



**SENT BY ELECTRONIC MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 7, 2024

Sara Feucht
Targa Northern Delaware LLC
P.O. Box 158
Artesia, NM 88211
Sent by electronic mail to: SFeucht@targaresources.com

Notice of Violation for Targa Northern Delaware, AQB Case No. TND-29885-2301

Dear Ms. Feucht,

The New Mexico Environment Department (“NMED”) has identified Targa Northern Delaware LLC (“Targa”) as having violated state and federal regulations for air quality. This Notice of Violation (NOV) is regarding the Red Hills Gas Processing Plant (“the Facility”) owned by Targa. The facility is located in Lea County about 24 miles west of Jal and is referred to as AI #29885 or AIRS #350254198 in NMED records.

This NOV is sent pursuant to NMSA 1978, Section 74-2-5.1(A), which states that NMED’s “investigations shall be reduced to writing if any enforcement action is contemplated, and a copy shall be furnished to the owner or occupants of the premises before the action is filed.” In accordance with Section 74-2-5.1(C), the purpose of this NOV is to “encourage and make every reasonable effort to obtain voluntary cooperation by the owner or occupants to preserve, restore or improve air quality.”

Alleged Violations

On March 30, 2023, an NMED inspector conducted an on-site inspection of the Facility. In his preparation and post-inspection work, the inspector identified three potential violations and issued a post-inspection notice (PIN) including these potential violations on August 30, 2023. Since one of the potential violations had been disclosed as a part of Targa’s ongoing audit of its facilities acquired from Lucid Energy Delaware LLC, it will be deferred until after the audit is completed, leaving two potential violations covered in this NOV.

The investigation found evidence of the following violations of NMAC and the Facility’s NSR and Title V permits.

1. **Failure to establish and implement a Startup, Shutdown, and Scheduled Maintenance (SSM) Plan.** In relevant part, NMAC 20.2.7.14 states that an owner or operator “shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance.” During the inspector’s closing conference on May 18, 2023, the facility’s environmental specialist stated that the site does not have an SSM plan.

2. **Exceeding permitted amine pump circulation rate limits.** In both the facility's NSR Permit (4310M5) and Title V permit (P278M1), Specific Condition A208.F states that Unit 4-EP-4 has an amine pump circulation rate limit of 1600 gallons per minute and that Unit 5-EP-1 has a limit of 1800 gallons per minute. Upon receiving flow rate records from Targa, the inspector found 217 instances of Unit 4-EP-4 exceeding its limit and 104 instances of 5-EP-1 exceeding its limit (See attachment A). In total, there are 321 claims of this permit violation.

Please review the information we have provided in Attachment A regarding the facility at issue.

Please note that the facility will appear on NMED's Enforcement Watch as a result of this NOV (see: <https://www.env.nm.gov/enforcement-watch/>). Further, NMED may issue a press release to local media highlighting your facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty.

You may obtain a copy of the AQB's Civil Penalty Policy located on the Compliance and Enforcement website at: <https://www.env.nm.gov/air-quality/compliance-and-enforcement/>

Requested Information

In the response to this NOV please provide this information for each violation:

1. A description of the causes of these violations;
2. Documentation of the steps taken to correct the violation to date; and
3. Documentation of steps taken or to be taken to prevent the recurrence of the violation.

With the documentation, please include specific, measurable, and time-bound changes made or to be made addressing any problems causing the violations.

Attachment B has been included at the end of the NOV and can be used as a checklist for organizing the response. Use these instructions to submit the response:

1. All correspondence pertaining to this NOV must be submitted under cover of a properly completed Reporting Submittal Form, emailed to the Enforcement Specialist (contact information below). A copy of the form can be found online at: <https://www.env.nm.gov/air-quality/compliance-and-enforcement/#>.
2. Submit requested information no later than thirty (30) days after the date of this NOV.
3. Any documents claimed as Confidential Business Information (CBI) pursuant to 20.2.1.115 NMAC must be submitted in separate electronic files from non-CBI documents and identified as CBI.
4. If files cannot be submitted by electronic mail, contact the Enforcement Specialist to request a link to a file transfer platform, or submit records on a thumb drive mailed to the Air Quality Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505 to the attention of Charles Butler.
5. Please include any facts, information, or documentation to refute the alleged violations, with the requested information.

Company Name

AQB Case No. TND-29885-2301

Page 3 of 5

After receiving the response to this NOV, NMED will send a settlement offer or compliance order outlining the penalties and corrective actions associated with each of the violations. As NMED's review of the alleged violations is ongoing, NMED reserves the right to assert additional violations at the Facility if new information becomes available.

