F.R. § 63.760(b)(2).

53. For each TEG dehydration unit, the owner or operator must determine the optimum glycol circulation rate using the equation specified at 40 C.F.R. § 63.764(d)(2)(i) or the alternate method specified at 40 C.F.R. § 63.764(d)(2)(ii).

54. The TEG dehydration unit must be operated such that the actual glycol circulation rate does not exceed the optimum glycol circulation rate. 40 C.F.R. § 63.764(d)(2)(ii).

2. 40 C.F.R. Part 63, Subpart ZZZZ (NESHAP ZZZZ)

55. In 2004, the EPA promulgated "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines" under section 112 of the Clean Air Act. 69 Fed. Reg. 33506 (June 15, 2004). These standards are set forth in 40 C.F.R part 63, Subpart ZZZZ, which includes 40 C.F.R. §§ 63.6580a–6675.

56. NESHAP ZZZZ establishes national emission limitations and operating limitations for HAP emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations. 40 C.F.R. § 63.6580.

57. NESHAP ZZZZ applies to owners or operators of stationary RICE at a major or area source of HAP emissions. 40 C.F.R. § 63.6585.

58. For oil and gas production facilities, a major source of HAP emissions is each surface site that emits or has the potential to emit any single HAP at or above 10 tpy (9.07 megagrams) or any combination of HAP at or above 25 tpy (22.68 megagrams). 40 C.F.R. § 63.6585(b).

59. An area source of HAP emissions is a source that is not a major source. 40 C.F.R. § 63.6585(c).

60. An affected new stationary RICE is any stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which commenced construction of the stationary RICE on or after December 19, 2002. 40 C.F.R. § 63.6590(a)(2)(i).

61. Owners and operators that start up a new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004 must comply with the applicable emission limitations and operating limitations of NESHAP ZZZZ upon startup of the affected source. 40 C.F.R. § 63.6595(a)(3).

62. Owners and operators of an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP must be in compliance with NESHAP ZZZZ as specified below:

63. Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source. 40 C.F.R. § 63.6595(b)(1).

64. Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP. 40 C.F.R. § 63.6595(b)(2).

65. For stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, owners and operators must comply with the

numerical emissions limit and operating limitations for stationary RICE as specified in 40 C.F.R. § 63.6600(a) and (b).

66. Owners and operators also must comply with the general requirements as specified in 40 C.F.R. § 63.6605, including operating and maintaining any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

C. Title V Operating Permits

67. Title V of the Act, 42 U.S.C. §§ 7661-7661f, establishes a permit program for any "major sources" of air pollution, as defined by Title V or a major stationary source required to have a PSD permit. 42 U.S.C. § 7661a(a).

68. The purpose of Title V is to ensure all "applicable requirements" that apply to a source regulated under the Act are collected in one permit. *Id.* § 7661c(a).

69. In accordance with section 502(b) of the Act, 42 U.S.C. § 7661a(b), EPA promulgated regulations implementing Title V of the Act. *See* 61 Fed. Reg. 34228 (July 1, 1996). Those regulations for federal air quality operating permit programs are codified at 40 C.F.R. Part 71.

70. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 71.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the Act, no source subject to Title V may operate except as in compliance with a Title V operating permit (Title V Permit).

VI. EPA's ALLEGED FINDINGS OF FACT & VIOLATIONS OF LAW

71. The EPA alleges the following findings of fact and violations of law. Respondent neither admits nor denies the EPA's alleged findings of fact and conclusions of law.

72. Respondent owns or operates compressor stations on the Fort Berthold Indian Reservation in North Dakota. Respondent received Title V permits issued by the EPA for the following facilities ("the Facilities"):

a. Clarks Creek Compressor Station (Clarks Creek), Title V permit number: V-TAT-000671-2013.00, effective November 4, 2019.

b. Blue Buttes Compressor Station and Pump Station (Blue Buttes), Title V permit number: V-TAT-000676-2014.00, effective date January 22, 2020.

c. TAT-Blue Buttes Compressor Station (TAT-Blue Buttes), Title V permit number: V-TAT-000839-2018.01, effective date February 10, 2021.

d. Junction Compressor Station (Junction), Title V permit number: V-TAT-000670-2015.00, effective date December 30, 2019.

e. Roberts Trust Compressor Station (Roberts Trust), Title V permit number: V-TAT-000752-2019.01, effective date October 4, 2021.

f. Johnson Compressor Station (Johnson), Title V permit number: V-TAT-000611.2017.01, effective date February 10, 2021.

73. On June 15, 2023, the EPA conducted inspections of the following compressor stations owned and operated by Respondent: Clarks Creek, Blue Buttes, TAT-Blue Buttes, Junction, Roberts Trust, and Johnson.

74. On August 14, 2023, the EPA issued inspection reports to Respondent detailing EPA's findings during the onsite inspection and subsequent records review at the inspected Facilities.

75. For each of the following sources, Respondent has violated Sections 111(e) and 502a of the Act and Parts 60, 63, and 71 of its implementing regulations.

A. NSPS Subpart JJJJ and Title V Permit Conditions

76. The stationary SI ICE, EU 1, operating at Johnson was manufactured in May 2008 and installed August 21, 2021. EU 1 is a non-certified Caterpillar G3516LE lean burn engine with 1,340 HP and is therefore subject to Subpart JJJJ according to 40 C.F.R. § 60.4230(a)(4)(ii).

77. An owner or operator of a non-certified SI ICE greater than 500 HP must conduct subsequent performance testing every 8,760 operating hours or 3 years, whichever comes first. 40 C.F.R. § 60.4243(b)(2)(ii).

78. Respondent conducted a performance test on EU 1 on August 11, 2022, at 10,181 operating hours and conducted a subsequent performance test on December 20, 2023 at 24,909 operating hours.

79. Respondent therefore operated EU 1 for an additional 14,728 hours before performing a subsequent performance test on December 20, 2023.

80. Therefore, Respondent exceeded the Subpart JJJJ requirement to perform a subsequent performance test on EU 1 by 5,968 operating hours, in violation of 40 C.F.R. § 60.4243(b)(2)(ii) and Johnson Title V Permit Condition II.D.2.

B. NSPS Subpart OOOO and Title V Permit Conditions

1. Failure to Conduct Performance Testing at Roberts Trust EU 36

81. The storage vessel, EU 11, operating at Roberts Trust was constructed on August 31, 2011, and is controlled by an enclosed combustion device, EU 36.

82. Roberts Trust EU 11 has total uncontrolled emissions greater than 6 tpy of VOCs and therefore is subject to Subpart OOOO according to 40 C.F.R. § 60.5365(e).

83. Roberts Trust EU 36 is a Tripoint Vapor Combustor, Serial Number: 82070, which was installed October 31, 2018, and has not been manufacturer tested as required under 40 C.F.R. § 60.5413(d).

84. Respondent therefore is required to conduct performance tests on Roberts Trust EU 36 according to the schedule specified in 40 C.F.R. § 60.5413(b)(5).

85. Respondent was required to conduct an initial performance test on Roberts Trust EU 36 within 180 days after initial startup. 40 C.F.R. § 60.5413(b)(5)(i).

86. Respondent did not conduct an initial performance test on Roberts Trust EU 36 until November 15, 2023.

87. Roberts Trust EU 36 did not operate between October 8, 2019, and August 31, 2022.

88. Therefore, Respondent operated Roberts Trust EU 36 without the required initial performance test for 603 days in violation of 40 C.F.R. § 60.5413(b)(5) and Roberts Trust Title V Permit Condition III.G.1.

89. Respondent also failed to operate Roberts Trust EU 36 in a manner consistent with good air pollution control practice in violation of 40 C.F.R. § 60.5370(b).

2. Failure to Follow Operating and Repair Standards for Blue Buttes EU 16 and EU 22

a. EU 16 Closed-Vent System

90. The storage vessel, EU 16, operating at Blue Buttes was constructed on February 18, 2013, and is controlled by an enclosed combustion device, EU 22.

91. The Blue Buttes EU 16 storage vessel has total uncontrolled VOC emissions greater than 6 tpy and therefore is subject to Subpart OOOO according to 40 C.F.R. § 60.5365(e).

92. Storage vessels subject to Subpart OOOO must be designed to route all gases, vapors, and fumes emitted from the material in the storage vessel through a closed-vent system that meets the requirements of § 60.5411(c) to a control device that meets the requirements specified in 40 C.F.R. § 60.5412(c) and (d), or to a process. 40 C.F.R. §§ 60.5395(e)(1), 60.5411(c).

93. Respondent was required to operate the closed-vent system with no detectable emissions. 40 C.F.R. § 60.5411(c)(2).

94. On June 15, 2023, EPA inspectors observed and recorded continuous emissions from the closed-vent system for Blue Buttes EU 16 when viewed with an optical gas imaging (OGI) camera.

95. Therefore, Respondent violated and is continuing to violate 40 C.F.R. § 60.5411(c)(2) and Blue Buttes Title V Permit Condition III.E.2 by not operating the closed-vent system for Blue Buttes EU 16 with no detectable emissions.

b. EU 16 Cover

96. The cover and all openings on the cover (e.g., access hatches and pressure relief valves) for an affected storage vessel shall form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel. 40 C.F.R. § 60.5411(b)(1).

97. If an owner or operator discovers a leak in the cover for an affected storage vessel, a first attempt at repair must be made no later than 5 calendar days after the leak is detected and the repair must be completed no later than 30 days after the leak is detected. 40 C.F.R. § 60.5416(c)(4)(i)-(ii).

98. Respondent reported in the Blue Buttes Title V Annual Compliance Certification submitted to the EPA on February 15, 2023, and subsequent follow-up emails that Blue Buttes EU 16 had been in intermittent compliance with the OOOO regulations.

99. An EPA inspector requested more information via email on March 8, 2023. In response, Respondent disclosed that it had discovered a thief hatch on Blue Buttes EU 16 to be venting hydrocarbon emissions on October 25, 2022, and did not repair the thief hatch until January 6, 2023.

100. Therefore, Respondent made no attempt at repair within 5 calendar days in violation of 40 C.F.R. §§ 60.5411(b)(1) and 60.5416(c)(4)(i), as well as Blue Buttes Title V Permit Condition III.I.1.

101. The repair also was not completed within 30 calendar days in violation of 40 C.F.R. §§ 60.5411(b)(1) and 60.5416(c)(4)(ii), as well as Title V Permit Condition III.I.1 at Blue Buttes.

c. EU 22 Operations

102. On June 15, 2023, EPA inspectors utilized an OGI to observe and record continuous hydrocarbon emissions being vented from Blue Buttes EU 22, with an OGI camera. EPA inspectors additionally observed through the site glass that none of the burners were lit on the approximately 10 burner array on the Tripoint ECD (Serial number: 82071). The temperature probe on the Tripoint screen noted the temperature inside the stack of the ECD was 117°F, well below typical combustion temperatures. The hydrocarbon emissions therefore were released to atmosphere without first being combusted.

