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BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

HEARINGS CLERK
EPA -- REGION 10

IN THE MATTER OF:)	Docket No. RCRA-10-2016-0004
)	
ConocoPhillips Alaska, Inc.)	EXPEDITED SETTLEMENT
Kuparik Oil Field)	AGREEMENT AND
Deadhorse, Alaska)	FINAL ORDER
EPA ID Number AKD 99128 1023)	
)	
Respondent)	
_____)	

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) is authorized to enter into this Expedited Settlement Agreement (“Agreement”) pursuant to Section 3008 of the Resource Conservation and Recovery Act (“RCRA”) and 40 C.F.R. § 22.13(b).
2. ConocoPhillips Alaska, Inc. (“Respondent”) is the owner and/or operator of the Kuparik Oil facility west of Deadhorse, Alaska 99734 (“Facility”). The EPA inspected the Facility on July 10, 2014. The EPA alleges Respondent violated the following requirements of RCRA hazardous waste management program:
 - a. 40 C.F.R. § 262.34 requires that certain conditions be followed to allow the on-site accumulation of hazardous waste for 90 days or less without a permit, including: containers of hazardous waste be labeled with the words “Hazardous Waste” [40 C.F.R. § 262.34(a)(3)], be kept closed [40 C.F.R. § 262.34(a)(1)(i) references 40 C.F.R. § 265.173(a)], and each container be marked with the date when accumulation began [40 C.F.R. § 262.34(a)(2)]. On July 10, 2014, a container of hazardous waste aerosol cans in the main accumulation area was not closed and was not marked with the date on which accumulation began or the words “Hazardous Waste.”
 - b. 40 C.F.R. § 262.34(a)(1)(i) references 40 C.F.R. § 265.174, which requires that areas where containers of hazardous waste are stored be inspected at least weekly. There were 30 instances between January 2011 and December 2013, where no weekly inspections were conducted for the main hazardous waste accumulation area.
 - c. 40 C.F.R. § 262.34(c)(1)(i) references 40 C.F.R. § 265.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. On July 10, 2014, at least four containers in four satellite accumulation areas were not closed.

d. 40 C.F.R. § 273.14(a) requires that containers of universal waste batteries must be labeled with the words "Universal waste – Batteries," or "Waste Batteries," or "Used Batteries." On July 10, 2014, containers of universal waste batteries in the KCS Materials Tool Room and in the CPF-3 Maintenance Shop were not labeled.

3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of four thousand dollars (\$4,000.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
5. Each party shall bear its own costs and fees, if any.
6. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.
7. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
8. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
9. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

RESPONDENT:

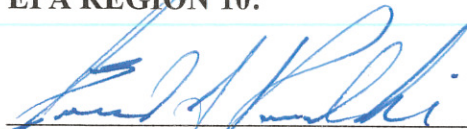
Name (print): PATRICK WOLFE

Title (print): ^{JKG} MGR North Slope Operations

Signature: ^{JKG} Patrick Wolfe

Date: Dec 8 2015

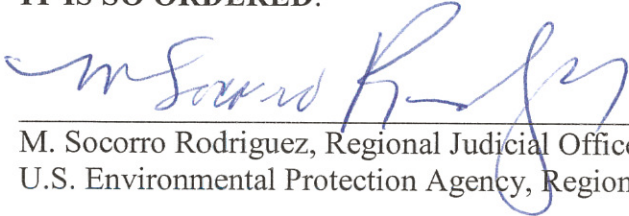
EPA REGION 10:



Edward J. Kowalski, Director
Office of Compliance and Enforcement
U.S. Environmental Protection Agency, Region 10

Date: 10/30/2015

IT IS SO ORDERED:



M. Socorro Rodriguez, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 10

Date: 1/8/16



Certificate of Service

The undersigned certifies that the original of the attached **BEXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: ConocoPhillips Kuparik Oil Field Docket No.: RCRA-10-2016-0004**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Jack Boller
Office of Regional Council
U.S. Environmental Protection Agency
Region 10, Mail Stop ORC-158
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Wendy Mahan
ConocoPhillips Alaska, Inc.
PO Box 196105,NSK61
Anchorage, AK 99519

DATED this 8 day of January, 2016

Teresa Luna
Signature

Teresa Luna
Regional Hearing Clerk
EPA Region 10