If you have questions or believe any statement in this notice is erroneous, please contact Charles Butler, Enforcement Specialist, at (505) 505-660-6110 or charles.butler@env.nm.gov or Teresa McDill, Enforcement Manager, at (505) 505-629-8732 or teresa.mcdill@env.nm.gov. If you are represented by counsel, please contact Chris Vigil, Assistant General Counsel, at (505) 505-469-4696 or christopherj.vigil@env.nm.gov.

Thank you for your prompt attention to this matter.

Sincerely,

For Liz Bisbey-Kuehn

Liz Bisbey-Kuehn
Bureau Chief
Air Quality Bureau

Cc: Chris Vigil, OGC
Cindy Hollenberg, AQB
Teresa McDill, AQB
Charles Butler, AQB

Attachments

Attachment A – Amine Pump Circulation Rate Data from January 2022 to March 2023

Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)	Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)	Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)	Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)	Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)	Date	4-EP-4 (1600 gmp limit)	5-EP-1f (1800 gmp limit)
1/1/2022	1475	1686	3/18/2022	1483	1727	6/2/2022	1565	1684	8/17/2022	277	159	10/31/2022	1731	1850	1/15/2023	1659	1926
1/2/2022	1267	1812	3/19/2022	1556	1782	6/3/2022	1575	1665	8/18/2022	753	1100	11/1/2022	1808	1948	1/16/2023	1658	1918
1/3/2022	969	1780	3/20/2022	1477	1802	6/4/2022	1586	1642	8/18/2022	753	1100	11/2/2022	276	1850	1/17/2023	1673	1923
1/4/2022	97	1767	3/21/2022	1470	1768	6/5/2022	1590	1584	8/19/2022	1485	1428	11/3/2022	1761	1857	1/18/2023	1741	1920
1/5/2022	1399	1704	3/22/2022	1444	1758	6/6/2022	1622	1618	8/20/2022	1612	1432	11/4/2022	1659	1836	1/19/2023	1675	1923
1/6/2022	1393	1704	3/23/2022	1495	1824	6/7/2022	1620	1597	8/21/2022	1611	1432	11/5/2022	1669	1852	1/20/2023	1672	1874
1/7/2022	1360	1702	3/24/2022	1574	1733	6/8/2022	1594	1614	8/22/2022	1720	1459	11/6/2022	1767	1827	1/21/2023	1705	1881
1/8/2022	1423	1701	3/25/2022	1708	1852	6/9/2022	1585	1633	8/23/2022	1709	1601	11/7/2022	1707	1831	1/22/2023	1732	1878
1/9/2022	1447	1700	3/26/2022	1761	1805	6/10/2022	1607	1608	8/24/2022	1741	1546	11/8/2022	1780	1831	1/23/2023	1775	1790
1/10/2022	1524	1705	3/27/2022	1750	1813	6/11/2022	1576	1535	8/25/2022	1638	1552	11/9/2022	1825	1833	1/24/2023	1796	1750
1/11/2022	1468	1729	3/28/2022	1741	1829	6/12/2022	1548	1532	8/26/2022	1719	1554	11/10/2022	1806	1834	1/25/2023	1668	1618
1/12/2022	1571	1725	3/29/2022	1697	1830	6/13/2022	1548	1509	8/27/2022	1698	1584	11/11/2022	1734	1834	1/26/2023	1699	1939
1/13/2022	1558	1704	3/30/2022	1580	1832	6/14/2022	1602	1509	8/28/2022	1693	1581	11/12/2022	1741	1839	1/27/2023	1676	1912
1/14/2022	1569	1701	3/31/2022	1541	1777	6/15/2022	1523	1564	8/29/2022	1738	1583	11/13/2022	1707	1875	1/28/2023	1664	1918
1/15/2022	1574	1697	4/1/2022	1690	1778	6/16/2022	1515	1478	8/30/2022	1759	1603	11/14/2022	1708	1768	1/29/2023	1673	1924
1/16/2022	1527	1755	4/2/2022	1633	1766	6/17/2022	1529	1556	8/31/2022	1712	1574	11/15/2022	1774	1801	1/30/2023	1802	1901
1/17/2022	1564	1583	4/3/2022	1644	1600	6/18/2022	1592	1621	9/1/2022	1643	1520	11/16/2022	1813	1835	1/31/2023	1854	1952
1/18/2022	1392	1591	4/4/2022	1566	1694	6/19/2022	1557	1560	9/2/2022	1727	1561	11/17/2022	1641	1839	2/1/2023	1887	1768
1/19/2022	1175	1705	4/5/2022	1657	1731	6/20/2022	1459	1400	9/3/2022	1703	1563	11/18/2022	1605	1748	2/2/2023	1740	1861
1/20/2022	1269	1533	4/6/2022	1638	1749	6/21/2022	1496	1515	9/4/2022	1739	1568	11/19/2022	1682	1746	2/3/2023	1713	1955
1/21/2022	1495	1679	4/7/2022	1642	1749	6/22/2022	1549	1479	9/5/2022	1742	1580	11/20/2022	1717	1751	2/4/2023	1418	1582
1/22/2022	1492	1675	4/8/2022	1628	1792	6/23/2022	1521	1479	9/6/2022	1744	1601	11/21/2022	1815	1763	2/5/2023	1652	1678
1/23/2022	1580	1760	4/9/2022	1568	1730	6/24/2022	1569	1523	9/7/2022	1741	1602	11/22/2022	1712	1750	2/6/2023	1584	1700
1/24/2022	1493	1722	4/10/2022	1557	1739	6/25/2022	1579	1563	9/8/2022	1625	1601	11/23/2022	1599	1754	2/7/2023	1553	1690
1/25/2022	1478	1718	4/11/2022	1603	1690	6/26/2022	1652	1582	9/9/2022	1653	1598	11/24/2022	1586	1641	2/8/2023	1505	1659
1/26/2022	1464	1699	4/12/2022	1576	1703	6/27/2022	1634	1573	9/10/2022	1553	1481	11/25/2022	1606	1724	2/9/2023	1540	1689
