STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-WE-15-0054**
TARGA MIDSTREAM SERVICES LLC	*	
	*	**Enforcement Tracking No.**
AI # 17897	*	**WE-CN-14-00445**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Targa Midstream Services LLC ("Respondent") and the Department of Environmental Quality ("DEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

I

Respondent is a limited liability company that owns and/or operates a gas processing plant located in Venice, Plaquemines Parish, Louisiana ("the Facility").

II

On May 20, 2015, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty (CONOPP), Enforcement No. WE-CN-14-00445, which was based upon the following findings of fact:

"The Respondent owns and/or operates a gas processing plant which is located at 1565 Tidewater Road in Venice, Plaquemines Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0003867 that covers the Venice LPG Terminal on August 24, 2009, with an effective date of October 1, 2009, and an expiration date of

September 30, 2014. The Respondent was issued LPDES permit LA0101419 that covers the Venice Stabilizer Plant on September 21, 2009, with an effective date of November 1, 2009, and an expiration date of October 31, 2014. LPDES permits LA0003867 and LA0101419 were modified by the Department on December 27, 2011, to reflect the Respondent's name change from Targa Midstream Services Limited Partnership to Targa Midstream Services LLC. The Respondent submitted permit renewal applications for LPDES permits LA0003867 and LA0101419 to the Department on April 23, 2014, and May 14, 2014, respectively, and both permits were administratively continued. LPDES permit LA0003867 authorizes the Respondent to discharge brine water from storage wells to Pass Tante Phine and stormwater runoff to Red Pass, waters of the state. LPDES permit LA0101419 authorizes the Respondent to discharge once through cooling water and stormwater runoff; treated process area stormwater; washdown; boiler blowdown; separator dumps; process wastewater; condensation water; dehydrator water; reverse osmosis water; and sanitary wastewater to Pass Tante Phine and treated sanitary wastewater to Red Pass, waters of the state.

An inspection conducted by the Department on or about January 23, 2014, and a subsequent file review conducted by the Department on or about February 10, 2015, revealed that the Respondent exceeded effluent limitations. These effluent exceedances, as reported by the Respondent on Discharge Monitoring Reports (DMRs) and Non-Compliance Reports (NCRs), are summarized below:

Date	Outfall	Parameter	Permit Limit	Sample Value
03/2011	002A	Total Suspended Solids Daily Maximum	45 mg/L	110 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	62 mg/L
04/2011	002A	Total Suspended Solids Daily Maximum	45 mg/L	74 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	90 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	72 mg/L
05/2011	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	150 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		Total Suspended Solids Daily Maximum	45 mg/L	52 mg/L
06/2011	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	160 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	46 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	83 mg/L
07/2011	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	132 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	53 mg/L
06/2012	002A	Total Suspended Solids Daily Maximum	45 mg/L	64 mg/L
07/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	140 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	195 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	240 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	84 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	63 mg/L
08/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	176 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	232 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	256 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	200 mg/L
09/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	264 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	200 mg/L
	102Q	Total Suspended Solids Daily Maximum	45 mg/L	70 mg/L
10/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	352 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	190 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	180 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	140 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	50 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	67 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	96 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	50 mg/L
11/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	240 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	240 mg/L
12/2012	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	220 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	160 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	140 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	140 mg/L
		pH Maximum	9.0 s. u.	9.08 s. u.
	102Q	Fecal Coliform Daily Maximum	43 #/100mL	260 #/100mL
01/2013	002A	pH Maximum	9.0 s. u.	9.22 s. u.
		pH Maximum	9.0 s. u.	9.07 s. u.
		pH Maximum	9.0 s. u.	9.38 s. u.
		Total Suspended Solids Daily Maximum	45 mg/L	47 mg/L
02/2013	002A	pH Maximum	9.0 s. u.	9.03 s. u.
		Total Suspended Solids Daily Maximum	45 mg/L	63 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	58 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	61 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	78 mg/L
03/2013	002A	Total Suspended Solids Daily Maximum	45 mg/L	52 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		Total Suspended Solids Daily Maximum	45 mg/L	47 mg/L
	102Q	Fecal Coliform Daily Maximum	43 #/100mL	164 #/100mL
04/2013	002A	Total Suspended Solids Daily Maximum	45 mg/L	72 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	49 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	84 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	60 mg/L
05/2013	002A	Total Suspended Solids Daily Maximum	45 mg/L	86 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	47 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	74 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	53 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	97 mg/L
06/2013	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	133 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	70 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	95 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	78 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	93 mg/L
	102Q	Fecal Coliform Daily Maximum	43 #/100mL	128 #/100mL
07/2013	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	170 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	76 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	53 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	52 mg/L
		Total Suspended Solids Daily Maximum	45 mg/L	48 mg/L
10/2013	002A	Total Suspended Solids Daily Maximum	45 mg/L	46 mg/L
11/2013	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	150 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	150 mg/L
		Chemical Oxygen Demand Daily Maximum	125 mg/L	143 mg/L
12/2013	002A	Chemical Oxygen Demand Daily Maximum	125 mg/L	147 mg/L
06/2014	002A	Total Suspended Solids Daily Maximum	45 mg/L	50 mg/L

Each effluent exceedance is a violation of LPDES permit LA0101419 (Effluent Limitations and Monitoring Requirements, Pages 2 – 4 of 9; and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3) and LAC 33:IX.501.A.