103. Based upon the inspection findings, Respondent failed to:

a. Operate Blue Buttes EU 22 in a manner consistent with good air pollution control practices for minimizing emissions in violation of 40 C.F.R. § 60.5370(b) and Blue Buttes Title V Permit Condition III.C.

b. Ensure that Blue Buttes EU 22 is maintained in a leak free condition in violation of 40 C.F.R. § 60.5412(d)(1)(i) and Blue Buttes Title V Permit Condition III.G.

c. Operate Blue Buttes EU 22 at all times when gases, vapors, and fumes are vented from storage vessel affected facilities through the closed vent system to the control device in violation of 40 C.F.R. § 60.5412(d)(3) and Blue Buttes Title V Permit Condition III.G.

3. Failure to Follow Rod Packing Replacement Schedule for Clarks Creek EU 18

104. Respondent installed a reciprocating compressor associated with compressor engine EU 18 at Clarks Creek on September 4, 2014, and therefore is subject to NSPS OOOO. 40 C.F.R. § 60.5365(c).

105. In accordance with Respondent's NSPS OOOO report, dated January 12, 2022, Respondent has elected to comply with the standards of 40 CFR 60.5385(a)(1) for Clarks Creek EU 18, which requires replacement of the rod

packing before the total number of hours of operation reaches 26,000 hours. See also 40 C.F.R. 60.5415(c)(3).

106. Respondent reported in the Clarks Creek 40 C.F.R. Part 60 Subpart OOOO Annual Report submitted to EPA on January 12, 2022, that it had operated the reciprocating compressor rod packing associated with Clarks Creek EU 18 for 29,810 hours without replacing the rod packing. This report covered the period beginning October 15, 2020, and ending October 14, 2021.

107. As stated in the Clarks Creek 40 C.F.R. Part 60 Subpart OOOO Annual Reports submitted to EPA on January 12, 2023, Respondent did not replace the rod packing for Clarks Creek EU 18 until December 16, 2021.

108. Respondent exceeded the limit to replace the rod packing for Clarks Creek EU 18 by at least 3,810 operating hours.

109. Therefore, Respondent was not in continuous compliance with the rod packing requirements for Clarks Creek EU 18, in violation of 40 C.F.R. § 60.5385(a)(1) and 40 C.F.R. § 60.5415(c)(3).

C. NSPS Subpart OOOOa and Title V Permit Conditions

1. Failure to Follow Operating Requirements at Johnson EU 45

110. The Johnson Compressor Station includes three storage vessels, of which EU 9 and EU 47 were constructed on October 15, 2018, according to information provided by Respondent in their October 15, 2019 Title V Application Modification. Because EU 9 and EU 47 were constructed after September 18, 2015, and have total uncontrolled emissions of VOCs greater than 6 tpy, they are subject to NSPS OOOOa control requirements. 40 C.F.R. § 60.5365a(e).

111. Vapors from EU 9 and EU 47 are routed to Johnson EU 45 for combustion. According to the Johnson Title V Permit, EU 45 is a LEED Vapor Combustor, Model No. L30-0011-00, installed on October 15, 2018.

112. On June 15, 2023, EPA inspectors observed with an OGI camera and recorded continuous hydrocarbon emissions vented from Johnson EU 45. EPA inspectors additionally observed through the site glass that none of the burners were lit on the approximately 10 burner array on the Tripoint ECD (Serial number: 82068). The temperature probe on the Tripoint screen noted the temperature inside the stack of the ECD was 73°F, well below typical combustion temperatures. The hydrocarbon emissions were released to atmosphere without first being combusted.

113. Based upon the inspection findings, Respondent has failed to:

a. Operate Johnson EU 45 in a manner consistent with good air pollution control practices for minimizing emissions in violation of 40 C.F.R. § 60.5370a(b) and Johnson Title V Permit Condition III.B.

b. Ensure that the enclosed combustion device is maintained in a leak free condition in violation of 40 C.F.R. § 60.5412a(d)(1)(i) and Johnson Title V Permit Condition III.H.

c. Operate Johnson EU 45 at all times when gases, vapors, and fumes are vented from storage vessel affected facilities through the closed vent system to the control device in violation of 40 C.F.R. § 60.5412a(d)(4) and Johnson Title V Permit Condition III.H.

2. Failure to Timely Perform Repairs at Johnson EU 41

114. An owner or operator of an affected facility must perform a first attempt at repair no later than 30 calendar days after detection of fugitive emissions and must complete the repair as soon as practicable, but no later than 30 calendar days after the first attempt at repair. 40 C.F.R. § 60.5397a(h)(1)-(2).

115. EU 41 at Johnson is a Waukesha L5794GSI, 11.67 MMBtu/hr, 1,380 hp, 4SRB Natural Gas Compressor Engine installed on October 15, 2018, and the reciprocating compressor associated with EU 41 is an affected facility subject to OOOOa under 40 C.F.R. § 60.5365a(c).

116. Respondent reported in the Johnson Title V Annual Compliance Certification submitted to EPA on January 31, 2023, that it had discovered a leak on the reciprocating compressor on EU 41 on October 25, 2022, and did not repair the leak until January 13, 2023.

117. As a result, Respondent made no attempt at repair within 30 calendar days in violation of 40 C.F.R. § 60.5397a(h)(1), and Title V Permit Condition III.E.

118. Additionally, the repair was not completed within 30 calendar days in violation of 40 C.F.R. § 60.5397a(h)(2) and Johnson Title V Permit Condition III.E.

3. Failure to Perform Timely Repairs at Blue Buttes EU 1

119. On March 23, 2020, Respondent submitted a Title V revision application to the EPA which included a notification of modification to Blue Buttes EU 1 (a Caterpillar G3516LE 1,085 hp 4SLB Natural Gas Compressor Engine) after September 18, 2015, thus subjecting it to the requirements of OOOOa.

120. Respondent reported in the Blue Buttes Title V Annual Compliance Certification submitted to the EPA on February 15, 2023, that Blue Buttes EU 1 had been in intermittent compliance with the requirements of OOOOa.

121. An EPA inspector requested more information via email on March 8, 2023. In response, Respondent disclosed that it had discovered a flange connector on Blue Buttes EU 1 to be venting emissions on October 25, 2022, and did not repair the flange connector until January 13, 2023.

122. Therefore, Respondent made no attempt at repair within 30 calendar days in violation of 40 C.F.R. § 60.5397a(h)(1), nor was the repair completed within 30 calendar days in violation of 40 C.F.R. § 60.5397a(h)(2) for Blue Buttes EU 1.

D. NESHAP Subpart HH and Title V Permit Conditions

1. Respondent Failed to Properly Sample and Calculate the Optimum Glycol Circulation Rate for the TEG Dehydration Unit at Junction.

123. The Facilities each operate at least one triethylene glycol (TEG) dehydration unit, each of which is an affected source subject to the requirements of Subpart HH. 40 C.F.R. § 63.760(b).

124. Each owner or operator of an area source not located in a UA plus offset and UC boundary shall:

a. Determine the optimum glycol circulation rate for each TEG dehydration unit using the equation specified at 40 C.F.R. § 63.764(d)(2)(i) or the alternate method specified at 40 C.F.R. § 63.764(d)(2)(ii).

b. Operate the TEG dehydration unit such that the actual glycol circulation rate does not exceed the optimum glycol circulation rate. 40 C.F.R. § 63.764(d)(2)(ii).

c. Maintain a record of the determination specified in paragraph (d)(2)(ii) in accordance with the requirements in § 63.774(f) and submit the Initial Notification in accordance with the requirements in § 63.775(c)(7). 40 C.F.R. § 63.764(d)(2)(iii).

125. As indicated in Respondent's Title V Permits, for the TEG dehydration units operating at Junction (EU 21) and Roberts Trust (EU 17 and EU 26), Respondent elected to calculate the optimum glycol circulation rate for each TEG dehydration unit using GRI–GLYCalcTM, Version 3.0 or higher as specified in 40 C.F.R. § 63.764(d)(2)(ii).

126. ProMax is a simulation software used to determine emissions concentrations based on gas analysis taken up-steam of each dehydration unit. As approved by EPA, 88 Fed. Reg. 3408, 3409 (Jan. 19, 2023) (ALT-147), Respondent uses ProMax Version 5.0 or higher in place of GLYCalc Version 3.0 or greater.

127. In an email to the EPA sent by Respondent on December 12, 2023, Respondent explained that it determined the optimum glycol circulation rate for Junction EU 21 by conducting ProMax calculations where the inputs for gas analysis were derived from a sample taken from Roberts Trust on December 12, 2021.

128. To determine the optimum glycol circulation rate for Junction EU 21, Respondent did not input into the ProMax model any gas analyses derived from samples taken from Junction EU 21.

129. Because Respondent did not use gas analysis data derived from operations at Junction EU 21, Respondent did not properly determine the optimum glycol circulation rate for Junction EU 21 according to the methodology specified at 40 C.F.R. § 63.764(d)(2)(ii) and therefore violated that provision, as well as Junction Title V Permit Condition V.B.3.

2. Respondent Exceeded the Optimum Glycol Circulation Rate for the TEG Dehydration Units at Johnson and Junction.

130. The dehydration units at Johnson and Junction are each considered an area source not located in an urban area (UA) plus offset and urban cluster (UC) and therefore, Respondent is required to determine the optimum glycol circulation rate according to 40 C.F.R. § 63.764(d)(2).

131. In a June 28, 2021, Subpart HH Notification to the EPA, Respondent identified that it determined the optimum glycol circulation rate at Johnson EU 42 to be 1.22 gallons per minute.

132. During an onsite inspection at Johnson on June 15, 2023, EPA inspectors documented that Respondent was using a glycol pump, model Kimray 21020PV. The inspector observed that the pump operated at approximately 12 strokes per minute. According to Kimray Product Bulletin PB0004 (May 2020), the Kimray 21020PV has an approximate stroke rate of 0.109 gallons per stroke. Therefore, 12 strokes per minute equates to roughly 1.308 gpm, which exceeds the optimum glycol circulation rate determined by Respondent.

133. Respondent therefore is in violation of 40 C.F.R. § 63.764(d)(2)(ii) and Title V Permit Condition IV.B.3 for failing to operate the TEG dehydration unit such

that the actual glycol circulation rate does not exceed the optimum glycol circulation rate at Johnson EU 42.

134. On July 14, 2023, by email to the EPA, Respondent provided a ProMax report stating that Respondent determined the optimum glycol circulation rate at Junction EU 21 to be 0.45 gallons per minute.

135. During the onsite inspection on June 15, 2023, EPA inspectors documented that Respondent was using a glycol pump, model Kimray 9020PV, at Junction. The inspector observed that the pump operated at approximately 14 strokes per minute. According to Kimray Product Bulletin PB0004 (May 2020), the Kimray 9020PV has an approximate stroke rate of 0.038 gallons per stroke. Therefore, 14 strokes per minute equates to roughly 0.532 gpm, which exceeds the optimum glycol circulation rate determined by Respondent.

136. Therefore, Respondent violated 40 C.F.R. § 63.764(d)(2)(ii) and Title V Permit Condition V.B.3 for failing to operate Junction EU 21 such that the actual glycol circulation rate does not exceed the optimum glycol circulation rate.

3. Respondent Failed to Follow the Proper Procedures to Claim an Exemption for the TEG Dehydration Units at Blue Buttes, TAT-Blue Buttes and Clarks Creek.

