

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:

Wind River Oil & Gas Permits

NPDES Permit Nos.

WY-0025232, WY-0020338,

WY-0024945, WY-0024953,

WY-0025607

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NPDES Permit Appeal Nos. 15-02, 15-03, 15-04
& 15-05

PETITION FOR REVIEW

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INTRODUCTION

Pursuant to 40 C.F.R. § 124.19(a), Wesco Operating, Inc. (“Petitioner” or “Wesco”), petitions for review of the conditions of National Pollutant Discharge Eliminations System (“NPDES”) Permit No. WY-0025232 (“the Permit”), which was issued to Wesco on March 12, 2015, by the United States Environmental Protection Agency (“EPA”), Region 8. The Permit is attached as Exhibit A. The permit at issue in this proceeding authorizes Wesco to discharge surface water from a specified point source at the Winkleman Dome Field located on the Wind River Indian Reservation in Fremont County, Wyoming. Petitioner contends that certain permit conditions are based on clearly erroneous findings of fact and conclusions of law. Specifically, Petitioner challenges the following EPA determinations and resulting permit conditions:

(1) Improper Reliance on Unapproved Tribal Water Quality Standards and Classifications: Although EPA has never approved certain Tribal Water Quality Standards and Classifications adopted by the Eastern Shoshone and Northern Arapahoe tribes (the “Tribes”) in 2007, EPA nevertheless inappropriately relies on those same unapproved Tribal Water Quality Standards and Classifications to derive a permit limit for sulfide and WET testing requirements in the issued Permit. EPA has had almost 8 years to approve those standards, yet in all that time, EPA has failed to do so. EPA’s reliance on unapproved Tribal Water Quality Standards and Classifications (“2007 Tribal WQS&C”) to promulgate the Permit limits, in and of itself, is clearly erroneous.

(2) Classification of the Discharge Drainage: In interpreting the unapproved 2007 Tribal WQS&C, EPA mistakenly and inappropriately deemed the relevant drainage as Class 3B, and developed water quality-based effluent limitations pursuant to incorrect determination of

classification, including the imposition of quarterly Whole Effluent Toxicity (“WET”) test monitoring requirements of the produced water discharge at the Winkelman Dome Field outfall (“Outfall 1”). Permit part 1.3.2 and 1.3.6. Even assuming that EPA had appropriately approved the 2007 Tribal WQS&C, EPA’s interpretation of the relevant drainage classification is inconsistent with the express terms of said Tribal standards and classifications. The relevant drainage is simply not classified as Class 3B under the 2007 Tribal WQS&C and EPA’s reliance on that classification in support of the issued Permit is clearly erroneous.

(3) Sulfide Limitation and Compliance Schedule: In reliance on the unapproved 2007 Tribal WQS&C and EPA’s inaccurate classification of the relevant drainage, EPA imposed an effluent limitation for sulfide (as H₂S) of 2.0 µg/L and subsequent compliance schedule. Permit parts 1.3.1.3, 1.3.3. EPA’s imposition of the sulfide effluent limitation in the issued Permit is inconsistent with the 2007 Tribal WQS&C for the relevant drainage and therefore is clearly erroneous.

(4) Whole Effluent Toxicity Testing Requirements: In reliance on the unapproved 2007 Tribal WQS&C and EPA’s inaccurate classification of the relevant drainage, EPA imposed certain WET testing requirements in the issued Permit. Permit part 1.3.6. Not only do these WET testing monitoring requirements conflict with the express comments and recommendations of the Wind River Environmental Quality Commission (“WREQC”) (the Tribal entity that drafted the 2007 Tribal WQS&C), these WET testing monitoring requirements are based upon EPA’s inappropriate classification of the relevant discharge segment and are thus clearly erroneous. As WREQC correctly notes, WET testing may be appropriate in Class 2 streams, but not lesser classified stream segments. *See Exhibit F.*