A file review conducted by the Department on or about February 10, 2015, revealed that the Respondent failed to submit: under LPDES permit LA0003867, monthly DMRs for Outfall 002 for the monitoring periods of February and March of 2014; under LPDES permit LA0101419, monthly DMRs for Outfall 001 for the monitoring periods of January through September of 2014; monthly DMRs for Outfall 002 for the monitoring periods of August and September of 2014; quarterly DMRs

for Outfall 102 for the monitoring periods of the first, second, and third quarters of 2014; and the semiannual DMR for the first half of 2014. Each failure to submit a DMR is a violation of LPDES permit LA0003867 (Effluent Limitations and Monitoring Requirements, Pages 3 – 4 of 6; and Standard Conditions for LPDES Permits, Sections A.2 and D.4), LPDES permit LA0101419 (Narrative Requirements, Pages 4 – 6 of 10; and Standard Conditions for LPDES Permits, Sections A.2 and D.4), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.L.4.a.

A file review conducted by the Department on or about February 10, 2015, revealed that the Respondent failed to report sample values. Specifically, the Respondent failed to report sample values for: Total Suspended Solids on the monthly DMR for Outfall 002 (LPDES permit LA0101419) for the monitoring period of May 2014, and Oil & Grease on the quarterly DMR for Outfall 005 (LPDES permit LA0101419) for the monitoring period of the third quarter of 2014. Each failure to report a sample value is a violation of LPDES permit LA0101419 (Narrative Requirements, Pages 5 and 9 of 10; and Standard Conditions for LPDES Permits, Section A.2), La R.S. 30:2076 (A)(3), and LAC 33:IX.2701.L.4.a.

A file review conducted by the Department on or about February 10, 2015, revealed that the Respondent did not submit LPDES permit renewal applications 180 days prior to the expiration dates of LPDES permits LA0003867 and LA0101419. LPDES permit LA0003867 expired September 30, 2014, and LPDES permit LA0101419 expired October 31, 2014. The Respondent submitted LPDES permit renewal applications to the Department on or about April 23, 2014, and May 14, 2014, respectively. The Respondent's failure to submit LPDES permit renewal applications 180 days prior to the expiration dates of LPDES permits LA0003867 and LA0101419 is a violation of LPDES permit LA0003867 (Standard Conditions for LPDES Permits, Sections A.2 and A.5.a), LPDES permit LA0101419, (Standard Conditions for LPDES Permits, Sections A.2 and A.5.a), La. R.S.

30:2076 (A)(3), and LAC 33:IX.501.A."

The following violations, although not cited in the foregoing enforcement action(s), are included within the scope of this settlement:

A file review conducted by the Department on or about August 10, 2015, revealed that the Respondent exceeded effluent limitations. These effluent exceedances, as reported by the Respondent on Discharge Monitoring Reports (DMRs), are summarized below:

Date	Outfall	Parameter	Permit Limit	Sample Value
12/2014	102S	BOD_5 Daily Maximum	45 mg/L	48.2 mg/L
05/2015	002A	Total Suspended Solids Daily Maximum	45 mg/L	48 mg/L
06/2015	002A	Total Suspended Solids Daily Maximum	45 mg/L	46 mg/L

Each effluent exceedance is a violation of LPDES permit LA0101419 (Effluent Limitations and Monitoring Requirements, Pages 2 – 4 of 9; and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3) and LAC 33:IX.501.A.

III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of THIRTY THOUSAND AND NO/100 DOLLARS ($30,000.00), of which One Thousand Three Hundred Eighty-Eight and 50/100 Dollars ($1,388.50) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

V

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the CONOPP and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VI

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

VIII

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Plaquemines Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

X

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

XI

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XII

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

TARGA MIDSTREAM SERVICES LLC

BY: _____
(Signature)

_____
(Printed)

TITLE: _____

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20 _____, at _____.

_____
NOTARY PUBLIC (ID #_____)

_____
(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Peggy M. Hatch Secretary

BY: _____
D. Chance McNeely, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20_____, at Baton Rouge, Louisiana.

_____
NOTARY PUBLIC (ID # _____)

_____
(stamped or printed)

Approved: _____
D. Chance McNeely, Assistant Secretary