137. Pursuant to 40 C.F.R. § 63.764(e)(1)(ii), the owner or operator of an area source is exempt from the requirements of 40 C.F.R. §§ 63.764(d)(2) if records of the following determination are maintained: The actual average emissions of benzene from the glycol dehydration unit process vent to the atmosphere are less than 0.90 megagram per year, as determined by the procedures specified in § 63.772(b)(2) of this subpart.

138. The determination of actual average benzene or BTEX emissions from a glycol dehydration unit shall be made using the procedures of either 40 C.F.R. § 63.772(b)(2)(i) or (ii). Emissions shall be determined either uncontrolled, or with federally enforceable controls in place. 40 C.F.R. § 63.772(b)(2).

139. If the owner or operator elects the procedures of 40 C.F.R. § 63.772(b)(2)(i), it shall determine actual average benzene or BTEX emissions using the model GRI–GLYCalcTM, Version 3.0 or higher, and the procedures presented in the associated GRI–GLYCalcTM Technical Reference Manual. Inputs to the model shall be representative of actual operating conditions of the glycol dehydration unit and may be determined using the procedures documented in the Gas Research Institute (GRI) report entitled "Atmospheric Rich/Lean Method for Determining Glycol Dehydrator Emissions" (GRI–95/0368.1).

140. In Title V applications submitted on March 23, 2023 for Blue Buttes (EU 7), December 6, 2018 for TAT-Blue Buttes (EU 15), and April 13, 2017 for Clarks Creek (EU 25), Respondent asserted under 40 C.F.R. § 63.764(e)(1)(ii) that it was not required to calculate and operate at or below the optimum glycol circulation rate, as typically required by 40 C.F.R. § 63.764(d)(2).

141. To determine actual average benzene emissions for Blue Buttes EU 7, TAT-Blue Buttes EU 15 and Clarks Creek EU 25, Respondent elected to use a model-based program as specified in 40 C.F.R. § 63.772(b)(2)(i).

142. According to information Respondent provided via email to the EPA on December 12, 2023, Respondent determined the actual average benzene and actual glycol circulation rate for Blue Buttes EU 7, TAT-Blue Buttes EU 15, and Clarks Creek EU 25 by conducting ProMax calculations utilizing inputs for the gas analysis derived from a sample taken at Roberts Trust on December 12, 2021.

143. Respondent did not use gas analysis data derived from operations at Blue Buttes EU 7, TAT-Blue Buttes EU 15 or Clarks Creek EU 25 to determine the actual average emissions of benzene or the actual glycol circulation rate for each of those affected TEG dehydration units.

144. Respondent therefore failed to comply with the procedures specified in 40 C.F.R. § 63.764(e)(1)(ii) for claiming an exemption from the requirements of 40 C.F.R. § 63.764(d)(2) for Blue Buttes EU 7, TAT-Blue Buttes EU 15 and Clarks Creek EU 25.

145. Respondent also violated Blue Buttes Title V Permit Condition IV.B.3, TAT-Blue Buttes Title V Permit Condition IV.B.3, and Clarks Creek Title V Permit Condition V.B.3 for its failure to follow the correct procedures for claiming an exemption for Blue Buttes EU 7, TAT-Blue Buttes EU 15, and Clarks Creek EU 25.

146. Respondent also used inaccurate actual glycol circulation rates to claim the exemptions for TAT-Blue Buttes EU 15 and Clarks Creek EU 25.

147. In a GLYCalc report attached to the TAT-Blue Buttes Title V application submitted December 6, 2018, Respondent determined the actual operating glycol circulation rate at TAT-Blue Buttes EU 15 to be 2.90 gallons per minute. In an email to the EPA dated July 14, 2023, Respondent also provided a ProMax report stating the actual glycol circulation rate at TAT-Blue Buttes EU 15 to be 0.45 gallons per minute.

148. During the onsite inspection of TAT-Blue Buttes on June 15, 2023, EPA inspectors documented that Respondent was using a glycol pump, model Kimray 21020PV. The inspector observed that the pump operated at

approximately 30 strokes per minute. According to Kimray Product Bulletin PB0004 (May 2020), the Kimray 21020PV has an approximate stroke rate of 0.109 gallons per stroke. Therefore, 30 strokes per minute equates to roughly 3.27 gpm, which is greater than the actual operating glycol circulation rate Respondent used to invoke the exemption at 40 C.F.R. § 63.764(e)(1)(ii).

149. Therefore, Respondent violated 40 C.F.R. §§ 63.764(d)(2), 63.764(e)(1)(ii), 63.772(b)(2) and Title V Permit Condition IV.B.3, for its failure to use actual operating conditions at TAT-Blue Buttes EU 15 to claim an exemption from the requirement to calculate and operate at or below the optimum glycol circulation rate at that unit.

150. In an email to the EPA dated July 14, 2023, Respondent provided a ProMax report stating the actual glycol circulation rate at Clarks Creek to be 1.00 gallons per minute.

151. During the onsite inspection of Clarks Creek on June 15, 2023, EPA inspectors documented that Respondent was using a glycol pump, model Kimray 21020PV. The inspector observed that the pump operated at approximately 12 strokes per minute. According to Kimray Product Bulletin PB0004 (May 2020), the Kimray 21020PV has an approximate stroke rate of 0.109 gallons per stroke. Therefore, 12 strokes per minute equates to roughly 1.308 gpm, which is greater than the actual operating glycol circulation rate Respondent used to invoke the exemption at 40 C.F.R. § 63.764(e)(1)(ii).

152. Therefore, Respondent violated and 40 C.F.R. §§ 63.764(d)(2), 63.764(e)(1)(ii), 63.772(b)(2) and Clarks Creek Title V Permit Condition V.B.3 for failing to use actual operating conditions at Clarks Creek EU 25 to submit an appropriate exemption.

E. NESHAP Subpart ZZZZ and Title V Permit Conditions

1. Respondent Failed to Conduct Timely Performance Testing at Johnson EU 1.

153. An owner or operator of a stationary RICE greater than 500 HP subject to the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust must conduct subsequent performance testing semiannually. After the owner or operator has demonstrated compliance for two consecutive tests, it may reduce the frequency of subsequent performance tests to annual. 40 C.F.R. § 63.6615(a) & Subpart ZZZZ Table 3 at 3 & n.1.

154. Before August 11, 2022, Respondent conducted two consecutive tests at Johnson EU 1 that demonstrated compliance and therefore was required to conduct a subsequent performance test on an annual basis. Subpart ZZZZ Table 3 at 3 & n.1.

155. On August 11, 2022, Respondent conducted a performance test at Johnson EU 1. At the time of the performance test, Johnson EU 1 had operated for 10,181 hours.

156. On December 20, 2023, Respondent conducted a subsequent performance test at Johnson EU 1, when it had been operated for 24,909 hours.

157. Respondent therefore conducted the subsequent performance test 14,728 operating hours after the previous test.

158. Respondent therefore exceeded the requirement to conduct a subsequent performance test on Johnson EU 1 by 5,968 hours, in violation of 40 C.F.R. § 63.6615(a) and Johnson Title V Permit Condition V.H.2(a).

2. Respondent Failed to Continuously Comply with Operation, Monitoring, and Reporting Requirements.

159. Respondent must meet the following operating requirements for new or reconstructed SI 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions: maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and maintain the temperature of each stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750°F and less than or equal to 1250°F. 40 C.F.R. § 63.6600(a) & Subpart ZZZZ Table 1b.

160. The following engines must meet the requirements of Subpart ZZZZ Table 1b specified in the previous paragraph:

a. Roberts Trust EU 27, EU 28, EU 29, EU 30, and EU 31

b. Johnson EU 41

161. For the engines listed in the previous paragraph, Respondent is required to demonstrate continuous compliance with the requirements of Subpart ZZZZ Table 1b. To demonstrate continuous compliance, Respondent must maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; measure the pressure drop across the catalyst once per month; and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test. 40 C.F.R. § 63.6640(a) & Subpart ZZZZ Table 6.

162. Respondent reported that catalyst measurements were not taken during the months as shown in Table 1 below:

Table 1: Missed Catalyst Measurements

Engine Emission Unit ID	Facility	Month and Year Missed Checks
EU 27	Roberts Trust	September 2020, December 2020, April 2021, June 2022, March 2023
EU 28	Roberts Trust	July 2020, September 2020, December 2020April 2021, June 2022, March 2023
EU 29	Roberts Trust	February 2020, September 2020, December 2020, April 2021, June 2022, March 2023
EU 30	Roberts Trust	July 2020, September 2020, December 2020, April 2021, June 2022, March 2023
EU 31	Roberts Trust	September 2020, December 2020, April 2021, June 2022, March 2023
EU 41	Johnson	October 2021, November 2021, December 2021, January 2022, February 2022, March 2022, March 2023

163. As shown in Table 1 above, Respondent failed to record monthly catalyst pressures and therefore violated 40 C.F.R. § 63.6600(a):

a. 28 times since January 1, 2020, at Roberts Trust EU 27, EU 28, EU 29, EU 30 and EU 31. These also constitute 28 separate violations of Roberts Trust Title V Permit Condition VI.D.2(b).

b. Seven times since October 15, 2021, at Johnson EU 41. These also constitute seven separate violations of Johnson Permit Condition V.F.2(b).

164. Respondent reported that the following existing, new or reconstructed SI 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions did not maintain catalyst inlet temperatures at greater than or equal to 750°F and less than or equal to 1250°F as shown in Table 2 below:

Table 2: Percent of Operating Hours Catalyst Inlet Temperatures Outside of Table 1b of Subpart ZZZZ since January 1, 2020

Engine Emission Unit ID	Facility	Percent Operating Hours Outside of Requirements
EU 27	Roberts Trust	**3.4%**
EU 28	Roberts Trust	**10.3%**
EU 29	Roberts Trust	**5.1%**
EU 30	Roberts Trust	**4.3%**
EU 31	Roberts Trust	**4.7%**

Engine Emission Unit ID	Facility	Percent Operating Hours Outside of Requirements
EU 41*	Johnson	**2.7%***

* EU 41 operating at Johnson Percent Operating Hours Outside Requirements shown in Table 1b of Subpart ZZZZ does not include the 159 days that the temperature probes were not installed.

165. As shown in Table 2 above, Respondent failed to continuously maintain catalyst inlet temperatures at greater than or equal to 750°F and less than or equal to 1250°F in violation of 40 C.F.R. § 63.6600(a) at:

a. Roberts Trust EU 27, EU 28, EU 29, EU 30 and EU 31. These also constitute five separate violations of Roberts Trust Title V Permit Condition VI.D.2(b).

b. Johnson EU 41. This also constitutes one violation of Johnson Title V Permit Condition V.F.2(b).

166. Respondent must meet the following operating requirements for existing, new or reconstructed SI 4SLB stationary RICE with a site rating of more than 250 brake HP located at a major source of HAP emissions: maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and maintain the temperature of each stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350°F. 40 C.F.R. § 63.6600(b) & Subpart ZZZZ Table 2b.