FACTUAL AND STATUTORY BACKGROUND

Wesco operates oil and gas production facilities in the Winkelman Dome Field in Wyoming. As part of these operations, Wesco discharges produced water from the Winkelman Dome Field, which is located on the Wind River Reservation in Fremont County, Wyoming, in the SW ¼ SE ¼ Section 18, Township 2 North, Range 1 West. The Winkelman Dome Field was discovered in the 1940s and has been developed to extract oil resources from the Nugget, Phosphoria, and Tensleep formations. Wesco brings well fluids, which include a combination of oil and produced water, to the surface using standard oil field methods and then separates the oil from the produced water. Wesco has not historically employed hydraulic fracturing, commonly known as “fracking”, to produce oil and has no current need or intent to use this method in the future for the wells at the Winkelman Dome Field facility. The water involved in Wesco’s operations is produced water, not fracking fluid. A portion of the produced water is diverted to tanks for re-injection back into the producing formations. Consistent with the regulatory acknowledgement of the need for additional water west of the 98th meridian, the remaining portion of the produced water, following treatment, is discharged at the surface in accordance with the terms of an EPA issued NPDES permit and beneficially used at downstream points. Pursuant to the terms of leases with the Tribes, Wesco pays royalties to the Tribes for all oil produced from the Winkelman Dome Field.

In addition, the produced water discharged at the surface is thereafter beneficially used by various members of the Tribes for livestock watering and to support efforts of both the Tribes and the United States Fish and Wildlife Service (“USFWS”) to enhance wildlife habitat on tribal lands. In recent years federal grant money has been used to construct additional projects designed to divert Wesco’s discharged produced water in a manner that further supports and

enhances wetlands habitat within the Winkleman Dome Draw. Most recently, the USFWS has invested heavily in creating “Playa Lake” a large wetland habitat on Tribal lands that supports migratory birds within the Winkleman Dome Draw drainage. This beneficial use of water is consistent with regulatory policy. *See* 40 C.F.R. §§ 435.50-.52.

The 2015 Permit at issue authorizes Wesco to discharge water from a specified point source. Wesco discharges produced water at Outfall 1 to an ephemeral drainage (“Winkleman Dome Draw”) that exists solely because of said produced water flows, which is tributary to “Big Horn Draw” and ultimately the Little Wind River. The discharged produced water flows from the Winkleman Dome drainage to a series of man-made ditches and several diversionary ponds. The drainage continues on until it merges with Bighorn Draw after the second diversionary pond. Attached as Exhibit B is a map of the Winkleman Dome Draw drainage and ponds in relation to Bighorn Draw as depicted by the USGS quadrangle.

EPA last issued Wesco a NPDES permit on October 4, 2005, with an effective date of November 1, 2005 (the “2005 Permit”). A copy of the 2005 Permit is attached as Exhibit C. The 2005 Permit authorized, and the 2015 Permit also authorizes, Wesco to discharge produced water from the Tensleep#1-Winkleman Dome Field at Outfall 1. Under both the 2005 Permit and the 2015 Permit, the discharge is at the same discharge point and to the same ordinarily dry drainage tributary to Big Horn Draw. The 2005 Permit expired in September 2010. Upon a timely filing for renewal with EPA, the permit was administratively extended to April 30, 2015, at which point the 2015 Permit was scheduled to become effective.

On June 10, 2014, the EPA issued a draft of the 2015 Permit. On July 17, 2014, Wesco submitted comments to EPA on the Draft Permit. A copy of the comments is attached as Exhibit

D. On March 31, 2015, EPA issued the 2015 Permit. Despite a lack of EPA approved Tribal Standards and Classifications, the 2015 Permit contains conditions that are substantially different from the conditions contained in the 2005 Permit. In particular, the 2005 Permit contained no effluent limit for sulfide and no WET testing monitoring requirements. Under the 2015 Permit as issued, Wesco cannot economically treat the produced water in a manner that meets the new permit limits at Outfall 1. Absent revisions to the 2015 Permit, Wesco will be forced to discontinue surface water discharge of produced water from the Winkleman Dome Facility. In that event, beneficial use of the produced water by the Tribes will similarly cease and the water source currently used to support significant wetlands habitat will no longer be present. This result is contrary to the wishes of the Tribes and the USFWS. *See* USFWS Letter, Exhibit E; *see also* WREQC Comments, Exhibit F. The benefits of the produced water are further documented by the Bureau of Indian Affairs (“BIA”), Wind River Agency. *See* BIA Letter, Exhibit G.

