



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 23 2016

REPLY TO THE ATTENTION OF:

Ms. Jessica Toll  
Natural Gas Pipeline Company of America LLC  
23725 West County Farm Road  
Shorewood, Illinois 60431  
VIA EMAIL: [jessica\\_toll@kindermorgan.com](mailto:jessica_toll@kindermorgan.com)

Re: Natural Gas Pipeline Company of America LLC, Shorewood, Illinois  
Consent Agreement and Final Order **RCRA-05-2017-0003**

Dear Ms. Toll:

Attached please find a copy of the fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The U.S. Environmental Protection Agency has filed the original CAFO with the Regional Hearing Clerk on December 23, 2016.

Please pay the RCRA civil penalty in the amount of \$20,000 in the manner prescribed in paragraph 66, and reference your check with the docket number: RCRA-05-2017-0003.

Your payment is due within thirty (30) days of the effective date of this CAFO. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*.

Please feel free to contact Diane Sharrow at (312) 886-6199 or by email at [sharrow.diane@epa.gov](mailto:sharrow.diane@epa.gov) if you have any questions regarding the enclosed document. Please direct any legal questions to Catherine Garypie at (312) 886-5825 or [garypie.catherine@epa.gov](mailto:garypie.catherine@epa.gov). Thank you for your assistance in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Gary Victorine".

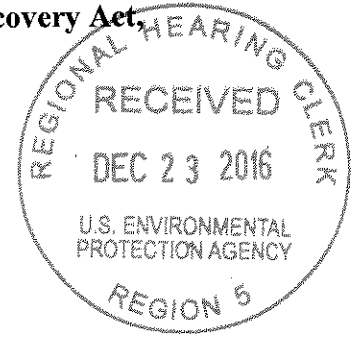
Gary Victorine, Chief  
RCRA Branch  
Land and Chemicals Division

Attachments

cc: Darren Hunter, R3Law, [darren.hunter@R3Law.com](mailto:darren.hunter@R3Law.com) w/attachments

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>In the Matter of:</b>	)	<b>Docket No. RCRA-05-2017-0003</b>
	)	
<b>Natural Gas Pipeline Company of America LLC</b>	)	<b>Proceeding to Commence and Conclude an Action to Assess a Civil Penalty</b>
<b>23725 West County Farm Road</b>	)	<b>Under Section 3008(a) of the Resource</b>
<b>Shorewood, Illinois</b>	)	<b>Conservation and Recovery Act,</b>
	)	<b>42 U.S.C. § 6928(a)</b>
<b>Respondent.</b>	)	
_____	)	



**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules) as codified at 40 C.F.R. Part 22.
2. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (U.S. EPA), Region 5.
3. U.S. EPA provided notice of commencement of this action to the State of Illinois pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
4. Respondent is Natural Gas Pipeline Company of America LLC, a limited liability company doing business in the State of Illinois.

5. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

6. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

7. Respondent consents to the assessment of the civil penalty specified in this CAFO, and to the terms of this CAFO.

#### **Jurisdiction and Waiver of Right to Hearing**

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

9. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations and alleged violations in this CAFO.

10. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

11. Respondent certifies that it is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992k, and the regulations at 40 C.F.R. Parts 260 - 279.

#### **Statutory and Regulatory Background**

12. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, and 3013, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, and 6934.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the federal program when the Administrator finds that the state program meets certain conditions. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939e) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Illinois final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3778 (January 31, 1986).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$25,000 per day for each violation of Subtitle C of RCRA according to Section 3008 of RCRA, 42 U.S.C. § 6928. The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 note (1996), required U.S. EPA to adjust its penalties for inflation on a periodic basis. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, published at 40 C.F.R. Part 19, U.S. EPA may assess a civil penalty of up to \$37,500 per day for each violation of Subtitle C of RCRA that occurred after January 12, 2009.

### **Factual Allegations and Alleged Violations**

16. Respondent was and is a “person” as defined by 35 IAC § 720.110, 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent is the “owner” or “operator,” as those terms are defined under 35 IAC § 720.110 and 40 C.F.R. § 260.10, of a facility located at 23725 West County Farm Road, Shorewood, Illinois (Shorewood Facility).

18. The Shorewood Facility consists of land and structures, other appurtenances, and improvements on the land which were used for treating, storing, or disposing of hazardous waste.

19. Respondent is the “owner” or “operator,” as those terms are defined under 35 IAC § 720.110 and 40 C.F.R. § 260.10, of a facility located at Route 30 & W. 111<sup>th</sup> Street in Plainfield, Illinois, 60585 (Volo Drips Site Facility).

20. The Volo Drips Site Facility consists of land and structures, other appurtenances, and improvements on the land which were used for treating, storing, or disposing of hazardous waste.

21. Respondent is a pipeline operator that engages in the transportation of natural gas subject to the Department of Transportation, Pipeline and Hazardous Materials Safety Administration’s regulations set forth in 49 C.F.R. Part 192.

22. At all times relevant to this CAFO, Respondent generated natural gas pipeline liquids which contained hazardous waste (D001, D018) and PCB waste at its Volo Drips Site Facility.

23. At all times relevant to this CAFO, the D001, D018 and PCB waste that were generated at the Volo Drips Site Facility were collected by Respondent in a 400-gallon portable container and transported by Respondent to its Shorewood Facility.

24. At all times relevant to this CAFO, the D001, D018 and PCB waste were transported by Respondent from its Volo Drips Site Facility to its Shorewood Facility without Respondent first registering and obtaining a permit for the transportation of hazardous waste from the State of Illinois.

25. At all times relevant to this CAFO, the D001, D018 and PCB waste were transported by Respondent from its Volo Drips Site Facility to its Shorewood Facility without utilizing a hazardous waste manifest.

26. At all times relevant to this CAFO, Respondent removed the D001, D018 and PCB waste shipped in a portable tank from Respondent's Volo Drips Site Facility and placed it in an above-ground hazardous waste storage tank at its Shorewood Facility.

27. At all times relevant to this CAFO, Respondent produced D001, D018 and PCB waste, which are identified or listed in 35 IAC §§721.120-721.131 or caused a hazardous waste to become subject to regulation under 35 IAC Parts 720-729 [40 C.F.R. Parts 260-270].

28. At all times relevant to this CAFO, Respondent transported D001, D018 and PCB waste in a portable tank (container), as that term is defined under 35 IAC § 720.110 [40 C.F.R. § 260.10].

29. At all times relevant to this CAFO, Respondent stored D001, D018 and PCB waste in a tank at its Shorewood Facility, as that term is defined under 35 IAC § 720.110 [40 C.F.R. § 260.10].

30. Respondent is a "generator," as that term is defined in 35 IAC § 720.110 [40 C.F.R. § 260.10].

31. On March 18, 2014, the Illinois EPA conducted a Compliance Evaluation Inspection of the Shorewood Facility (the Shorewood Inspection).

32. On April 10, 2014, the Illinois EPA issued a Violation Notice to Respondent alleging certain violations discovered during the Shorewood Inspection.

33. On May 28, 2014, Respondent submitted to Illinois EPA a written response to the Violation Notice.

34. On June 17, 2014, Respondent met with the Illinois EPA to discuss the Violation Notice and the Respondent's written response of May 28, 2014.

35. On July 2, 2014, Respondent submitted to Illinois EPA a supplemental written response to the Violation Notice.

36. On October 20, 2014, Illinois EPA referred the Respondent's violations to U.S. EPA for enforcement action.

37. On November 25, 2014, U.S. EPA notified Illinois EPA of its acceptance of the referral of the Respondent.

38. On December 17, 2014, U.S. EPA issued a Request for Information to the Respondent.

39. On January 9, 2015, Respondent requested, and U.S. EPA agreed to, an extension of time to respond to the Information Request until February 23, 2015.

40. On February 20, 2015, Respondent submitted a response to U.S. EPA's Request for Information.

41. At all times relevant to this CAFO, the State of Illinois had not issued a permit to Respondent to transport hazardous waste.

42. At all times relevant to this CAFO, the State of Illinois had not issued a permit to Respondent to treat, store, or dispose of hazardous waste at its Shorewood Facility or its Volo Drips Site Facility.

43. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at its Shorewood Facility or its Volo Drips Site Facility.

44. On or about July 24, 1986, Respondent submitted a Hazardous Waste Notification to U.S. EPA for its Shorewood Facility. On or about September 7, 2012, Respondent submitted a Hazardous Waste Notification to U.S. EPA for its Volo Drips Site Facility.

45. In its Hazardous Waste Notification, Respondent identified its Shorewood Facility as a generator of hazardous waste. In its Hazardous Waste Notification, Respondent identified its Volo Drips Site Facility as a generator of hazardous waste.

46. Respondent is subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921 - 6939e, or the analogous Illinois regulations as part of the applicable state hazardous waste management program for the state of Illinois, or both.

47. Respondent ultimately transported and disposed of all waste relevant to this CAFO at a licensed hazardous waste disposal facility.

**Count 1 –Transporting and Accepting Hazardous Waste without a Manifest from Volo Drips Site Facility to Shorewood Facility**

48. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

49. A transporter of hazardous waste is subject to the requirements of 35 IAC § 723.120(a) [40 C.F.R. § 263.20(a)].

50. 35 IAC § 723.120(a) [40 C.F.R. § 263.20(a)] requires that a transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest signed in accordance with 35 IAC § 723.123 [40 C.F.R. § 262.20].



51. Respondent violated 35 IAC § 723.120(a) [40 C.F.R. § 263.20(a)] when it accepted hazardous waste for transport from its Volo Drips Site Facility to its Shorewood Facility without a manifest signed in accordance with 35 IAC § 722.123 [40 C.F.R. § 262.23] on the following twelve (12) dates: January 30, 2013; March 28, 2013; March 29, 2013; April 8, 2013; September 24, 2013; December 16, 2013; January 14, 2014; January 15, 2014; February 4, 2014; February 11, 2014; February 17, 2014; and March 4, 2014.

52. As a hazardous waste treatment, storage or disposal facility, Respondent's Shorewood Facility became subject to 35 IAC § 724.176(a) [40 C.F.R. § 264.76] when it accepted hazardous waste for transport from its Volo Drips Site Facility.

53. 35 IAC § 724.176(a) [40 C.F.R. § 264.76] requires that if a facility accepts for treatment, storage, or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper, as described by 35 Ill. Adm. Code 723.120(e) [40 C.F.R. § 263.20(e)], and if the waste is not excluded from the manifest requirement by 35 Ill. Adm. Code 260 through 265 [40 C.F.R. Chapter I], then the owner or operator must prepare and submit a letter to the Illinois Environmental Protection Agency ("IEPA") [or, in the case of the federal regulations, the Regional Administrator of U.S. EPA] within fifteen (15) days after receiving the waste. The unmanifested waste report must contain the information specified in the regulation.

54. Respondent violated 35 IAC § 724.176(a) [40 C.F.R. § 264.76] when it accepted for treatment, storage, or disposal hazardous waste from an off-site source at its Shorewood Facility without an accompanying manifest, or without an accompanying shipping paper, as described by 35 Ill. Adm. Code 723.120(e) [40 C.F.R. § 263.20(e)], and without preparing and submitting a letter to the IEPA [or, in the case of the federal regulations, the Regional Administrator of U.S.

EPA] within fifteen (15) days after receiving the waste on the following twelve (12) dates:  
January 30, 2013; March 28, 2013; March 29, 2013; April 8, 2013; September 24, 2013;  
December 16, 2013; January 14, 2014; January 15, 2014; February 4, 2014; February 11, 2014;  
February 17, 2014; and March 4, 2014.

**Count 2: Storage of Hazardous Waste without a Permit or Interim Status  
at the Shorewood Facility**

55. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

56. Pursuant to 35 IAC § 703.121 [3005(a) of RCRA, 42 U.S.C. § 6925(a) and the regulations at 40 C.F.R. Part 270], the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit (or interim status) is prohibited.

57. Respondent violated 35 IAC § 703.121 [3005(a) of RCRA, 42 U.S.C. § 6925(a) and the regulations at 40 C.F.R. Part 270], when it accepted hazardous waste for storage at its Shorewood Facility when it had not applied for or received a permit (or interim status) on the following twelve (12) dates: January 30, 2013; March 28, 2013; March 29, 2013; April 8, 2013; September 24, 2013; December 16, 2013; January 14, 2014; January 15, 2014; February 4, 2014; February 11, 2014; February 17, 2014; and March 4, 2014.