167. The following engines are required to meet the requirements of Subpart ZZZZ Table 2b specified in the previous paragraph:

a. Roberts Trust EU 15

b. Junction EU 1, EU 2 and EU 18

c. Johnson EU 1

d. Blue Buttes EU 1, EU 2 and EU 18

168. For the engines listed immediately above, Respondent is required to demonstrate continuous compliance with the requirements of Subpart ZZZZ Table 1b. To demonstrate continuous compliance, Respondent must maintain the 4-hour rolling averages within the operating limitations for the catalyst

inlet temperature; measure the pressure drop across the catalyst once per month; and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test. 40 C.F.R. § 63.6640(a) & Subpart ZZZZ Table 6.

169. Respondent reported catalyst measurements were not taken during the months shown in Table 3 below:

Table 3: Missed Catalyst Measurements

Engine Emission Unit ID	Facility	Month and Year Missed Checks
EU 15	Roberts Trust	March 2023
EU 1	Johnson	October 2021, November 2021, December 2021, January 2022, February 2022, March 2022, March 2023
EU 1	Blue Buttes	June 2020, September 2020, January 2021, June 2021
EU 2	Blue Buttes	June 2020, September 2020, January 2021, June 2021
EU 18	Blue Buttes	June 2020, September 2020, January 2021, June 2021

170. As shown in Table 3 above, Respondent failed to record monthly catalyst pressures measurements in violation of 40 C.F.R. § 63.6600(a):

a. One time since January 1, 2020, for Roberts Trust EU 15. This also constituted one violation of Roberts Trust Title V Permit Condition VI.J.2.

b. Seven times since October 15, 2021, for Johnson EU 1. These also constitute seven violations of Johnson Title V Permit Condition V.K.2.

c. 12 times since January 1, 2020, at Blue Buttes EU 1, EU 2 and EU 18.

171. Respondent reported that the following existing, new or reconstructed SI 4SLB stationary RICE with a site rating of more than 250 brake HP located at a major source of HAP emissions did not maintain catalyst inlet temperatures at greater than or equal to 450°F and less than or equal to 1350°F shown in Table 4 below:

Table 4: Percent of Operating Hours Catalyst Inlet Temperatures Outside of Table 2b of Subpart ZZZZ since January 1, 2020

Engine Emission Unit ID	Facility	Percent Operating Hours Outside of Requirements
EU 15	Roberts Trust	**41.2%**
EU 1*	Johnson	**2.7%***
EU 1	Blue Buttes	**11.4%**
EU 2	Blue Buttes	**17.5%**
EU 18	Blue Buttes	**12.2%**

* EU 1 operating at Johnson Percent Operating Hours Outside Requirements shown in Table 2b of Subpart ZZZZ does not include the 223 days that the temperature probes were not installed.

172. As shown in Table 4 above, Respondent failed to maintain catalyst inlet temperatures at greater than or equal to 450°F and less than or equal to 1350°F in violation of 40 C.F.R. § 63.6600(a) at:

a. Roberts Trust EU 15. This also constitutes one violation of Roberts Trust Title V Permit Condition VI.J.2.

b. Johnson EU 1. This also constitutes one violation of Johnson Title V Permit Condition V.K.2.

c. Blue Buttes EU 1, EU 2 and EU 18.

173. Roberts Trust EU 15, EU 27, EU 28, EU 29, EU 30 and EU 31 are stationary RICE of greater than 500 HP at a major source of HAP emissions for which Respondent elected to comply with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust. Respondent therefore must conduct subsequent performance tests at each of these units according to Subpart ZZZZ, Table 3. 40 C.F.R. § 63.6615 & Subpart ZZZZ Table 3 at 3.

174. Respondent did not report the results of performance tests at Roberts Trust EU 15, EU 27, EU 28, EU 29, EU 30 and EU 31 in calendar year 2021, 2022 and 2023. This constitutes 18 separate violations of 40 C.F.R. § 63.6645 and Roberts Trust Title V Permit Condition VI.K.2.

175. Roberts Trust, Junction, Johnson and Blue Buttes each are major sources of HAP emissions. Therefore, at those locations, Respondent must install, operate, and maintain a CPMS for each stationary RICE greater than 500 HP complying with the Subpart ZZZZ requirement to limit the concentration

of formaldehyde in the stationary RICE exhaust. 40 C.F.R. § 63.6625(b) & Table 5 at 9.

176. For the following stationary RICE, Respondent did not prepare any of the documents or perform any of the requirements listed in 40 C.F.R. § 63.6625(b)(1)-(6) for the required CPMS:

a. Roberts Trust EU 15, EU 27, EU 28, EU 29, EU 30 and EU 31. This also constitutes six separate violations of Roberts Trust Title V Permit Condition VI.H.1.

b. Junction EU 1, EU 2 and EU 18. This also constitutes three separate violations of Junction Permit Condition VI.G.

c. Johnson EU 1 and EU 41. This also constitutes two separate violations of Johnson Permit Condition V.I.

d. Blue Buttes EU 1, EU 2 and EU 18.

177. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, Respondent must continuously monitor using a CPMS at all times that an affected stationary RICE is operating.

178. For the following affected stationary RICE, Respondent did not monitor continuously using a CPMS in violation of 40 C.F.R. § 63.6635(b):

a. Roberts Trust EU 15, EU 27, EU 28, EU 29, EU 30 and EU 31. This also constitutes six separate violations of Roberts Trust Title V Permit Condition VI.J.1.

b. Junction EU 1, EU 2 and EU 18. This also constitutes three separate violations of Junction Title V Permit Condition VI.I.

c. Johnson EU 1 and EU 41. This also constitutes two separate violations of Johnson Title V Permit Condition V.K.1.

d. Blue Buttes EU 1, EU 2 and EU 18.

179. Respondent is required to submit reports for new or reconstructed stationary RICE greater than 500 HP located at a major source of HAP. 40 C.F.R. § 63.6650 and Subpart ZZZZ Table 7 at 1.

180. The following stationary RICE are required to meet those reporting requirements, but Respondent failed to submit reports or submitted incomplete reports in violation of 40 C.F.R. § 63.6650:

a. Roberts Trust EU 15, EU 27, EU 28, EU 29, EU 30, and EU 31

b. Junction EU 1, EU 2, EU 18

c. Johnson EU 1, EU 41

d. Blue Buttes EU 1, EU 2 and EU 18

181. EPA also alleges that Respondent's failure to submit complete reports constitutes six violations of Roberts Trust Title V Permit Condition VI.K.2, three violations of Junction Title V Permit Condition VI.J, and four violations of Johnson Title V Permit Condition V.L.2.

VII. TERMS OF CONSENT AGREEMENT

182. Solely for the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

a. admits the EPA has jurisdiction over the subject matter alleged in this Agreement;

b. neither admits nor denies EPA's alleged findings of fact and alleged violations of law stated above;

c. consents to the assessment of a civil administrative penalty as stated below;

d. consents to the issuance of any specified compliance or corrective action order;

e. consents to the Conditions of Settlement specified in this Agreement;

f. waives any right to contest the alleged violations of law;

g. waives its rights to appeal the Final Order issued by the RJO approving this Consent Agreement;

h. agrees that this Agreement states a claim upon which relief may be granted against Respondent;

i. consents to personal jurisdiction in any action to enforce this Agreement, in the United States District Court for the District of North Dakota;

j. acknowledges that this Agreement constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions by EPA;

k. waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Agreement, including any right of judicial review under section 307(b)(1) of the Act, 42 U.S.C. § 7607(b)(1);

l. waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the Agreement, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action; and

m. by signing this Consent Agreement, Respondent waives any rights or defenses that it has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order issued by the RJO approving this Consent Agreement.

183. Civil Administrative Penalty.

a. Section 113(d)(1), 42 U.S.C. § 7413(d)(1), authorizes the EPA to assess a civil administrative penalty in this matter.

b. To determine the amount of the civil administrative penalty, the EPA considered the size of Respondent's business, the economic impact of the penalty on the business, Respondent's full compliance history and good faith efforts to comply, the duration of the violations as established by any credible evidence, payment by the Respondent of penalties previously assessed for the same violations, the economic benefit of noncompliance, the seriousness of the violations, and such other factors as justice may require. 42 U.S.C. § 7413(e)(1).

c. The EPA has compromised the civil administrative penalty pursuant to Section 113(d)(2)(B) of the Act, 42 U.S.C. § 7413(d)(2)(B).

184. Penalty Payment. Respondent agrees to pay a civil administrative penalty in the amount of $3,234,219 ("Assessed Penalty") within 30 days after the date the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk ("Filing Date").

a. Payment Method. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of methods, provided on the EPA website: https://www.epa.gov/financial/makepayment. For additional instructions see: https://www.epa.gov/financial/additional-instructions-making-payments-epa.

b. Payment Procedures. When making a payment, Respondent shall:

i. Identify every payment with Respondent's name and the docket number of this Agreement: CAA-08-2024-0009; and

ii. Concurrently with any payment or within 24-hours of any payment, serve Proof of Payment to the following persons:

Regional Hearing Clerk

U.S. Environmental Protection Agency, Region 8
ORC-IO, 1595 Wynkoop Street, Denver CO 80202
R8_hearing_clerk@epa.gov

and

Branch Manager, Air & Toxics Enforcement Branch
Enforcement and Compliance Assurance Division
Environmental Protection Agency, Region 8
1595 Wynkoop Street
Mail Code: 8ENF-AT
Denver, CO 80202
R8AirReportEnforcement@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@epa.gov

c. Interest, Charges, and Penalties on Late Payments. Pursuant to 42 U.S.C. § 7413(d)(5), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Agreement, the EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, the following amounts:

i. Interest. Interest begins to accrue from the Filing Date. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. Per 42 U.S.C. § 7524(c)(6), interest will be assessed pursuant to 26 U.S.C. § 6621(a)(2), that is the IRS

standard rate, equal to the Federal short term rate plus 3 percentage points.

ii. Handling Charges. The United States' enforcement expenses including, but not limited to, attorneys' fees and costs of handling collection.

iii. Late Payment Penalty. A ten percent (10%) quarterly non-payment penalty.

d. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the EPA Penalty assessed under this Agreement, the EPA may take additional actions. Such actions EPA may take include, but are not limited to the following:

i. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

ii. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.

iii. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.

iv. Request that the Attorney General bring a civil action in the appropriate district court to enforce the Final Order and recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, pursuant to 42 U.S.C. § 7413(d)(5). In any such action, the validity, amount, and appropriateness of the Assessed Penalty and Final Order shall not be subject to review.

e. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accursed interest, and last to the principal that is the outstanding Assessed Penalty amount.

f. Tax Treatment of Penalties. Consistent with section 162(f)(1) of the Internal Revenue Code, 26 U.S.C. § 162(f)(1), Respondent will not deduct

penalties, interest, and other charges paid pursuant to this Agreement for purposes of federal taxes.

g. Attorney's Fees and Costs. Except as qualified by Paragraph 184.c, each Party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.