On April 30, 2015, Wesco filed a summary petition in support of a request for a stay of certain terms in the 2015 Permit. The Environmental Appeals Board of EPA (“EAB”) issued a stay on April 30, 2015, as to the application of certain sections of the 2015 Permit, including but not limited to those related to the new sulfide limit and the new WET testing requirements. In a subsequent order, the EAB extended the time for Wesco to file a formal petition in this matter until June 17, 2015. By order dated June 8, 2015, the EAB issued another stay of further proceedings pending the initiation of Alternative Dispute Resolution (“ADR”) activities, but declined to extend the time for filing Wesco’s petition. A copy of the most recent Stay documents is attached as Exhibit H.

THRESHOLD PROCEDURAL REQUIREMENTS

Petitioner satisfies the threshold requirements for filing a petition for review under 40

C.F.R. § 124:

1. Petitioner has standing to petition for review of the permit decision because it participated in the public comment period on the permit, attached as Exhibit D. *See* 40 C.F.R.

§ 124.19(a).

2. The issues raised by Petitioner in its petition were raised during the public comment period and therefore were preserved for review. *See* Exhibit D.

ARGUMENT

EPA's issuance of the 2015 Permit is clearly erroneous for four reasons: (1) EPA has not approved the 2007 Tribal WQS&C, but nonetheless relied on those same unapproved standards and classifications in issuing the 2015 Permit; (2) Even if the unapproved 2007 Tribal WQS&C are applicable in this instance, the 2015 Permit contains an inappropriate sulfide standard because EPA applied the wrong classification to the relevant receiving draw and therefore included inappropriate effluent limits in said Permit; (3) EPA's inclusion of a new WET testing monitoring requirement in the 2015 Permit is inconsistent with the correct classification of the relevant receiving draw and contradicts WREQC's interpretation of when WET testing is required by its own 2007 Standards; and (4) EPA improperly relied on the experience of another oil and gas company to shape the content of Wesco's 2015 Permit.

1. Inappropriate Use of Unapproved Tribal standards.

EPA's decision to include a sulfide effluent limitation of 2.0 µg/L, as set forth in Permit Part 1.3.1.3 and 1.3.3, is clearly erroneous because the limitation is impermissibly premised upon the 2007 Tribal WQS&C, attached as Exhibit I, which EPA has neither approved nor finalized.¹ 40 C.F.R. § 131.21 mandates that new water quality standards adopted by states or tribes submitted to EPA after 2000 must be approved by EPA. EPA Region 8 acknowledged this requirement in Wesco's 2005 Permit. The 2005 Permit stated: "There are no water quality based limits proposed for this permit as the Northern Arapaho and the Eastern Shoshone Tribes have not adopted and the EPA has not approved Tribal water quality standards for waters within the Wind River Reservation. Permit Condition 4.15 includes a reopener provision under which the permit may be reopened and modified, as appropriate if Tribal Water Quality Standards are adopted and approved by EPA."² See Exhibit C, Emphasis Added.

Therefore, EPA must adopt and approve the 2007 Tribal WQS&C before Tribal standards could be incorporated into a subsequent permit. As noted above, although Water Quality Standards and Classifications were prepared by WREQC in 2007, EPA has never approved these standards. See Exhibit A, EPA's Response to Comments, March 9, 2015, at page 1 ("The commenter correctly notes that EPA has not approved tribal WQS for the Wind River

¹ On information and belief, Wesco understands that the Joint Business Council ("JBC") that oversaw the WREQC has disbanded. Furthermore, on information and belief, WREQC, the entity that drafted the 2007 Tribal WQS&C, is no longer effectively operating as it is no longer funded. If EPA wished to approve the 2007 Tribal WQS&C at this late date with even minor modifications and edits, there is currently no Tribal entity in place to do so. Moreover, Wesco is aware of no triennial review process ever being implemented for the 2007 Tribal WQS&C. 33 U.S.C. § 1313(c)(1). These facts alone call into question the appropriateness of EPA's reliance on the unapproved 2007 Tribal WQS&C.

² Although EPA Region 8 has approved tribal water quality standards for at least four other tribes, Region 8 has not approved the standards adopted in 2007 by the Shoshone and Northern Arapahoe Tribes.

Indian Reservation.”). Because EPA’s incorporation of unapproved Tribal standards in the 2015 Permit conflicts with 40 C.F.R. § 131.21 and its own prior stated position on this issue, incorporation of these standards is clearly erroneous.