**Count 3: Lack of a Tank Assessment at Shorewood Facility**

58. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

59. At the time of the inspection of its Shorewood Facility, Respondent did not meet the hazardous waste tank requirements of 35 IAC § 724.291 [40 C.F.R. §264.192].

60. Pursuant to 35 IAC § 724.291 [40 C.F.R. §264.191], the owner and/or operator of a hazardous waste management facility is required to obtain and keep on file at the facility a

written assessment reviewed and certified by a qualified Professional Engineer, in accordance with 35 Ill. Adm. Code 702.126(d) [40 C.F.R. §270.11(d)], that attests to the tank system's integrity. The assessment should have included, at a minimum, the following information: (1) design standards, if available, according to which the tank and ancillary equipment were constructed; (2) hazardous characteristics of the wastes that have been and will be handled; (3) existing corrosion protection measures; (4) documented age of the tank system, if available (otherwise an estimate of the age); and (5) results of a leak test, internal inspection, or other tank integrity examination.

**Count 4: Failure to have Written Closure Plan at Shorewood Facility**

61. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

62. Pursuant to 35 IAC §§ 724.210-724.220 [40 C.F.R. §§ 264.110-120], the owner and operator of a hazardous waste management unit is required to have a written closure plan that identifies the steps necessary to perform partial or final closure of the Shorewood Facility at any point during its active life.

63. When Respondent operated the Shorewood Facility from January 30, 2013 to May 28, 2014, Respondent did not have a written closure plan that identified the steps necessary to perform partial or final closure of the Shorewood Facility at any point during its active life, in violation of 35 IAC §§ 724.210-724.220 [40 C.F.R. §§ 264.110-120].

64. Complainant acknowledges that Respondent subsequently closed the subject hazardous waste management unit in accordance with a closure plan approved by IEPA. The subject hazardous waste unit was inspected by IEPA on January 21, 2015. IEPA issued a letter

to Respondent dated February 11, 2015, stating that the subject hazardous waste unit was closed in accordance with the approved closure plan and applicable regulatory requirements.

### **Civil Penalty**

65. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$20,000. In determining the penalty amount, Complainant took into account the seriousness of the violation and Respondent's good faith efforts to comply with the applicable requirements, including reliance upon U.S. EPA guidance document regarding PCB regulation under the Toxic Substances Control Act, 15 U.S.C. §§ 2601-2697. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

66. Within 30 days after the effective date of this CAFO, Respondent must pay a \$20,000 civil penalty for the RCRA violations by electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York  
ABA No. 021030004  
Account No. 68010727  
SWIFT address FRNYUS33  
33 Liberty Street  
New York, NY 10045  
Field Tag 4200 of the Fedwire message is  
"D68010727 Environmental Protection Agency"

67. This civil penalty is not deductible for federal tax purposes.

68. If Respondent does not timely pay the civil penalty, U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under

this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

### **General Provisions**

69. This CAFO resolves only Respondent's liability for applicable civil penalties for the violations and facts alleged in the CAFO.

70. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

71. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws or permits.

72. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, U.S. EPA's RCRA Civil Penalty Policy (June 2003), and U.S. EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

73. The terms of this CAFO bind Respondent, its successors, and assignees.

74. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

75. Each party agrees to bear its own costs and attorney's fees in this action.

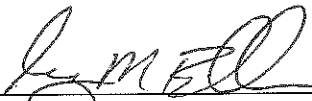
76. This CAFO constitutes the entire agreement between the parties.

77. The parties expressly consent to service by e-mail and waive their right to service by the methods specified in 40 C.F.R. § 22.6. Respondent shall be served at:

darren.hunter@R3Law.com and jessica\_toll@kindermorgan.com. Complainant shall be served  
at: garypie.catherine @epa.gov.


**Natural Gas Pipeline Company of America LLC Respondent**

11-29-16  
Date

  
\_\_\_\_\_  
Gary Buchler  
Vice President, Natural Gas Pipeline  
Company America LLC

**United States Environmental Protection Agency, Complainant**

12/22/2016  
Date

*for/*   
\_\_\_\_\_  
Margaret M. Guerriero  
Director  
Land and Chemicals Division

**In the Matter of:**  
**Natural Gas Pipeline Company of America LLC**  
**Docket No. RCRA-05-2017-0003**

**Final Order**

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

December 3, 2016  
Date

Ann L. Coyle  
Ann L. Coyle  
Regional Judicial Officer  
United States Environmental Protection Agency  
Region 5



## NOTICE OF SECURITIES AND EXCHANGE COMMISSION REGISTRANTS' DUTY TO DISCLOSE ENVIRONMENTAL LEGAL PROCEEDINGS

Securities and Exchange Commission regulations require companies registered with the SEC (e.g., publicly traded companies) to disclose, on at least a quarterly basis, the existence of certain administrative or judicial proceedings taken against them arising under Federal, State or local provisions that have the primary purpose of protecting the environment. Instruction 5 to Item 103 of the SEC's Regulation S-K (17 CFR 229.103) requires disclosure of these environmental legal proceedings. For those SEC registrants that use the SEC's "small business issuer" reporting system, Instructions 1-4 to Item 103 of the SEC's Regulation S-B (17 CFR 228.103) requires disclosure of these environmental legal proceedings.

If you are an SEC registrant, you have a duty to disclose the existence of pending or known to be contemplated environmental legal proceedings that meet any of the following criteria (17 CFR 229.103(5)(A)-(C)):

- A. Such proceeding is material to the business or financial condition of the registrant;
- B. Such proceeding involves primarily a claim for damages, or involves potential monetary sanctions, capital expenditures, deferred charges or charges to income and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the registrant and its subsidiaries on a consolidated basis; or
- C. A governmental authority is a party to such proceeding and such proceeding involves potential monetary sanctions, unless the registrant reasonably believes that such proceeding will result in no monetary sanctions, or in monetary sanctions, exclusive of interest and costs, of less than \$100,000; provided, however, that such proceedings which are similar in nature may be grouped and described generically.

Specific information regarding the environmental legal proceedings that must be disclosed is set forth in Item 103 of Regulation S-K or, for registrants using the "small business issuer" reporting system, Item 103(a)-(b) of Regulation S-B. If disclosure is required, it must briefly describe the proceeding, "including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought."

You have been identified as a party to an environmental legal proceeding to which the United States government is, or was, a party. If you are an SEC registrant, this environmental legal proceeding may trigger, or may already have triggered, the disclosure obligation under the SEC regulations described above.

This notice is being provided to inform you of SEC registrants' duty to disclose any relevant environmental legal proceedings to the SEC. This notice does not create, modify or interpret any existing legal obligations, it is not intended to be an exhaustive description of the legally applicable requirements and it is not a substitute for regulations published in the Code of Federal Regulations. This notice has been issued to you for information purposes only. No determination of the applicability of this reporting requirement to your company has been made by any governmental entity. You should seek competent counsel in determining the applicability of these and other SEC requirements to the environmental legal proceeding at issue, as well as any other proceedings known to be contemplated by governmental authorities.

If you have any questions about the SEC's environmental disclosure requirements, please contact the SEC Office of the Special Senior Counsel for Disclosure Operations at (202) 942-1888.

Consent Agreement and Final Order  
In the matter of: Natural Gas Pipeline Company of America LLC  
Docket Number: **RCRA-05-2017-0003**

**CERTIFICATE OF SERVICE**

I certify that I served a true and correct copy of the foregoing Consent Agreement and Final Order, docket number **RCRA-05-2017-0003**, which was filed on 12/23, 2016, in the following manner to the following addresses:

Copy by E-mail to Respondent: Natural Gas Pipeline Company of America LLC  
jessica\_toll@kindermorgan.com

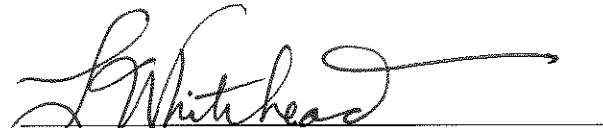
Copy by E-mail to Attorney for Complainant: Catherine Garypie  
garypie.catherine@epa.gov

Copy by E-mail to Attorney for Respondent: Darren Hunter  
darren.hunter@R3Law.com

Copy by E-mail to Regional Judicial Officer: Ann Coyle  
coyle.ann@epa.gov

Dated:

*December 23, 2016*



LaDawn Whitehead  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 5