185. Remedial Actions Taken. In response to the NOV, on or before the date of execution of this Agreement, Respondent took the following actions at the Facilities:

a. Enclosed Combustion Devices (ECDs):

i. Began testing and performing manufacturer recommended maintenance to ensure proper functioning at all times when gases, vapors, or fumes are routed to the ECD.

ii. Performed four consecutive weeks of third-party OGI inspections to ensure the piping between the tanks and the ECDs is operating in a leak-free condition.

iii. Increased the frequency of third-party OGI camera monitoring of the stations from quarterly to monthly.

iv. Implemented a weekly and quarterly Maximo work order to perform manufacturer recommended maintenance on ECDs.

v. Implemented an annual Maximo inspection work order, including checks for pilot lights and thermocouples.

vi. Implemented telecommunications enhancements to facilitate Supervisory Control and Data Acquisition (SCADA) system upgrades at the Facilities.

vii. Installed thermal mass flow meters to monitor all times that emissions are being routed to the ECDs.

viii. Began operating ECDs with a minimum temperature of 500ºF at all times that gas is routed to the ECD.

ix. Implemented CPMS and SCADA pilot alarm monitoring to allow for responding to the alarm and initiating repairs, if necessary, within 24 hours of an alarm. Monitoring results and repair records are tracked using enhanced Maximo tools.

x. Increased the scope of manufacturer recommended inspections and maintenance so that, in addition to any standard weekly or quarterly

inspections and maintenance, all recommended annual inspections and maintenance are conducted on a quarterly basis.

b. TEG Dehydrators:

i. In response to a CAA Section 114 information request issued by the EPA on April 15, 2024, Respondent took a wet gas sample from the inlet to each dehydrator, performed a gas analysis, and used this data to perform an applicability analysis under 40 C.F.R. §§ 63.760 and 63.764(d)-(e).

ii. Began quarterly dehydrator inlet gas extended analysis sampling, returning to annual sampling after one year of quarterly sampling.

iii. Began recording dehydrator operating parameters monthly, with Maximo work orders generating monthly.

iv. Installed BTEX condenser units on the TEG dehydrators and routed vapors to a combustion device that complies with the requirements of 40 C.F.R. § 63.771.

v. Began performing a quarterly analysis showing the BTEX condenser units are reducing actual average benzene emissions to below 0.90 megagrams per year, as determined by the procedures specified in § 63.772(b)(2).

c. Leak Detection and Repair (LDAR):

i. Performed weekly third-party OGI monitoring at each compressor station from 6/17/2024 through 7/8/2024. 52 leaks were detected, with 22 leaks repaired on a first attempt, 27 leaks repaired on a second attempt, and 3 leaks placed on delay of repair. One of the delay-of-repair leaks was repaired on 9/19/24. The other 2 delay-of-repair leaks will be repaired during the next facility shutdown.

ii. After the weekly OGI monitoring described in Paragraph 185.c.i was completed, implemented monthly OGI/Method 21 monitoring of all OOOOa components according to the monitoring plan attached as Attachment A.

d. Engines:

i. Catalysts.

(1) Utilizing enhanced Maximo tools, began tracking monthly pressure drop readings pursuant to 40 C.F.R. § 63.6640(b).

(2) Began performing expanded data tracking, including Date; Engine ID; Monthly Reading; Established Reference Point (from initial performance test or catalyst change per 40 C.F.R. § 63.6640(b)); Upper Limit (+2" H20 from Reference Point); Lower Limit (-2" H20 from Reference Point).

ii. CPMS:

(1) Confirmed that all required CPMS units are operating properly and all monitored equipment is operating in allowable ranges for temperature and other parameters.

(2) Implemented CPMS monitoring and an alarm for temperature exceedances of the four-hour average, responding and initiating repairs, if necessary, within 24 hours of an alarm. Monitoring results and repair records shall be tracked using enhanced Maximo tools.

(3) Began performing annual CPMS calibrations and thermocouple checks.

e. Performance Testing:

i. Conducted all required NESHAP ZZZZ performance tests and provided results to EPA.

ii. Initiated semi-annual NESHAP ZZZZ performance testing, with reversion to annual testing after two consecutive passing tests.

iii. Began including necessary NESHAP ZZZZ documentation in performance testing reports.

f. Compliance Monitoring and Record Keeping:

i. Enhanced the reliability and monitoring capabilities of the current compressor stations and current compressor station communications methods of Respondent's North Dakota SCADA system, including: installing major microwave backbone sites with 11GHz FCC licensed radios and communications cabinets, providing 48 hours of backup power; installing new 11GHz licensed microwave links to connect various sites, including Little Missouri Gas Plant Tower to the Johnson Corner Terminal Tower, and several other key locations; installing Modbus protocol modules in existing Profire controllers to improve monitoring capabilities for ECDs, dehydration units, and BTEX units at the Facilities; configured the Facilities for more detailed data collection and communication; installing Ethernet

converters with MQTT protocol capability to enhance SCADA system notifications and alarms; performing data quality checks for communication errors and stale data.

ii. Installed Profire burner management systems (BMS) on each ECD to allow monitoring of temperature, pilot presence, and auto-ignition. The Profire readings are transmitted to a recording system with the SCADA upgrades completed, allowing for data management, review, and response to any detected anomalies. In addition to the Profire BMSs, the thermal mass flow meters installed on each unit allow Targa to ensure the ECDs are operating within design parameters. Daily visual inspection of each unit acts as a secondary check of appropriate operation.

g. Increased Head Count

i. Increased the number of ESH personnel employed to provide compliance assistance to the Facilities.

186. Conditions of Settlement. As conditions of settlement, Respondent agrees to perform the following actions at the Facilities.

a. ECDs. For all ECDs, including those controlling storage vessels and TEG dehydration units, Respondent shall:

i. Operate and maintain thermal mass flow meters to monitor all times that emissions are being routed to the ECDs.

ii. Operate ECDs with a minimum temperature of 500ºF at all times that gas is routed to the ECD.

iii. Respond to CPMS and SCADA pilot alarm monitoring and initiate repairs, if necessary, within 24 hours of an alarm. Monitoring results and repair records shall be tracked using enhanced Maximo tools.

iv. Perform monthly third-party OGI monitoring.

v. Conduct all manufacturer recommended annual inspections and maintenance on a quarterly basis.

b. TEG Dehydrators. For all TEG Dehydrators, Respondent shall:

i. Operate and maintain BTEX condenser units on the TEG dehydrators and route vapors to a combustion device that complies with the requirements of 40 C.F.R. § 63.771.

ii. Perform a quarterly analysis showing the BTEX condenser units are reducing actual average benzene emissions to below 0.90 megagrams per year, as determined by the procedures specified in § 63.772(b)(2). After one year of successfully meeting this standard, Respondent shall perform this analysis annually instead of quarterly.

iii. Until Respondent has shown one year of compliance with Paragraphs 186.b.i and 186.b.ii above, Respondent shall:

(1) Record monthly readings of all TEG dehydrator operating parameters used as ProMax inputs (*see* 88 Fed. Reg. 3408, 3409 (Jan. 19, 2023) (ALT-147)).

(2) Install signage near the TEG dehydrator identifying the maximum circulation rate, as determined under 40 C.F.R. § 63.764(d)(2)(ii).

iv. Within 180 days after the Effective Date of this Agreement, Respondent shall file new Synthetic Minor New Source Review (SMNSR) permit applications, in accordance with 40 C.F.R. §§ 49.151 through 49.165, for the Facilities that reduce PTE below the Title V threshold through enforceable emissions limitations in the form of a condition that requires Respondent to install, operate, and maintain BTEX condenser units on the TEG dehydrators and route the vapors to a combustion device, and, if necessary, by enforceable limitations to reduce emissions from engine operations. On an application-by-application basis, once EPA has made a completeness determination, the emissions limitations in the SMNSR permit applications will be considered federally enforceable as a condition of settlement for the term of this Agreement.

c. LDAR. Perform monthly third-party OGI/Method 21 monitoring of all OOOOa components according to the monitoring plan attached as Attachment A.

d. Engines.

i. Catalysts:

(1) Perform and utilize enhanced Maximo tools to track monthly pressure drop readings pursuant to 40 C.F.R. § 63.6640(b).

(2) Perform expanded data tracking, including: Date; Engine ID; Monthly Reading; Established Reference Point (from initial performance test or catalyst change per 40 C.F.R. § 63.6640(b));

Upper Limit (+2" H20 from Reference Point); Lower Limit (-2" H20 from Reference Point).

ii. CPMS:

(1) Perform monitoring and operate an alarm for four-hour average temperature exceedances. Respond and initiate repairs, if necessary, within 24 hours of an alarm. Monitoring results and repair records shall be tracked using enhanced Maximo tools.

(2) Perform annual CPMS calibrations and thermocouple checks.

iii. Performance Testing:

(1) Perform semi-annual performance testing for all engines subject to NESHAP ZZZZ. After two passing performance tests, performance testing shall be performed on an annual basis.

(2) Respondent shall comply with the notification, reporting, and recordkeeping requirements in 40 C.F.R. §§ 63.6645, 63.6650, and 63.6655, respectively, at all subject compressor stations.

e. Compliance Monitoring and Record Keeping:

i. No later than December 31, 2025, complete an EMIS upgrade project to transition to Intelex, which will integrate greenhouse gas (GHG) requirements, Emissions Inventory reporting, and permitting/regulatory compliance into a single system. The project will be implemented in three phases: Phase 1 involves the implementation of the Compliance/Tasking module; Phase 2 focuses on the implementation of the Waste module; and Phase 3 includes the implementation of the Air module and its integration with operational data systems to calculate criteria and GHG emissions for state and federal reporting. The system will be a secure, cloud-based application with robust reporting and analytic capabilities, tracking compliance with new regulations and mitigating the risks associated with dispersed environmental records and third-party calculations. This auditable, integrated system will facilitate environmental compliance and enhance efficiency.

ii. No later than December 31, 2026, audit the upgraded ECD CPMS, SCADA, and EMIS (Phase 1 only) systems described in Paragraphs 185.f.i, 185.f.ii, and 186.e.i to ensure that they are operating as intended and include audit results in the next semi-annual report due to the EPA.

f. Reporting. In addition to any reporting requirement contained in any permit or regulation applicable to the Facilities, Respondent shall submit to the EPA in accordance with the requirements of Section VIII (Notices), a complete and accurate Semi-Annual Report within 30 Days after the end of each half of the calendar year (*i.e.*, January through June due July 30th, and July through December due January 30th) ("Reporting Period"). Each Semi-Annual Report shall contain the following information:

i. Facility monitoring data. The following data shall be included in each Semi-Annual Report for the Facilities:

(1) ECD pilot and/or temperature alarms;

(2) Engine CPMS deviations for catalyst temperature and catalyst pressure;

(3) Engine CPMS data in excel format (temperature, dP and baseline catalyst pressure for each engine);

(4) Dates of LDAR monitoring per Facility;

(5) LDAR components that were missed during a survey and reasons why;

(6) LDAR components on DOR and reasons why;

(7) Date and components that were found to be venting during an LDAR survey, how the repair was conducted, and when the component was confirmed as repaired;

(8) Results of the quarterly TEG dehydration unit operating parameters monitoring;

(9) All ECD pilot outages and/or times when an ECD temperature was below 500°F and corresponding flow meter data during the time period;

(10) Any performance tests conducted on ECD's according to NSPS OOOO, NSPS OOOOa or MACT HH;

(11) Any performance tests conducted on engines according to NSPS JJJJ or MACT ZZZZ;

(12) Date of BTEX condenser and ECD installation, or installation of a closed-vent system from a dehydration unit to an existing ECD, for each TEG dehydration unit;

(13) For the first semi-annual report, the confirmation of installation for each thermal mass flow meter measuring emissions from both the storage vessels and TEG dehydration units.