Additionally, after the Tribes adopted the 2007 Tribal WQS&C, EPA never executed the reopener provision of the 2005 Permit to incorporate the Tribe’s adopted WQS&C sulfide limit. 2005 Permit Condition 4.15. The Reopener Provision states that: “[t]his permit may be reopened and modified . . . to include the appropriate effluent limitations . . . if one or more of the following events occurs: [t]he water quality standards of the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit” 2005 Permit 4.15, 4.15.1. In the more than seven years following the Tribes’ 2007 issuance of standards, EPA never elected to reopen Wesco’s 2005 Permit to incorporate the Tribes’ standards. This indicates that issuance of Tribal standards for sulfide did not “require different effluent limits than contained in the permit” and that Wesco’s 2005 Permit was sufficiently protective.³

2. EPA Erroneously Classified the Relevant Receiving Drainage as Class 3B, in Direct Contradiction of the Tribes’ Classification.

In writing and issuing the 2015 Permit, EPA clearly deemed the relevant receiving draw as Class 3B. *See* EPA’s Response to Comments, March 9, 2015, at page 2 (“[T]he receiving water for the Wesco discharge meets the definition of a Class 3B water, and EPA will continue

³ For the reasons set forth below, Wesco notes that the lesser classification of the relevant receiving drainage and the associated classified uses resulting therefrom further support the protective nature of the 2005 Permit limits and the lack of need to amend or reopen those limits, or otherwise apply new permit limits for sulfide and WET testing monitoring in the 2015 Permit. This is consistent with WREQC’s stated desire “to protect the indigenous species which are now established in the presence of the effluent discharge.” *See* Exhibit F, Emphasis Added. That is precisely what the 2005 Permit and incorporated effluent limits accomplished.

to use that classification for purposes of developing effluent limitations for this permit”). EPA’s decision to classify the Winkleman Dome Draw drainage as a Class 3B “intermittent and ephemeral stream” is clearly erroneous because the Tribes never classified the relevant receiving drainage in this manner. Instead, the Tribes explicitly classified the drainage as Class 3E. 2007 WQS&C, page 36. Although the unapproved 2007 WQS&C do not define Class 3E, the Tribes’ Water Quality Rules and Regulations do define the term. Class 3E waters are “perennial, intermittent or ephemeral streams whose flows are exclusively the result of permitted effluent discharges and are known to support or have the potential to support aquatic life other than fish Uses designated on Class 3E waters include aquatic life other than fish, secondary contact recreation, wildlife, industry, agriculture, and scenic value.” Exhibit J. The Tribes clearly intended to apply a different classification to these types of segments.

EPA’s factually incorrect decision to classify the drainage as 3B, and include corresponding permit limits and WET testing monitoring requirements on that basis, is clearly erroneous. As the WREQC noted in their comments submitted in this matter, “the intent of the Tribes in classifying these water body segments is to protect those non-fish indigenous species which are now established in the presence of the effluent discharge. WET testing seems more appropriate for a facility that discharges directly into a Class II water body that is protected for fish.” See Exhibit F. If, as EPA asserts, the unapproved 2007 Tribal WQS&C are applicable in this instance, then at a minimum, the clear statement of intent from the entity that drafted that document, WREQC, that WET testing was not contemplated on these types of segments, requires reversal of EPA’s 2015 Permit as issued. Moreover, as to sulfide effluent limit, WREQC stated: “EPA is now proposing a limit that is almost 1,000 times lower than what is needed to pass the WET Test, and which is not necessary to protect the indigenous aquatic life

and beneficial use that now exists.” *See* Exhibit F. Clearly, the relevant Tribal entity recognized the severe consequences that could arise if the 2015 Permit is implemented: “WREQC is concerned that the proposed sulfide limit may be difficult or impossible for the operators to achieve, given the levels now present in the effluent. The result could be reinjection of the water, possibly shut-in wells, or even shut down of entire oil fields. This would result in the loss of this valuable water source for use by wildlife and livestock, and as well as the loss of the aquatic communities already established in the receiving waters.” The 2005 Permit limits were adequately protective and fully supported the Tribes’ intent in classifying the waters as 3E to “protect the indigenous species which are now established in the presence of the effluent discharge.” EPA’s application of new, stricter permit limits based on a misapplication of tribal classifications is clearly erroneous and will have an effect wholly inconsistent with Tribal intent. If there is no more surface water to discharge, then by definition EPA has failed to protect the indigenous species which are now established and rely on the existence of the produced water as currently discharged.

3. EPA Failed to Adequately Recognize the Beneficial Use of the Discharge.

As addressed above, EPA’s new permit limits for sulfide and WET testing monitoring requirements are based on a clearly erroneous classification of the relevant receiving draw. Meeting these standards and requirements will be cost prohibitive, and instead of continuing to discharge produced water, Wesco will alter its operations to re-inject produced water into the formation. This will result in a loss of the beneficial use of the discharged water. The discharged water has created acres of wetland and open water habitat used by wildlife that will be lost if Wesco ceases discharging water. The discharge has also created water that is consumed by livestock belonging to Tribal members.

40 C.F.R. §§ 435.50-.52 recognizes the beneficial use of produced water in oil and gas drilling operations that occur west of the 98th meridian. In 1979, EPA established effluent limitations for onshore oil and gas facilities that prevented discharges of wastewater from these facilities except under certain circumstances. *See* 40 C.F.R. §§ 435 *et seq.*, 44 Fed. Reg. 22,069 (Apr. 13, 1979). Under Subpart E of section 435, oil and gas facilities in arid Western states may discharge “produced water,” if it “is of good enough quality to be used for wildlife or livestock watering or other agricultural uses and . . . the produced water is actually put to such use during periods of discharge.” 40 C.F.R. §§ 435.50-.52. Water may be discharged so long as the concentration of oil and grease in the produced water does not exceed 35 mg/L. *Id.* at § 435.52(b). As stated above, Wesco’s discharge is of a high enough quality to support wetlands and riparian areas that provide habitat for waterfowl and other wildlife species. In its supportive letter of July 19, 2013, the USFWS documents the significant benefits to habitat and wildlife resulting from Wesco’s surface water discharge. *See* Exhibit E (“The flowing water provides the hydrology for more than 800 acres of wet meadow/riparian habitat and another 200 acres of shallow open water habitat benefitting a variety of wildlife species The US Fish and Wildlife Service supports the continued discharge of water . . .”).

Moreover, BIA has documented the significant habitat improvements that are a direct result of the Winkleman Dome Field produced water. *See* Exhibit G (“the plant species benefit list is long and distinguishable . . . [the discharge also] provid[es] water benefits for feral horses, antelope, mule deer, aquatic bird species, coyotes, small mammals, rodents, and insects. [T]he ecosystem has adapted and the water release provides a full time benefit today. To lose the use of this water would be the decline of a now naturalized ecosystem.”).

Additionally, Tribal members use the water for livestock purposes. *See* Exhibit G (“The released water provides livestock water for six individuals permitted for cattle . . .”). If the new permit limits for sulfide and WET testing monitoring requirements are imposed without revision to the 2015 Permit, Wesco would re-inject the water to remain economically viable, thus depriving an arid area of a beneficial source of water supply. This result is inconsistent with the wishes of the USFWS. *See* Exhibit E. More importantly, this result is inconsistent with the wishes of the Tribes. *See* Exhibit F (“WREQC is concerned that the proposed NPDES permit requirements go above and beyond the Tribal WQS&C and are more stringent than necessary to protect the designated uses of the receiving waters. Produced water is the only available perennial water source where these facilities are located. Implementation of these new permit requirements may result in the loss of this valuable water source and the associated riparian habitat which supports livestock, wildlife and aquatic life use.”).

Both NRDC and PEER have raised concerns about the use of produced water that do not apply to Wesco’s operations. These organizations provided comments challenging EPA’s application of the Subpart E exemption to Wesco’s facilities under the assumption that Wesco employed fracking to extract oil and gas. The organizations were concerned that chemicals from fracking fluid could render discharged water unfit for wildlife and livestock consumption, thus making Subpart E inappropriately applied. As stated earlier, Wesco has not employed fracking practices at the Winkelman Dome Field, and as such no fracking chemicals are contained in Wesco’s discharged water. Subpart E is applicable in this instance and EPA should take all steps to issue a permit that promotes the beneficial use of produced water.

As noted above, USFWS issued a letter supporting Wesco’s discharge, attached as Exhibit E, based upon the water’s benefits to wildlife. The letter stated that Wesco’s discharged

water quality reports indicated the water was of sufficient quality for wetland enhancement. In response, EPA argued that the new and revised permit limitations will ensure that the discharge quality is sufficient to maintain both aquatic life and agricultural/wildlife uses in those riparian/wetland and open water areas.” If EPA’s goal had been to improve existing water conditions, then stricter standards would be a means of achieving such a goal. However, stricter standards are not required to “maintain” the existing uses, since such uses are attainable with the current standards. Further, there is no evidence of any conditions that would render the existing permit standards inadequate to maintain the current level of water quality. EPA’s determination that stricter standards are required for maintenance of current use is therefore clearly erroneous and inconsistent with the stated intent of WREQC in classifying the relevant segment “to protect the indigenous species which are now established in the presence of the effluent discharge.”

4. EPA’s Reliance on the Experience of Another Oil Company to Set Standards for Wesco’s Permit Is Clearly Erroneous.

In response to Wesco’s concern that it would not be able to economically achieve the 2.0 µg/L sulfide limit, EPA stated that it “has successfully worked with similar facilities to identify appropriate physical treatment methods for [sulfide] (as H₂S) at a relatively low cost and believes the same technology can be employed for this discharge.” Exhibit A, Response to Comments Specific to Wesco Winkleman Dome WY0025232, March 9, 2015. On information and belief, EPA based this comment on the experience of Marathon Oil Company (“Marathon”), which operates the Steamboat Butte Field in Fremont County, Wyoming. To the extent that EPA relied on its experience with Marathon as a foundation for adopting a 2.0 µg/L sulfide standard, such reliance is clearly erroneous because of differences in sulfide limits in Wesco’s and Marathon’s permits.

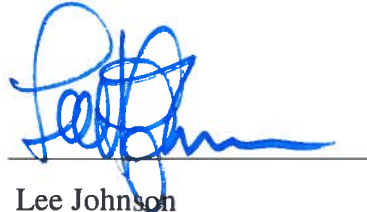
First, Marathon's NPDES permit does not contain an effluent limit for sulfides; the permit requires only WET testing. To meet the WET testing requirements, Marathon must reduce its sulfide level below 1.8 mg/L. *See generally* Exhibit F. Wesco notes that this limit is approximately 900 times higher than the limit imposed on Wesco in the 2015 Permit. Additionally, Marathon's permit moved the compliance location downstream of the original outfall location. In contrast, Wesco's Permit requires compliance with a set sulfide standard at the original outfall, not at a downstream location. There are significant differences between the requirements of Wesco's and Marathon's permits which render EPA's reliance on Marathon's experience clearly erroneous.

Second, on information and belief, Marathon has resorted to re-injecting the majority of water it previously discharged, which is inconsistent with EPA's assertion that Marathon has found an economical way of reducing the sulfide content of its discharge. In fact, Exhibit K demonstrates that in the past two or three years, Marathon greatly increased the amount of water that it re-injects. Therefore, EPA's statement that Marathon reduced sulfides by adopting a low-cost sulfide treatment technology is not accurate, and to the extent that EPA based the standards in Wesco's permit upon Marathon's experience, EPA's decision is clearly erroneous.

CONCLUSION

For the reasons set forth above, EPA's issuance of the 2015 Permit was based on clearly erroneous facts and conclusions. Wesco respectfully requests the EAB to reject EPA's 2015 Permit as issued and remand the matter for further proceedings.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Lee Johnson', is written over a horizontal line.

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Attorneys for Wesco Operating, Inc.

Date: June 17, 2015

Certificate of Service

I, Rachel St. Peter, hereby certify that on June 17, 2015, true and correct copies of Wesco's Petition for Review and Exhibits A through K were served:

Via the EPA's E-Filing System to:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, N.W.
Mail Code 1103M
Washington, D.C. 20460-0001

I, Rachel St. Peter, hereby certify that on June 17, 2015, true and accurate copies of Exhibits A through K to Wesco's Petition for Review were served:

Via United States Mail to:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
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Washington, D.C. 20460-0001

I, Rachel St. Peter, hereby certify that on June 17, 2015, true and correct copies of Wesco's Petition for Review and Exhibits A through K were served:

Via electronic mail, upon prior agreement of the Parties, to:

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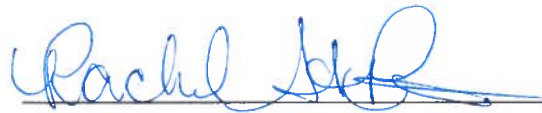
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