1/27/2022	1428	1687	4/13/2022	1601	1738	6/28/2022	1660	1593	9/11/2022	1501	1596	11/26/2022	1598	1700	2/10/2023	1732	1727
1/28/2022	1467	1750	4/14/2022	1522	1737	6/29/2022	1649	1642	9/12/2022	1486	1595	11/27/2022	1593	1715	2/11/2023	1740	1725
1/29/2022	1343	1735	4/15/2022	1584	1600	6/30/2022	1712	1712	9/13/2022	1629	1692	11/28/2022	1600	1693	2/12/2023	1734	1731
1/30/2022	1388	1712	4/16/2022	1483	1503	7/1/2022	1679	1724	9/14/2022	1687	1525	11/29/2022	1570	1650	2/13/2023	1675	1727
1/31/2022	1354	1722	4/17/2022	1408	1770	7/2/2022	1648	1638	9/15/2022	1716	1650	11/30/2022	1555	1648	2/14/2023	1591	1670
2/1/2022	1433	1723	4/18/2022	1489	1599	7/3/2022	1554	1620	9/16/2022	1611	1649	12/1/2022	1551	1651	2/15/2023	1667	1730
2/2/2022	1432	1716	4/19/2022	1440	1551	7/4/2022	1625	1670	9/17/2022	1598	1628	12/2/2022	1541	1678	2/16/2023	1734	1556
2/3/2022	1230	1677	4/20/2022	1402	1501	7/5/2022	1631	1644	9/18/2022	1775	1758	12/3/2022	1537	1681	2/17/2023	1768	1532
2/4/2022	1272	1672	4/21/2022	1439	1624	7/6/2022	1623	1659	9/19/2022	1877	1766	12/4/2022	1539	1681	2/18/2023	1734	1539
2/5/2022	1373	1716	4/22/2022	1422	1752	7/7/2022	1404	1422	9/20/2022	1831	1760	12/5/2022	1590	1703	2/19/2023	1670	1615
2/6/2022	93	1727	4/23/2022	1376	1461	7/8/2022	1444	1528	9/21/2022	1758	1702	12/6/2022	1601	1723	2/20/2023	1695	1798
2/7/2022	1416	1714	4/24/2022	1303	1486	7/9/2022	1525	1504	9/22/2022	1731	1695	12/7/2022	1629	1768	2/21/2023	1766	2050
2/8/2022	1380	1701	4/25/2022	1109	1536	7/10/2022	1500	1475	9/23/2022	1915	1679	12/8/2022	1643	1833	2/22/2023	1674	2003
2/9/2022	1357	1722	4/26/2022	1155	1519	7/11/2022	1473	1467	9/24/2022	1913	1750	12/9/2022	1693	1835	2/23/2023	1721	2032
2/10/2022	1447	1703	4/27/2022	1288	1681	7/12/2022	1115	1473	9/25/2022	1887	1696	12/10/2022	1694	1841	2/24/2023	1797	2040
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2/12/2022	1458	1722	4/29/2022	1433	1681	7/14/2022	1500	1503	9/27/2022	1901	1654	12/12/2022	1681	1874	2/26/2023	1789	2065
2/13/2022	1506	1722	4/30/2022	1572	1753	7/15/2022	1550	1593	9/28/2022	1955	1818	12/13/2022	1689	1898	2/27/2023	1826	2062
2/14/2022	883	1722	5/1/2022	1564	1732	7/16/2022	1530	1577	9/29/2022	2016	1759	12/14/2022	1721	1826	2/28/2023	1763	2069
2/15/2022	1432	1722	5/2/2022	1606	1747	7/17/2022	1516	1549	9/30/2022	1892	1752	12/15/2022	1718	1850	3/1/2023	1742	2063
2/16/2022	1425	1723	5/3/2022	1506	1764	7/18/2022	1507	1554	10/1/2022	2004	1802	12/16/2022	1722	1852	3/2/2023	1696	2072
2/17/2022	1404	1714	5/4/2022	1451	1762	7/19/2022	1565	1522	10/2/2022	1845	1779	12/17/2022	1727	1853	3/3/2023	1768	2039
2/18/2022	1404	1722	5/5/2022	1494	1724	7/20/2022	1533	1542	10/3/2022	1758	1771	12/18/2022	1720	1880	3/4/2023	1689	2032
2/19/2022	1453	1748	5/6/2022	1599	1722	7/21/2022	1636	1575	10/4/2022	1795	1740	12/19/2022	1626	1879	3/5/2023	1680	1926
2/20/2022	1425	1747	5/7/2022	1546	1745	7/22/2022	1662	1650	10/5/2022	1743	1600	12/20/2022	1719	1883	3/6/2023	1699	2033
2/21/2022	1420	1772	5/8/2022	1534	1748	7/23/2022	1693	1710	10/6/2022	1778	1640	12/21/2022	1689	1870	3/7/2023	1717	2006
2/22/2022	1448	1712	5/9/2022	1506	1748	7/24/2022	1741	1708	10/7/2022	1868	1648	12/22/2022	1599	1878	3/8/2023	1687	1951
2/23/2022	1382	1713	5/10/2022	1413	1702	7/25/2022	1619	1715	10/8/2022	1728	1628	12/23/2022	901	1936	3/9/2023	1709	1987
2/24/2022	1403	1761	5/11/2022	1449	1728	7/26/2022	316	1673	10/9/2022	1695	1624	12/24/2022	913	2019	3/10/2023	1657	1956
2/25/2022	1412	1795	5/12/2022	1460	1699	7/27/2022	1724	179	10/10/2022	1698	1623	12/25/2022	915	2010	3/11/2023	1708	1996
2/26/2022	1444	1749	5/13/2022	1379	1647	7/28/2022	1658	178	10/11/2022	1753	1647	12/26/2022	1321	1464	3/12/2023	1761	1993
2/27/2022	1409	1719	5/14/2022	1451	1701	7/29/2022	1602	1574	10/12/2022	1784	1671	12/27/2022	1400	1658	3/13/2023	1746	1994
2/28/2022	1406	1728	5/15/2022	1475	982	7/30/2022	1679	1671	10/13/2022	1699	1602	12/28/2022	1543	1947	3/14/2023	1720	2075
3/1/2022	1469	1737	5/16/2022	1499	1498	7/31/2022	1657	1646	10/14/2022	1809	1734	12/29/2022	1603	1963	3/15/2023	1701	1647
3/2/2022	1411	1727	5/17/2022	1619	1570	8/1/2022	1669	1585	10/15/2								