In addition to the data above, the second Semi-Annual Report for each year (*i.e.*, the report for the July through December Reporting Period), shall contain the following information:

(14) All wet gas analysis results taken at the inlet of each TEG dehydration unit and associated emission calculations for each dehydration unit using ProMax;

(15) Date of CPMS calibration and thermocouple checks for both engines and ECDs;

(16) Copies of the SMNSR permit applications to ensure they have been submitted in a timely manner.

ii. Implementation Problems: A summary of any problems encountered or anticipated in complying with this Agreement during the Reporting Period, together with implemented or proposed solutions, if available.

iii. Noncompliance: A description of any noncompliance with the requirements of this Agreement and an explanation of the violation's likely cause and of the remedial steps taken, or to be taken, to prevent or minimize such violation. If Respondent violates any requirement of this Agreement with an associated stipulated penalty, Respondent shall notify the EPA in accordance with the requirements of Section VIII (Notices) of such violation and its likely duration, in writing, within 14 Days of the Day Respondent first becomes aware of the violation, with an explanation of the violation's likely cause and the remedial steps taken, or to be taken, to prevent or minimize such violation. If the cause of a violation cannot be fully explained at the time the report is due, Respondent shall so state in the report. Respondent shall investigate the cause of the violation and shall then submit an amendment to the report, including a full explanation of the cause of the violation, within 30 Days of the day Respondent becomes aware of the cause of the violation. Nothing in this Paragraph or Agreement relieves Respondent of its obligation to provide the notice required by Section IX (Force Majeure). If the EPA becomes aware of any violation of any requirement of this Agreement, the EPA will use its best efforts to promptly notify Respondent of such violation.

iv. Certification Statement. Except for emergency notifications where compliance would be impractical, each report submitted by Respondent under this Paragraph shall be signed by an official of the submitting party and include the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

v. Semi-Annual Report Meeting. Following the submittal of the initial Semi-Annual Report and extending through the term of this Agreement, Respondent shall, upon request of the EPA, attend a meeting to review and discuss any issues reported in a Semi-Annual Report. Upon request from the EPA, Respondent may be required to submit supplemental information for the EPA to determine compliance with this Agreement and to re-certify any Semi-Annual Report.

g. Endangerment: Whenever any violation of this Agreement or any applicable permits or any other event affecting Respondent's performance under this Agreement may pose an immediate threat to the public health or welfare or the environment, Respondent shall comply with any applicable federal and state or local laws and, in addition, shall notify the EPA as per Section VIII (Notices) orally or by electronic or facsimile transmission as soon as possible, but no later than 24 hours after Respondent first knew of the violation or event. This notice requirement is in addition to the requirement to provide notice of a violation of this Agreement set forth in Paragraph 186.f.iii.

h. Effect of Reporting Requirements: The reporting requirements of this Agreement do not relieve Respondent of any reporting obligations required by the Act, or implementing regulations, or by any other federal, state, or local law, regulation, permit, or other requirement.

i. Use of Information: Any information provided pursuant to this Agreement may be used by the EPA in any proceeding to enforce the provisions of this Agreement and as otherwise permitted by law.

187. Stipulated Penalties. Respondent shall be liable for stipulated penalties to the EPA for violations of this Agreement as specified below unless excused under Section IX (Force Majeure), or reduced or waived by the EPA in the unreviewable exercise of its discretion. A violation includes failing to perform any obligation required by the terms of this Agreement, including any work plan approved under this Agreement, according to all applicable requirements of this Agreement and within the specified time schedules established by or approved under this Agreement.

Agreement Violation	Stipulated Penalty
a. Failure to install, operate, and maintain thermal mass flow meters at a facility, as required by Paragraph 186.a.i.	$1,000 per flow meter per day.
b. Failure to operate an ECD above 500°F while emissions are being routed the ECD, as required by Paragraph 186.a.ii.	$1,000 for durations less than 1-hour per continuous event. $5,000 for durations greater than 1-hour and less than 3 hours per continuous event. $10,000 for durations greater than 3 hours, and $2,000 per hour after 4-hours, per continuous event.
c. Failure to repair equipment to cease CPMS deviations or pilot light failures within 24 hours, as required by Paragraphs 186.a.iii and 186.d.ii(1).	$1,000 per CPMS per day; $5,000 per pilot light per day.
d. Failure to conduct monthly third-party OGI and/or Method 21 monitoring, as required by Paragraphs 186.a.iv and 186.c.	$10,000 per month.
e. Failure to install, operate, and maintain BTEX condenser units on the TEG dehydrators and route	$5,000 per BTEX condenser unit per day.

vapors to a combustion device, as required by Paragraph 186.b.i.	
f. Failure to perform the BTEX condenser unit analysis required by Paragraph 186.b.ii.	$1,000 per TEG dehydration unit per month.
g. Failure to record monthly TEG dehydrator operating parameters used as ProMax inputs, as required by Paragraph 186.b.iii(1).	$500 per TEG dehydration unit per month.
h. Failure to install signage near the TEG dehydrator identifying the maximum circulation rate, as required by Paragraph 186.b.iii(2).	$500 per TEG dehydration unit per month.
i. Failure to file a SMNSR application within 180 days from the Effective Date, as required by Paragraph 186.b.iv.	$1,000 per Facility per month.
j. Failure to perform and track monthly pressure drop readings and other data for each engine, as required by Paragraph 186.d.i.	$500 per event.
k. Failure to perform annual CPMS calibrations and thermocouple checks, as required by Paragraph 186.d.ii(2).	$5,000 per event.
l. Failure to conduct engine performance test for NESHAP ZZZZ, as required by Paragraph 186.d.iii(1).	$10,000 per engine per month.
m. Failure to perform any of the compliance monitoring or record-	$5,000 per requirement per month.

keeping requirements of Paragraph 186.e.	
n. Failure to submit reports pursuant to this Consent Agreement.	$5,000 per reporting requirement per month.
o. Any other violation of this Agreement not otherwise specified above.	$1,000 per violation per day.

p. Stipulated penalties shall continue to accrue as provided in Paragraph 187 during any Dispute Resolution, but need not be paid until the following:

   i. If the dispute is resolved by agreement or by a decision of the EPA and is not appealed to the District Court, Respondent shall pay accrued penalties determined to be owing, together with interest, to the EPA within 30 Days of the Effective Date of the agreement or the receipt of the EPA's decision or order;

   ii. If the dispute is appealed to the District Court and the EPA prevails in whole or in part, Respondent shall pay all accrued penalties determined by the Court to be owing, together with interest, within 60 Days of receiving the Court's decision or order, except as provided in Paragraph 187.p.iii, below; or

   iii. If any Party appeals the District Court's decision, Respondent shall pay all accrued penalties determined to be owing, together with interest, within 15 days of receiving the final appellate court decision.

q. If Respondent fails to pay stipulated penalties according to the terms of this Agreement, Respondent shall be liable for a ten percent (10%) quarterly non-payment penalty, as well as interest on such penalties, as provided for in 28 U.S.C. § 1961, accruing as of the date payment became due. Nothing in this Paragraph shall be construed to limit the EPA from seeking any remedy otherwise provided by law for Respondent's failure to pay any stipulated penalties.

r. Respondent shall pay stipulated penalties owing to the EPA in the manner set forth and with the confirmation notices required by Paragraph 184 (Penalty Payment) except that the transmittal letter shall state that the payment is for stipulated penalties and shall state for which violation(s) the penalties are being paid.

s. Stipulated penalties are not the EPA's exclusive remedy for violations of this Agreement. Subject to the provisions of Section XIII (Effect of Consent Agreement and Final Order), the EPA expressly reserves the right to seek any other relief deemed appropriate for Respondent's violation of this Agreement or applicable law, including but not limited to an action against Respondent for statutory penalties, additional injunctive relief, mitigation and/or offset measures. However, where a violation of relevant statutory or regulatory requirements is also a violation of this Agreement, the amount of any statutory penalty assessed for a violation shall be reduced by an amount equal to the amount of any stipulated penalty assessed and paid pursuant to this Agreement.

VIII. NOTICES

188. Unless otherwise specified in this Agreement, whenever notifications, submissions, or communications are required by this Agreement, they shall be made in writing and sent by mail or email, with a preference for email, and addressed as follows:

As to the EPA by email: R8AirReportEnforcement@epa.gov
Lecortz.colin@epa.gov

As to the EPA by mail: Branch Chief, Air & Toxics Enforcement Branch
Enforcement and Compliance Assurance Division
Environmental Protection Agency, Region 8
1595 Wynkoop Street
Mail Code: 8ENF-AT
Denver, CO 80202

As to Respondent by email: bill.grygar@targaresources.com
jpabon@targaresources.com
matthew.paulson@bracewell.com

As to Respondent by mail: Bill Grygar, VP ES&H
Targa Resources
811 Louisiana St., Suite 2100
Houston, TX 77002

IX. FORCE MAJURE

189. "Force majeure," for purposes of this Agreement, means any event arising from causes beyond the control of Respondent, of any entity controlled by Respondent, or of Respondent's contractors that delays or prevents the performance of any obligation under this Agreement despite Respondent's

best efforts to fulfill the obligation. The requirement that Respondent exercises "best efforts to fulfill the obligation" includes using best efforts to anticipate any potential force majeure event and best efforts to address the effects of any potential force majeure event (i) as it is occurring and (ii) after it has occurred to minimize any resulting delay and any adverse effects to the greatest extent possible. "Force majeure" does not include Respondent's financial inability to perform any obligation under this Agreement.

190. If any event occurs or has occurred that may delay the performance of any obligation under this Agreement, whether or not caused by a force majeure event, Respondent shall provide notice by email to the EPA as provided in Section VIII (Notices), within 72 hours of when Respondent first knew that the event might cause a delay. Within 7 Days thereafter, Respondent shall provide in writing to the EPA (i) an explanation and description of the reasons for the delay; (ii) the anticipated duration of the delay; (iii) all actions taken or to be taken to prevent or minimize the delay; (iv) a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; (v) Respondent's rationale for attributing such delay to a force majeure event if it intends to assert such a claim; and (vi) a statement as to whether, in the opinion of Respondent, such event may cause or contribute to an endangerment to public health. Respondent shall include with any notice all available documentation supporting the claim that the delay was attributable to a force majeure. Failure to comply with the above requirements precludes Respondent from asserting any claim of force majeure regarding that event for the period of time of such failure to comply, and for any additional delay caused by such failure. Respondent shall be deemed to know of any circumstance of which Respondent, any entity controlled by Respondent, or Respondent's contractors knew or should have known.

191. If the EPA agrees that the delay or anticipated delay is attributable to a force majeure event, the time for performance of the obligations under this Agreement that are affected by the force majeure event will be extended by the EPA, for such time as is necessary to complete those obligations. An extension of the time for performance of the obligations affected by the force majeure does not, of itself, extend the time for performance of any other obligation. The EPA will notify Respondent in writing of the length of the extension, if any, for performance of the obligations affected by the force majeure event.

192. If the EPA does not agree that the delay or anticipated delay has been or will be caused by a force majeure event, the EPA will notify Respondent in writing of its decision.

193. If Respondent elects to invoke the dispute resolution procedures set forth in Section X (Dispute Resolution), it shall do so no later than 15 Days after receipt of the EPA notice. In any such proceeding, Respondent bears the burden of demonstrating by a preponderance of the evidence that the delay or anticipated delay has been or will be caused by a force majeure, that the duration of the delay or the extension sought was or will be warranted under the circumstances, that best efforts were exercised to avoid and mitigate the effects of the delay, and that Respondent complied with the requirements of Paragraphs 189-190. If Respondent carries this burden, the delay at issue will be deemed not to be a violation by Respondent of the affected obligation of this Agreement identified to the EPA and the Court.

X. DISPUTE RESOLUTION

194. Unless otherwise expressly provided for in this Agreement, the dispute resolution procedures of this section shall be the exclusive mechanism to resolve disputes arising under or with respect to this Agreement. Respondent's failure to seek resolution of a dispute under this section shall preclude Respondent from raising any such issue as a defense to an action by EPA to enforce any obligation of Respondent's arising under this Agreement.

195. Informal Dispute Resolution. Any dispute subject to Dispute Resolution under this Agreement shall first be the subject of informal negotiations. The dispute shall be considered to have arisen when Respondent sends the EPA a written Notice of Dispute. Such Notice of Dispute shall state clearly the matter in dispute. The period of informal negotiations shall not exceed 60 days from the date the dispute arises, unless that period is extended by written agreement. If the EPA and Respondent cannot resolve a dispute by informal negotiations, then the position advanced by EPA shall be considered binding unless, within 45 days after the conclusion of the informal negotiation period, including any agreed extension of the period for negotiation under this paragraph, Respondent invokes formal dispute resolution procedures as set forth below.

196. Formal Dispute Resolution. Respondent shall invoke formal dispute resolution procedures, within the time period provided in the preceding paragraph, by serving on the EPA a written Statement of Position regarding the matter in dispute. The Statement of Position shall include, but need not be limited to, any factual data, analysis, or opinion supporting Respondent's position and any supporting documentation relied upon by Respondent.

197. The EPA shall serve its Statement of Position within 45 days of receipt of Respondent's Statement of Position. The EPA's Statement of Position shall include, but need not be limited to, any factual data, analysis, or opinion supporting that position and any supporting documentation relied upon by

EPA. The EPA's Statement of Position shall be binding on Respondent, unless Respondent requests alternative dispute resolution in accordance with the following paragraph.

198. Respondent may request that the EPA coordinate to designate a neutral party for dispute resolution. If the Parties cannot agree on a neutral party, Respondent may request the Regional Administrator or the RJO appoint a neutral party to proceed with dispute resolution.

199. The invocation of dispute resolution procedures under this section shall not, by itself, extend, postpone, or affect in any way any obligation of Respondent under this Agreement, unless and until final resolution of the dispute so provides.

XI. TRANSFER OF OBLIGATIONS

200. The provisions of this Agreement shall apply to and be binding upon Respondent, its successors and assigns. No closing or transfer of ownership or operation of any portion of or interest in the Facilities shall relieve Respondent of its obligation to comply with the terms of this Agreement unless:

a. Respondent provides written notice and a copy of this Agreement to the proposed transferee at least 30 days prior to closing and simultaneously provides written notice of the transfer, together with a copy of the Purchase and Sale Agreement (PSA), to the EPA;

b. The transferee agrees in the PSA to undertake the obligations and liabilities of this Agreement and to be bound by the terms thereof in relation to the Facilities being transferred;

c. The transferee agrees in writing to be substituted for Respondent for all provisions in this Agreement and to be bound by the terms thereof for the Facilities being transferred, including implementation of the Conditions of Settlement set forth in Paragraph 186 of the Agreement (unless already satisfactorily implemented by Respondent), but excepting Paragraph 184 (Penalty Payment);

d. Respondent submits information to the EPA to reasonably demonstrate the transferee has both the financial and technical capability to perform the obligations of this Agreement in relation to the Facilities being transferred; and

e. The EPA approves Respondent's request to be relieved of its obligations under this Agreement, which approval shall not be unreasonably withheld, conditioned or delayed.

201. Upon receipt of a request by Respondent to transfer the obligations of this Agreement, as provided in Paragraph 200, the EPA shall have 30 Days to object to the request. If the EPA denies the request to transfer the obligations of this Agreement the Parties will follow the Dispute Resolution process set forth in Section X of this Agreement. The EPA shall bear the burden of showing that any objection to relieving Respondent of its obligations of this Agreement was not unreasonable.

202. This Agreement shall not be construed to prohibit a contractual allocation – as between Respondent and any purchaser or transferee of the facilities identified in Appendix A – of the obligations of compliance with this Agreement, provided, however, that such contractual allocation shall not relieve Respondent of its obligations under the Agreement unless and until the provisions of Paragraphs 200 through 201 have been met.

XII. TERMINATION

203. Upon the expiration of three years from the Effective Date of this Agreement, Respondent shall provide a Statement of Completion to EPA certifying that Respondent has paid the Assessed Penalty in accordance with Paragraph 184 and completed all Conditions of Settlement set forth in Paragraph 186.

204. The Statement of Completion shall certify that Respondent is in substantial and material compliance with all requirements of this Agreement, including payment of any stipulated penalties due to the EPA.

205. Within 90 days of receipt of the Statement of Completion, EPA shall provide a Confirmation of Termination to Respondent or notify Respondent of any outstanding compliance items.

XIII. EFFECT OF CONSENT AGREEMENT AND FINAL ORDER

206. In accordance with 40 C.F.R. § 22.18(c), this Agreement resolves only the Respondent's liability for federal civil and administrative penalties for the violations and facts specifically alleged herein.

207. This Consent Agreement constitutes the entire agreement and understanding of the Parties and supersedes any prior agreements or understandings, whether written or oral, among the Parties with respect to the subject matter hereof.

208. The Parties agree that this Agreement may be signed in any number of counterparts, each of which will be deemed an original and, when taken together, constitute one agreement; the counterparts are binding on the parties individually as fully and completely as if the Parties had signed one single instrument, so that the rights and liabilities of the Parties will be

unaffected by the failure of any of the undersigned to execute any or all of the counterparts; any signature page and any copy of a signed signature page may be detached from any counterpart and attached to any other counterpart of this Agreement and any signature page may be transmitted electronically (e.g., a PDF file).

209. Any violation of a Final Order issued by the RJO in this matter may result in a civil judicial action for an injunction or civil penalties, or both, as provided in section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), as well as criminal sanctions as provided in section 113(c) of the Act, 42 U.S.C. § 7413(c). The EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

210. Nothing in this Consent Agreement relieves Respondent of the duty to comply with all applicable provisions of the Act or other federal, state or local laws or statutes, or restricts the EPA's authority to seek compliance with any applicable laws or regulations, nor will it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

211. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.

212. If and to the extent that the EPA finds, after signing this Consent Agreement, any information provided by Respondent was or is materially false or inaccurate at the time such information was provided, the EPA reserves any and all of its legal and equitable rights.

213. By signing this Agreement, Respondent acknowledges that this Agreement will be available to the public and agree that this Agreement does not contain any confidential business information or personally identifiable information.

214. By signing this Agreement, the undersigned representative of Complainant and the undersigned representatives of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this Agreement and has the legal capacity to bind the Party he or she represents to this Agreement.

215. By signing this Agreement, both Parties agree that each Party's obligations under this Agreement constitute sufficient consideration for the other Party's obligations.

216. By signing this Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, to the best of Respondent's knowledge and belief, true, accurate, and complete for each

such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

217. Respondent agrees the time period from the Effective Date of this Agreement until the civil administrative penalty specified in Paragraph 184 is paid and all of the Conditions of Settlement specified in Paragraph 186 are completed and this Agreement is terminated according to Section XII (Termination) shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by the EPA on any claims (Tolled Claims) set forth in this Agreement. Respondent shall not assert, plead, or raise in any fashion, whether by answer, motion or otherwise, any defense of laches, estoppel, or waiver, or other similar equitable defense based on the running of any statute of limitations or the passage of time during the Tolling Period in any action brought on the Tolled Claims.

XIV. EFFECTIVE DATE

218. Respondent and Complainant agree to issuance of a Final Order approving this Agreement. Upon filing, the RJO will transmit a copy of the filed Agreement to the Respondent. This Agreement and subsequently issued Final Order shall become effective after execution of the Final Order by the RJO, on the date of filing with the Hearing Clerk.

The foregoing Consent Agreement In the Matter of Targa Badlands, LLC, is Hereby Stipulated, Agreed and Approved.

UNITED STATES ENVIRONMENTAL

PROTECTION AGENCY, REGION 8,

SUZANNE BOHAN Digitally signed by SUZANNE BOHAN Date: 2025.06.24 14:52:14 -06'00'

Signature Date

Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division
United States Environmental Protection Agency
1595 Wynkoop Street, 8ENF
Denver, Colorado 80202-1129

COMPLAINANT.

Targa Badlands, LLC

DS

Signed by: Prateev Patel FDFBE8494739444C...

6/17/2025

Signature Date

Printed Name: Prateev Patel

Title: VP Operations

Address: 811 Louisiana, Suite 2100, Houston, TX 77002

Respondent's Federal Tax Identification Number: 32-0396948

RESPONDENT.

In re: Targa Badlands, LLC Consent Agreement and Final Order
Docket No. CAA-08-2024-0009

Attachment A

Voluntary OGI for Facilities on the Fort Berthold Indian Reservation Monitoring Plan

TABLE OF CONTENTS

1. Voluntary Supplemental OGI Monitoring

This plan outlines monitoring requirements for compressor stations that are located on the Fort Berthold Indian Reservation (FBIR) and subject to the 2024 EPA-issued NOV. As such, this document will serve as the company defined monitoring plan.

1.1 APPLICABLE SITES

- Compressor stations located on the FBIR and referenced in the 2024 EPA-issued NOV.
- List of applicable sites:
    - Clark's Creek Compressor Station
    - Blue Buttes Compressor Station
    - TAT-Blue Buttes Compressor Station
    - Junction Compressor Station
    - Johnson Compressor Station
    - Buffalo Compressor Station
    - Robert's Trust 1 Compressor Station
    - Robert's Trust 2 Compressor Station

1.2 MONITORING TIMELINE

- Initial weekly monitoring conducted for 4 weeks.
    - Beginning week of 16 June 2024
    - Final week of monitoring week of 8 July 2024
- After initial weekly monitoring, commence monthly monitoring.
    - Duration to be defined in future correspondence

Applicable compressor stations will have their initial monitoring completed the week of 16 June 2024. Monitoring will be conducted according to the monitoring timeline noted in section 1.2. Monitoring will follow the workflow diagram included in Appendix B.

