



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 19, 2024

VIA CERTIFIED MAIL#7002 0510 0002 7926 8858
Steven Pfeifer, Manager
P.O.&G. Operating, LLC
5847 San Felipe, Suite 3200
Houston, TX 77057

VIA CERTIFIED MAIL#7002 0510 0002 7926 8865
Registered Agent Solutions, Inc.,
Registered Agent
6018 N. Keystone Ave.
Indianapolis, IN 46220

Re: Notice of Violation and Proposed Agreed Order
P.O.&G. Operating, LLC
Plant ID No. 083-00054
Edwardsport, Knox County
Case No. 2023-29493-A

Qualified offer of settlement: inadmissible pursuant to Rule 408 of the Ind. Rules of Evidence. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency.

Dear Steven Pfeifer:

This is to advise that the Indiana Department of Environmental Management ("IDEM") has conducted an investigation of P.O.&G. Operating, LLC located at NW ¼, SW ¼ Sec. 26, T5N, R8W in Edwardsport, Indiana. As a result of information obtained during that investigation, IDEM has made a preliminary determination that a violation of an environmental rule and permit condition exists. Pursuant to IC 13-30-3-3, enclosed please find a Notice of Violation that sets forth the alleged violations, and a proposed Agreed Order which constitutes a qualified offer of settlement.

You may request a settlement conference to discuss the allegations and the actions necessary to correct and resolve the violations, which may include injunctive relief and the establishment of a compliance schedule. Payment of a civil penalty will also be discussed. The civil penalty amount noted in the proposed Agreed Order contains a preliminary penalty figure for settlement discussion purposes only and is based on penalty calculations associated with the alleged violations set forth in the Notice of Violation. A portion of the civil penalty may be offset by performing an approved Supplemental Environmental Project (SEP). Typical SEPs have included pollution prevention, pollution control, and environmental restoration projects. A copy of IDEM's SEP policy may be obtained from this office or at IDEM's website at www.IN.gov/idem.

The individual signing the enclosed Agreed Order should be a designated manager or, in the absence of a manager, a member of the limited liability corporation.



The timely entry into an Agreed Order, which saves you and IDEM time and resources, may lead to a reduction in the civil penalty.

IDEM is not required to extend the offer of entry into an Agreed Order for more than sixty days. You may enter into an Agreed Order without admitting that the violation occurred. If an Agreed Order is not entered into, IDEM may proceed to issue a unilateral notice and order requiring compliance with the environmental rule and permit condition, including payment of a civil penalty. Please contact me at 317-752-7860 or NSRuiz@idem.in.gov if you have any questions or if you wish to request a settlement conference.

Sincerely,

A handwritten signature in black ink that reads "Natalie Ruiz". The signature is written in a cursive style and is centered below the word "Sincerely,".

Natalie Ruiz
Case Manager
Enforcement Section
Office of Air Quality

Enclosures:

cc: Christopher Rando, Christopher_Rando@pogresources.com
Natalie Ruiz, Compliance and Enforcement Branch, OAQ
Tammy Haug, Compliance and Enforcement Branch, OAQ
Randy Hoffman, Compliance and Enforcement Branch, OAQ
<http://www.IN.gov/idem>



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 19, 2024

NOTICE OF VIOLATION

Via Certified Mail#7002 0510 0002 7926 8858 Via Certified Mail#7002 0510 0002 7926 8865

To: P.O.&G. Operating, LLC
Attn: Steven Pfeifer, Manager
5847 San Felipe, Suite 3200
Houston, TX 77057

To: Registered Agent Solutions, Inc.,
Registered Agent
6018 N. Keystone Ave.
Indianapolis, IN 46220

Case No. 2023-29493-A

Pursuant to Indiana Code (“IC”) 13-30-3-3, the Indiana Department of Environmental Management (“IDEM”) issues this Notice of Violation. Based on an investigation including a stack test report review conducted by an IDEM representative, IDEM has reason to believe P.O.&G. Operating, LLC (“Respondent”) violated an environmental rule and permit condition. The violation is based on the following:

1. Respondent is P.O.&G. Operating, LLC, which owns and operates the stationary natural gas compression and treating station with Plant ID No. 083-00054, located at NW ¼, SW ¼ Sec. 26, T5N, R8W, in Edwardsport, Knox County, Indiana (“Site”).
2. Pursuant to Minor Source Operating Permit No. 083-41293-00054 (“Permit”) Condition E.1.2(3), NO_x emissions from the Internal Combustion Engine identified as EUENG02 shall not exceed 160 parts per million (“ppm”) at 15 percent (“%”) O₂, and shall not exceed the limit of 2.0 grams per horsepower hour (“g/hp-hr”).

During compliance testing conducted on March 3, 2023, the NO_x emissions from the Internal Combustion Engine identified as EUENG02 exceeded 160 ppm and 2.0 g/hp-hr, in violation of Permit Condition E.1.2(3).

Pursuant to IC 13-30-3-3, the Commissioner herein provides notice that the violation may exist and offers an opportunity to enter into an Agreed Order providing for the action required to correct the violation and, as necessary and appropriate, for the payment of a civil penalty. The Commissioner is not required to extend this offer for more than sixty (60) days.

Pursuant to IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting the violation occurred. IDEM encourages settlement by Agreed Order, thereby

resulting in quicker correction of the environmental violation and avoidance of extensive litigation. Timely settlement by Agreed Order may result in a reduced civil penalty. Also, settlement discussions will allow Respondent the opportunity to present any mitigating factors that may be relevant to the violation.

If an Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may issue a Notice and Order under IC 13-30-3-4 containing the actions that must be taken to correct the violation and requiring the payment of an appropriate civil penalty. Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact Natalie Ruiz at 317-752-7860 or NSRuiz@idem.in.gov within fifteen (15) days after receipt of this Notice to discuss resolution of this matter.

For the Commissioner:



Date: 6-19-24

Janusz Johnson, Chief
Compliance and Enforcement Branch
Office of Air Quality

cc: Christopher Rando, Christopher_Rando@pogresources.com
Knox County Health Department
Natalie Ruiz, Compliance and Enforcement Branch, Office of Air Quality
Tammy Haug, Compliance and Enforcement Branch, Office of Air Quality
Randy Hoffman, Compliance and Enforcement Branch, Office of Air Quality
IDEM Public File

Remove X

Tracking Number:

70020510000279268858

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 6:37 pm on June 25, 2024 in HOUSTON, TX 77057.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

HOUSTON, TX 77057

June 25, 2024, 6:37 pm

Arrived at USPS Regional Facility

NORTH HOUSTON TX DISTRIBUTION CENTER

June 24, 2024, 1:49 pm

Arrived at USPS Regional Facility

INDIANAPOLIS IN DISTRIBUTION CENTER

June 20, 2024, 10:54 pm

Hide Tracking History

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



Remove X

Tracking Number:

70020510000279268865

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 10:43 am on June 25, 2024 in INDIANAPOLIS, IN 46220.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

INDIANAPOLIS, IN 46220

June 25, 2024, 10:43 am

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



Feedback

USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers