



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

AUG 04 2011

Mr. Russ Willmon
President & CEO
Calcasieu Refining Company
4359 West Tank Farm Road
Lake Charles, LA 70605

Re: Expedited Settlement Agreement-Final Order
Docket No. CAA-06-2011-3541

Dear Mr. Willmon:

Enclosed for your records is a copy of the fully executed Expedited Settlement Agreement (ESA) for the CAA 112(r) violation found at the Calcasieu Refining Company located in Lake Charles, Louisiana.

If you have any questions regarding this matter, please do not hesitate to call. I may be reached by phone at (214) 665-6632 or by email at GOODFELLOW.BOB@EPA.GOV.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Goodfellow", written over a horizontal line.

Bob Goodfellow
RMP Enforcement Officer
Response and Prevention Branch
EPA Region 6

Enclosure

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

FILED
2011 SEP 28 PM 2:49
REGIONAL HEARING CLERK
EPA REGION VI

IN THE MATTER OF:)

Calcasieu Refining Company)

Lake Charles, LA)

RESPONDENT)

DOCKET NO. CAA 06-2011-3541

CONSENT AGREEMENT AND FINAL ORDER

The Director, Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (EPA), Region 6, and Calcasieu Refining Company, (Respondent) in the above-referenced proceeding, hereby agree to resolve this matter through the issuance of this Consent Agreement and Final Order (CAFO).

I. PRELIMINARY STATEMENT

1. This proceeding for the assessment of civil penalties pursuant to Section 113(d) of the Clean Air Act (CAA), 42 U.S.C. § 7413(d), is simultaneously commenced and concluded by the issuance of this CAFO against the Respondent pursuant to 40 C.F.R. §§ 22.13(b), 22.18(b)(2) and (3), and 22.34.

2. For the purposes of this proceeding, the Respondent admits the jurisdictional allegations herein; however, the Respondent neither admits nor denies the specific factual allegations contained in this CAFO.

3. The Respondent explicitly waives any right to contest the allegations and its right to appeal the proposed Final Order set forth therein, and waives all defenses which have been raised or could have been raised to the claims set forth in the CAFO.

4. Compliance with all the terms and conditions of this CAFO shall resolve only those violations which are set forth herein.

5. The Respondent consents to the issuance of this CAFO, and to the assessment and payment of the stated civil penalty in the amount and by the method set forth in this CAFO.

6. The Respondent represents that it is duly authorized to execute this CAFO and that the party signing this CAFO on behalf of the Respondent is duly authorized to bind the Respondent to the terms and conditions of this CAFO.

7. The Respondent agrees that the provisions of this CAFO shall be binding on its officers, directors, employees, agents, servants, authorized representatives, successors, and assigns.

II. STATUTORY AND REGULATORY BACKGROUND

8. Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), provides in pertinent part:

(A) In order to prevent accidental releases of regulated substances, the Administrator is authorized to promulgate release prevention, detection, and correction requirements which may include monitoring, record-keeping, reporting, training, vapor recovery, secondary containment, and other design, equipment, work practice, and operational requirements.

* * * *

(B) (ii) The regulations under this subparagraph shall require the owner or operator of stationary sources at which a regulated substance is present in more than a threshold quantity to prepare and implement a risk management plan to detect and prevent or minimize accidental releases of such substances from the

stationary source, and to provide a prompt emergency response to any such releases in order to protect human health and the environment. Such plan shall provide for compliance with the requirements of this subsection.

9. In accordance with Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), EPA promulgated the Chemical Accident Prevention Provisions, which are codified at 40 C.F.R. Part 68. These regulations, commonly referred to as the “Risk Management Program” (RMP) regulations, contain requirements for owners or operators of stationary sources concerning the prevention of accidental chemical releases.

10. Pursuant to 40 C.F.R. § 68.10, the owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process must comply with the RMP regulations.

11. Pursuant to 40 C.F.R. § 68.12, the owner or operator of a stationary source with a process subject to the “Program 3” requirements of the RMP regulations must, among other things, comply with the prevention requirements of 40 C.F.R. Part 68, Subpart D.

12. Pursuant to Section 112(r)(7)(E) of the CAA, 42 U.S.C. § 7412(r)(7)(E), it is unlawful for any person to operate any stationary source subject to the Risk Management Program requirements and regulations in violation of such requirements and regulations.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. PRELIMINARY ALLEGATIONS

13. The Respondent is a Delaware company authorized to do business in the State of Louisiana. The Respondent’s principal place of business is located at 4359 West Tank Farm Road, Lake Charles, Louisiana.

14. The Respondent is a “person” as that term is defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and within the meaning of Section 113(d) of the CAA, 42 U.S.C. § 7413(d).

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15. The Respondent owns and/or operates a petroleum refinery (North American Industrial Classification System Code 32411), located at 4359 West Tank Farm Road, Lake Charles, LA 70605 (Facility).

16. The Respondent's petroleum refinery is a "stationary source" as that term is defined by Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3.

17. The Respondent is the owner and/or operator of the stationary source identified in Paragraph 15.

18. At all times relevant to this CAFO, the Respondent was engaged in, among other things, the storage of produced liquefied petroleum gas (LPG).

19. Liquefied petroleum gas is a "regulated substance". 40 C.F.R. § 68.130

20. The Respondent's LPG Storage Vessel TK-201 is a "process" as that term is defined by 40 C.F.R. § 68.3.

21. At all times relevant to this CAFO, the Respondent's LPG Storage Vessel TK-201 has liquefied petroleum gas present above the "threshold quantity" of 10,000 pounds, as determined by 40 C.F.R. § 68.115.

22. The Respondent's LPG Storage Vessel TK-201 is subject to Program Level 3 as defined in 40 C.F.R. § 68.10(d), and must, among other things, comply with the prevention requirements of 40 C.F.R. Part 68, Subpart D.

23. On or about April 28, 2010, an inspection of Respondent's Facility including the LPG Storage Vessel TK-201, identified in paragraphs 20 – 21, was conducted by representatives of EPA pursuant to Section 114 of the CAA, 42 U.S.C. § 7414 ("the Inspection")

24. Section 113(d)(1) of the CAA, authorizes EPA to bring an administrative action for penalties that exceed \$295,000¹ and/or the first alleged date of violation occurred more than twelve (12) months prior to the initiation of the action, if the Administrator and the United States Attorney General jointly determine that the matter is appropriate for administrative action.

25. EPA and the U.S. Department of Justice have jointly determined that the Complainant can administratively assess a civil penalty even though the alleged violations have occurred more than twelve (12) months prior to the initiation of the administrative action.

B. VIOLATIONS

Count I - Failure to Identify all Individuals to whom Individual Requirements have been Assigned

26. 40 C.F.R. § 68.15 provides the following:

(a) The owner or operator of a stationary source with processes subject to Program 2 or Program 3 shall develop a management system to oversee the implementation of the risk management program elements.

(b) The owner or operator shall assign a qualified person or position that has the overall responsibility for the development, implementation, and integration of the risk management program elements.

(c) When responsibility for implementing individual requirements of this part is assigned to persons other than the person identified under paragraph (b) of this section, the names or positions of these people shall be documented and the lines of authority defined through an organization chart or similar document.

¹ The maximum penalty that can be assessed (without a waiver) under Section 113 of the Clean Air Act was increased by the Civil Monetary Penalty Inflation Adjustment Rule codified at 40 C.F.R. Part 19 to \$220,000 for violations occurring between January 30, 1997 and March 15, 2004, to \$270,000 for violations occurring between March 15, 2004 and January 12, 2009, and to \$295,000 for violations occurring after January 12, 2009.

27. The Respondent had designated a responsible official for the RMP. When asked if any individual requirements of the RMP had been delegated to others, he responded in the affirmative. When asked to provide a listing of what responsibilities had been delegated to whom including documentation of lines of authority, he indicated that no such document existed.

28. Therefore, the Respondent violated 40 C.F.R. § 68.15, by failing to identify the names or positions of individuals to whom RMP activities had been delegated or showing the lines of authority defined through an organization chart or similar document.

Count II – Failure to Update the Offsite Consequence Analysis at Least Once Every Five Years

29. 40 C.F.R. § 68.36(a) provides the following:

The owner or operator shall review and update the offsite consequence at least once every five years.

30. Records available at the time of the inspection demonstrated that the Respondent had conducted its initial offsite consequence in 1999. Respondent subsequently updated its offsite consequence in 2002 and 2009.

31. Therefore, the Respondent violated 40 C.F.R. § 68.36(a), by failing to update its offsite consequence analysis in 2007, five years after the 2002 update.

Count III – Failure to Develop and Implement Adequate Standard Operating Procedures (SOPs)

32. 40 C.F.R. § 68.73(a) provides the following:

The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements.

- (1) Steps for each operating phase:
 - (i) Initial startup;
 - (ii) Normal operations;

(iv) Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner.

(v) Emergency operations;

(vi) Normal shutdown; and,

(vii) Startup following a turnaround, or after an emergency shutdown.

(2) Operating limits:

(i) Consequences of deviation; and

(ii) Steps required to correct or avoid deviation.

(3) Safety and health considerations:

(i) Properties of, and hazards presented by, the chemicals used in the process;

(ii) Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment;

(iii) Control measures to be taken if physical contact or airborne exposure occurs;

(iv) Quality control for raw materials and control of hazardous chemical inventory levels; and,

(v) Any special or unique hazards.

(4) Safety systems and their functions.

33. As part of the inspection, the inspector reviewed a number of SOPs for the LPG Storage Vessel. Through this review, he noted that certain required elements were not consistently addressed. Included in those were consequences of deviation and steps required to correct or avoid deviation, properties of, and hazards presented by, the chemicals used in the process, control measures to be taken if physical contact or airborne exposure occurs, and safety systems and their functions.

34. Therefore, the Respondent violated 40 C.F.R. § 68.73(a), by failing to incorporate all required elements into SOPs.

Count IV – Failure to Annually Certify SOPs were Current and Accurate

35. 40 C.F.R. § 68.73(c) provides the following:

The operating procedures shall be reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources. The owner or operator shall certify annually that these operating procedures are current and accurate.

36. The Respondent was able to produce records from 2007, 2008, 2009 and 2010 demonstrating that SOPs had been certified as current and accurate. Respondent's representatives stated that reviews were not routinely reviewed prior to 2007.

37. Therefore, the Respondent violated 40 C.F.R. § 68.73(c), by failing to annually certify that SOPs were current and accurate.

Count V – Failure to Implement a Satisfactory Operator Training Program

38. 40 C.F.R. § 68.71 provides the following:

(a) Initial training.

(1) Each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process, shall be trained in an overview of the process and in the operating procedures as specified in §68.69. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks.

(2) In lieu of initial training for those employees already involved in operating a process on June 21, 1999, an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures.

(b) Refresher training. Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The owner or operator, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training.

(c) Training documentation. The owner or operator shall ascertain that each employee involved in operating a process has received and understood the training required by this paragraph. The owner or operator shall prepare a record which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training.

39. A review of training records during the inspection revealed that Respondent did not consistently provide refresher training at least once every three years. Further, the majority of the tests reviewed were ungraded, making it impossible to determine whether the employees actually demonstrated an understanding of the material.

40. Therefore, the Respondent violated 40 C.F.R. § 68.71, by failing to develop and implement a fully compliant operator training program.

Count VI – Failure to Update SOPs when Required by a Significant Change to a Process or Control

41. 40 C.F.R. § 68.75(e) provides the following:

If a change covered by this paragraph [Management of Change] results in a change in the operating procedures or practices required by § 68.69, such procedures or practices shall be updated accordingly.

42. In 2009, CRC replaced a barge line (product line), a project that included the addition of a valve and a drain line, where none was previously installed. The MOC stated that no changes to the SOPs were needed. Subsequent to the inspection, the SOP for the transfer operation was updated to include the operation of the new valve and drain line.

43. Therefore, the Respondent violated 40 C.F.R. § 68.75(e), by failing to update the SOP when required by a change in the process covered by Management of Change.

Count VII – Failure to Perform Compliance Audits at the Required Frequency

44. 40 CFR § 68.79 provides the following:

(a) The owner or operator shall certify that they have evaluated compliance with the provisions of this subpart at least every three years to verify that procedures and practices developed under this subpart are adequate and are being followed.

(b) The compliance audit shall be conducted by at least one person knowledgeable in the process.

(c) A report of the findings of the audit shall be developed.

(d) The owner or operator shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.

(e) The owner or operator shall retain the two (2) most recent compliance audit reports.

45. During the inspection, Respondent was only able to produce compliance audits from July 2002 and February 2009. There was no indication that any other audits had been conducted.

46. Therefore, Respondent violated 40 CFR § 68.79 by failing to conduct compliance audits at the required frequency.

Count VIII - Failure to Update the RMP at the Required Frequency

47. 40 CFR § 68.190(b) states:

The owner or operator of a stationary source shall revise and update the RMP submitted under §68.150 as follows:

(1) At least once every five years from the date of its initial submission or most recent update required by paragraphs (b)(2) through (b)(7) of this section, whichever is later.

48. The Respondent submitted updates to its RMP June 16, 1999, October 22, 2002 and September 2, 2009.

49. Therefore, Respondent violated 40 CFR § 68.79 by failing to update its RMP at the required frequency.

Count IX - Failure to Update the Emergency Contact Information in a Timely Manner

50. 40 CFR § 68.195(b) requires facilities to correct the RMP when there is a change in the emergency contact information. Specifically, “[b]eginning June 21, 2004, within one month of any change in the emergency contact information required under § 68.160(b)(6), the owner or operator shall submit a correction of that information.”

51. The RMP update submitted October 22, 2002, identified Toni Bennett as Emergency Contact. Ms. Bennett left in late 2007 or early 2008. The emergency contact was not updated until the September 2, 2009, update.

52. Therefore, Respondent violated 40 CFR § 68.195(b) by failing to update its emergency contact information in a timely manner.

IV. TERMS OF SETTLEMENT

A. CIVIL PENALTY

53. For the reasons set forth above, Respondent has agreed to pay a civil penalty which has been determined in accordance with Section 113(d) of the CAA, 42 U.S.C. § 7413(d), which authorizes EPA to assess a civil penalty of up to Twenty-Five Thousand Dollars (\$25,000)² per day for each violation of the CAA. Upon consideration of the entire record herein, including the

² The maximum \$25,000 per day penalty was increased by the Civil Monetary Penalty Inflation Adjustment Rule codified at 40 C.F.R. Part 19 to \$27,500 for violations occurring between January 30, 1997 and March 15, 2004, to \$32,500 for violations occurring between March 15, 2004 and January 12, 2009, and to \$37,500 for violations occurring after January 12, 2009.

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Findings of Fact and Conclusions of Law, which are hereby adopted and made a part hereof, and upon consideration of the size of the business, the economic impact of the penalty on the business, the violator's full compliance history and good faith efforts to comply, the duration of the violation, payment by the violator of penalties previously assessed for the same violation, the economic benefit of noncompliance, the seriousness of the violation, and other factors as justice may require, it is ORDERED that Respondent be assessed a civil penalty in the amount of one hundred three thousand two hundred and 00/100 dollars (\$103,200.00).

54. Within thirty (30) days of the effective date of this CAFO, the Respondent shall pay the assessed civil penalty by certified check, cashier's check, or wire transfer, made payable to "Treasurer, United States of America, EPA - Region 6". Payment shall be remitted in one of three (3) ways: regular U.S. Postal mail (including certified mail), overnight mail, or wire transfer. For regular U.S. Postal mail, U.S. Postal Service certified mail, or U.S. Postal Service express mail, the check(s) should be remitted to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

For overnight mail (non-U.S. Postal Service, e.g. Fed Ex), the check(s) should be remitted to:

U.S. Bank
Government Lockbox 979077 US EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101
Phone No. (314) 418-1028

In the Matter of Calcasieu Refining Company Docket Number 06-2011-3541

For wire transfer, the payment should be remitted to:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency" with a phone number of (412) 234-4381.

PLEASE NOTE: Docket number CAA-06-2011-3541 shall be clearly typed on the check, or other method of payment, to ensure proper credit. If payment is made by check, the check shall also be accompanied by a transmittal letter and shall reference the Respondent's name and address, the case name, and docket numbers of the CAFO. If payment is made by wire transfer, the wire transfer instructions shall reference the Respondent's name and address, the case name, and docket numbers of the CAFO. The Respondent shall also send a simultaneous notice of such payment, including a copy of the check and transmittal letter, or wire transfer instructions to the following:

Bob Goodfellow
Environmental Scientist/RMP Enforcement Officer
Superfund Prevention and Response Branch (6SF-PC)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Lorena Vaughn
Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

The Respondent's adherence to this request will ensure proper credit is given when penalties are received by EPA and acknowledged in the Region.

In the Matter of Calcasieu Refining Company Docket Number 06-2011-3541

55. The Respondent agrees not to claim or attempt to claim a federal income tax deduction or credit covering all or any part of the civil penalty paid to the United States Treasurer.

56. If Respondent fails to submit payment within thirty (30) days of the effective date of this Order, Respondent may be subject to a civil action to collect any unpaid portion of the assessed penalty, together with interest, handling charges and nonpayment penalties as set forth below.

57. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue thirty (30) days after the effective date of the CAFO and will be recovered by EPA on any amount of the civil penalty that is not paid by the respective due date. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. *See* 40 C.F.R. § 13.11(b).

58. EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) day period that the penalty remains unpaid. In addition, a penalty charge of up to six percent per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. *See* 40 C.F.R. § 13.11(c). Should a penalty charge on the debt be required, it shall accrue from the first day

payment is delinquent. *See* 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

59. Pursuant to Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), any person who fails to pay on a timely basis a civil penalty ordered or assessed under this section shall be required to pay, in addition to such penalty and interest, the United States enforcement expenses, including but not limited to, attorneys fees and costs incurred by the United States for collection proceedings, and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be 10 percent of the aggregate amount of such person's outstanding penalties and nonpayment penalties accrued as of the beginning of each quarter.

60. This Consent Agreement is considered a "prior violation" for the purpose of demonstrating a "history of noncompliance" under the Clean Air Act Stationary Source Penalty Policy.

B. RETENTION OF ENFORCEMENT RIGHTS

61. The EPA does not waive any rights or remedies available to EPA for any other violations by the Respondent of Federal or State laws, regulations, or permitting conditions.

62. Nothing in this CAFO shall relieve the Respondent of the duty to comply with all applicable provisions of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68.

63. Nothing in this CAFO shall limit the power and authority of EPA or the United States to take, direct, or order all actions to protect public health, welfare, or the environment, or prevent, abate or minimize an actual or threatened release of hazardous substances, pollutants,

contaminants, hazardous substances on, at or from the Respondent's facility. Furthermore, nothing in this CAFO shall be construed to prevent or limit EPA's civil and criminal authorities, or that of other Federal, State, or local agencies or departments to obtain penalties or injunctive relief under other Federal, State, or local laws or regulations.

C. COSTS

64. Each party shall bear its own costs and attorney's fees. Furthermore, the Respondent specifically waives its right to seek reimbursement of its costs and attorney's fees under 5 U.S.C. § 504 and 40 C.F.R. Part 17.

D. COMPLIANCE

65. The Respondent hereby certifies that as of the date of the execution of this CAFO, that it has corrected the violations alleged herein, and is now, to the best of its knowledge, in compliance with all applicable requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68.

E. EFFECTIVE DATE

66. This CAFO becomes effective upon filing with the Regional Hearing Clerk.

In the Matter of Calcasieu Refining Company Docket Number 06-2011-3541

THE UNDERSIGNED PARTIES CONSENT TO THE ENTRY OF THIS CONSENT AGREEMENT AND FINAL ORDER:

FOR THE RESPONDENT:

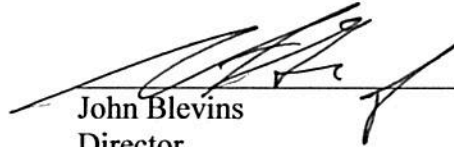
Date: July 7, 2011



Russ Willmon
President and CEO
Calcasieu Refining Company

FOR THE COMPLAINANT:

Date: AUG 04 2011

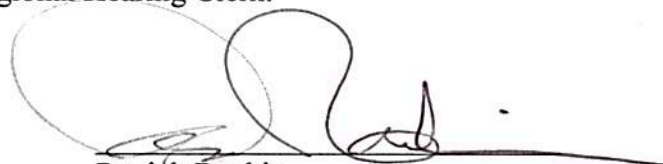


John Blevins
Director
Compliance Assurance and Enforcement Division
U.S. EPA - Region 6

V. FINAL ORDER

Pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing Consent Agreement is hereby ratified. This Final Order shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order shall resolve only those causes of action alleged in the Consent Agreement. Nothing in this Final Order shall be construed to waive, extinguish or otherwise affect Respondent's (or its officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. The Respondent is ordered to comply with the terms of settlement and the civil penalty payment instructions as set forth in the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Dated AUG 04 2011



Patrick Rankin
Regional Judicial Officer

In the Matter of Calcasieu Refining Company Docket Number 06-2011-3541

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of August, 2011, the original and one copy of the foregoing Consent Agreement and Final Order (CAFO) was hand delivered to the Regional Hearing Clerk, U.S. EPA - Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733, and a true and correct copy of the CAFO was delivered to the following by the method indicated below:

CERTIFIED MAIL - RETURN RECEIPT REQUESTED _____

Russ Willmon
President & CEO
Calcasieu Refining Company
4359 West Tank Farm Road
Lake Charles, LA 70605



Bob Goodfellow
Environmental Scientist
U.S. EPA – Region 6
Dallas, Texas