2.1 LEAK MONITORING SURVEY REQUIREMENTS

- All compressor station LDAR surveys will be conducted using Optical Gas Imaging (OGI).
    - Follow up inspections will be conducted using OGI; or
    - By using the soap bubble screening method as outlined in Method 21 section 8.3.3.
        - Soap bubble screening will not be used on sources that have continuously moving parts, that do not have a surface temperature greater than the boiling point or less than the freezing point of the soap solution, that do not have open areas to the atmosphere that the solution cannot bridge, or that do not exhibit evidence of liquid leak.
- All fugitive emission components at the station will be surveyed.
    - Fugitive components are defined as:

      "any component that has the potential to emit fugitive emissions of methane or VOC at a well site or compressor station, including, but not limited to valves, connectors, pressure relief devices, open-ended lines, flanges, covers and closed vent not subject to §60.5411a, thief hatches or other openings on a controlled storage vessel not subject to §60.5395a, compressors, instruments, and meters. Devices that vent as part of normal operations, such as natural gas-driven pumps, are not fugitive emissions components, insofar as the natural gas discharged from the device's vent is not considered a fugitive emission. Emissions originating from other than the vent, such as the thief hatch on a controlled storage vessel, would be considered fugitive emissions."
    - Fugitive leak is defined as:
        - Any visible emission from a fugitive emission component using optical gas imaging,
        - An instrument reading of 500 ppm or greater on a Method 21 device or,
        - The presence of bubbles from Method 21 section 8.3.3 test.
- Repairs will be conducted by monitoring personnel on leaking components.
    - Each leaking fugitive component shall be repaired or replaced as soon as practicable, but no later than 30 calendar days after the leak is detected.

- When a leak is found during the monitoring survey, an immediate attempt at repair should be conducted. If the leak can be immediately repaired and resurveyed, then no tag is required for the component.
- For leaking components that cannot be repaired during the initial survey, a weatherproof leak tag will be affixed to the component for ease of identification during the repair attempt. A Maximo work order will be created for the leaking component.
- Repairs that cannot be made during the survey will be made by Targa representatives and a follow up survey using OGI or the soap bubble screening method, as outlined in Method 21 section 8.3.3, no later than 30 days after being repaired.
- All repair information will be entered into Maximo. Information to be collected includes:
  - Date of repair.
  - Name of person making repair.
  - Type of repair completed.
  - Date of resurvey.
  - Pass/Fail reading of repair.
  - Person and equipment used to conduct resurvey.

2.2 DELAY OF REPAIR REQUIREMENTS

- For repairs that are technically infeasible, repairs may be delayed until the next compressor station shutdown, well shutdown, well shut-in, planned vent blowdown, or within two years whichever is earlier. Reasons that a repair may be technically infeasible include:
  - Requires a vent blowdown.
  - Requires a compressor station shutdown.
  - Requires a well shutdown or well shut-in.
  - Would be unsafe to repair or replace during normal operation of the unit.
- Components recommended for placement on Delay of Repair list will be reviewed and approved by a Targa Area Manager.

2.3 MONITORING EQUIPMENT AND CALIBRATION

- The OGI camera used must meet the initial verification performed by either the manufacturer, the facility, or a third-party.

- All cameras used by Targa Resources come from the manufacturer meeting this requirement and certifications are stored in Maximo.
  - The camera is capable of imaging gases in the spectral range for the compound of highest concentration in the potential fugitive emissions.
  - The camera is capable of imaging a gas that is half methane, half propane at a concentration of 10,000 ppm at a flow rate of <60g/hr from a quarter inch diameter orifice.

- OGI camera FLIR GF320 will be used to conduct NSPS OOOOa monitoring at compressor stations. Follow-up surveys will be conducted using either:
  - The above mentioned OGI camera, or
  - By using the soap bubble screening method as outlined in Method 21 section 8.3.3.

- The equipment operator will verify that the OGI camera is operating correctly at the beginning of each monitoring day. The operator will observe the following steps prior to monitoring:
  1. Verify conditions are appropriate for monitoring.
  2. Turn on camera and follow manufacturer's start-up procedures.
     a. Make sure camera powers on.
     b. Make sure that the camera completes cool-down process and produces a live IR image.
     c. Make sure that the camera does not report any error messages upon startup.
     d. Make sure that the camera focuses properly.
     e. Make sure that the camera is able to engage HSM mode.
     f. Perform a non-uniformity correction.
  3. Set up the propane bottle with regulator in a safe place and flow the propane gas at a rate of 0.5 L/min.
  4. Walk to a distance of approximately 50 feet from the propane flowmeter and view the flowing gas with the OGI camera.
  5. Move toward (or away) from the flowing gas to determine at what distance the gas can be viewed.
  6. Shut off flowing gas and put away equipment.
  7. Record sustained wind speed (mph), ambient temperature (degree Fahrenheit), sky conditions, and the max viewing distance (feet).
  8. Begin monitoring.

  - The camera operator will attempt to view all components within the above determined maximum viewing distance.
  - If sustained wind speeds exceed 30 mph, then monitoring cannot be completed.
    - For components located inside of buildings (compressor buildings, etc.) wind speed will not affect their monitoring.
    - Wind speed will be measured using an Anemometer in miles per hour. Sustained wind speed will be calculated by averaging 4 wind speed readings over a two-minute period.

- During the course of monitoring, OGI camera operators may experience different types of interferences. The OGI camera operator courses will cover procedures for operators to deal with interferences and viewing fugitive emission components optimally. In addition, use the below information to minimize interference.
    - Determining thermal background:
        - Operator will ensure that the background is non-reflective for the component being checked.
        - Operator will adjust the camera temperature range to approximate the temperature of the target object being monitored.
    - Operator will position the camera to maximize thermal contrast.
    - Camera operator will select the camera's high sensitivity mode (or HSM) to enhance leak detection.
    - Wind – Operator will observe maximum sustained wind speeds and determinations referenced in Section 2.1.3.
    - Steam – Steam is not used at any compressor station and is therefore not a concern.
    - Temporary hazards:
        - Operator will observe the site for temporary hazards (mobile equipment, construction, etc.) and adjust the monitoring viewpoint to safely view the components.

1.1 Difficult-to-Monitor Plan

1.2.1 Difficult to Monitor (DTM) Monitoring Schedule

- Fugitive emission components that cannot be monitored without elevating the monitoring personnel more than 2 meters above the working surface may be designated as DTM.
- All components designated as DTM will be monitored at least once per calendar year (annually) with monitoring events separated by at least 180 days.

1.2.2 DTM Components

Component Identification	Location	Reason Designated as DTM
	None	

1.2 UNSAFE-TO-MONITOR PLAN

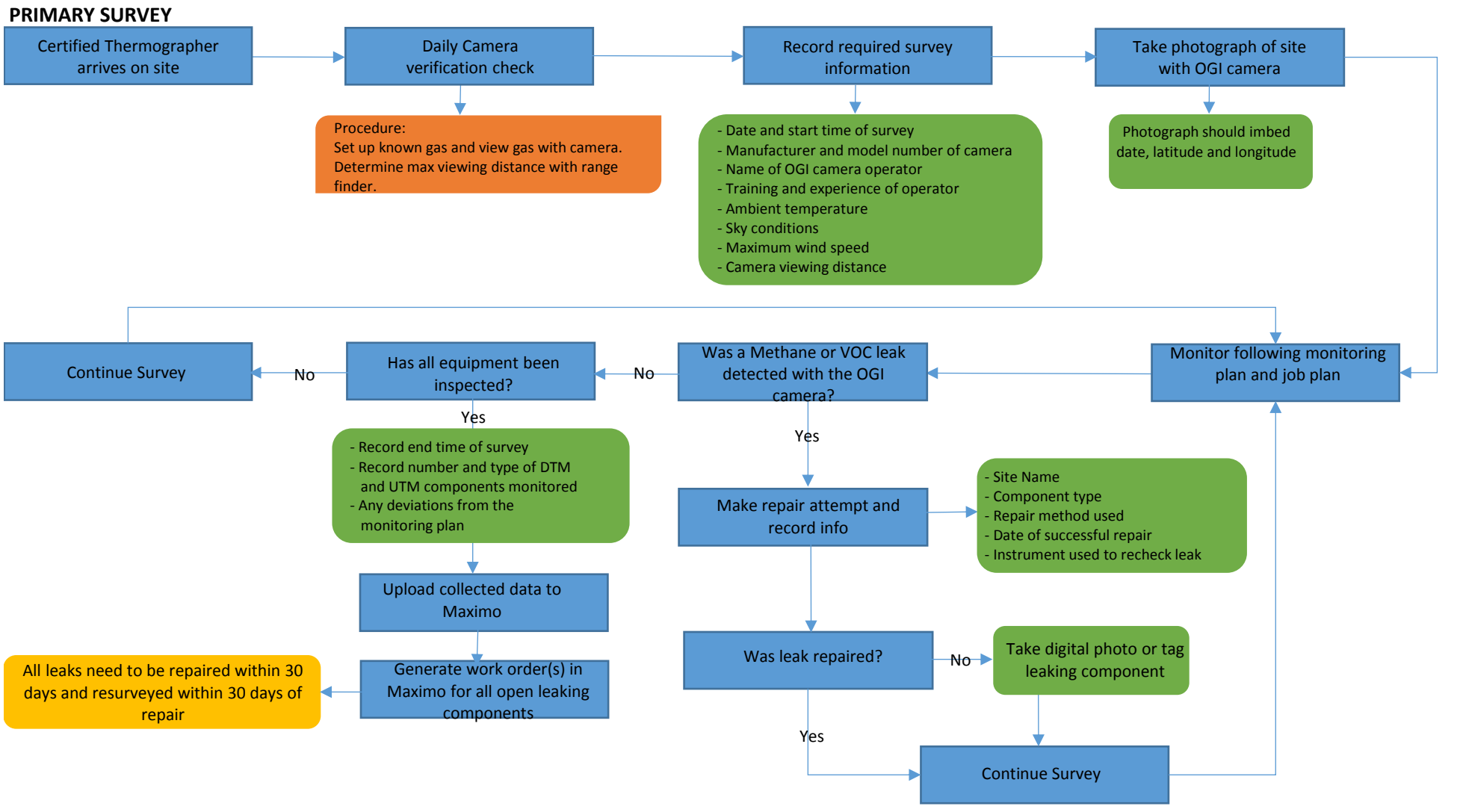
1.3.1 UNSAFE TO MONITOR (UTM) MONITORING SCHEDULE

- Fugitive emission components that cannot be monitored because the monitoring personnel would be exposed to immediate danger while conducting a monitoring survey may be designated as UTM.
- All components designated as UTM will be monitored as often as they can be made safe to do so.

1.3.2 UTM COMPONENTS

Component Identification	Location	Reason Designated as DTM
	None	

APPENDIX B - WORKFLOW



Equipment Needed for Survey:

OGI camera
Spare Camera Batteries
Anemometer
Laser Range Finder
1 lb Propane Bottle
Propane Hose w/ Regulator
Propane Adapter
Flowmeter

KEY
Steps
Records
Procedure
Information

APPENDIX B - WORKFLOW