Attachment B

This form must be completed and signed by the facility's Responsible Official (Title V) or other designee and returned no later than thirty (30) days after the date of this NOV. Documentation for additional information (in addition to this form) must be submitted electronically to Enforcement Specialist Charles Butler at charles.butler@env.nm.gov or Enforcement Manager Teresa McDill at teresa.mcdill@env.nm.gov.

All submittals must be submitted using the Reporting Submittal Form. The Reporting Submittal Form and instructions can be located at: <https://www.env.nm.gov/air-quality/compliance-and-enforcement/#>.

I hereby verify that Targa Northern Delaware LLC has initiated the required additional information response outlined in this Notice of Violation. The following information has been submitted or will be submitted by the dates indicated below for each violation. All required documentation will be submitted electronically no later than thirty (30) days after the date of this Notice of Violation.

Date NOV received: _____

Alleged Violation 1

_____ *A description of the cause of the violation*

_____ *Documentation of the steps taken to correct the violation to date*

_____ *Documentation of steps taken (or to be taken) to prevent recurrence of this violation (include date if not yet completed)*

Alleged Violation 2

_____ *A description of the cause of the violation*

_____ *Documentation of the steps taken to correct the violation to date*

_____ *Documentation of steps taken (or to be taken) to prevent recurrence of this violation (include date if not yet completed)*

Signature

Date

Printed Name:

Title: