



nor any further civil penalty are due in conjunction with those sources, the parties jointly propose to make the following changes to the Agreement as amended:

- a. In Paragraph D.1.e, the date after which construction of emission sources are not subject to this agreement shall be August 29, 2012;
- b. In Paragraph D.1.f, Table A-5 shall be added, and the date by which all emission sources identified in Table A-5 must commence construction shall be August 29, 2012 rather than June 30, 2012;
- c. In Paragraph D.1.g, Table A-5 shall be added, and the date of August 29, 2012 shall be inserted in place of June 30, 2012;
- d. In Paragraph D.2.b., Table A-5 shall be added;
- e. In Paragraph F.6, Table A-5 shall be added;
- f. Table A-5 shall be added to Revised Appendix A, thereby creating Second Revised Appendix A;

7. Pursuant to the terms of Paragraph F.13, EPA approves the proposed changes to Paragraphs D.1.e, f and g; Paragraph D.2.b; and Paragraph F.6; and to the Revised Appendix A of the Agreement, as amended, which are set forth in paragraphs 4, 5 and 6 of this Motion.

**REQUEST**

For the above-mentioned reasons, Respondent and Complainant respectfully request that the Court approve substitution of the attached Second Revised Appendix A to the Agreement and approve the revisions to Paragraphs D.1e, f and g; Paragraph D.2.b; and Paragraph F.6 of the Agreement, as described herein and as attached to this Motion.

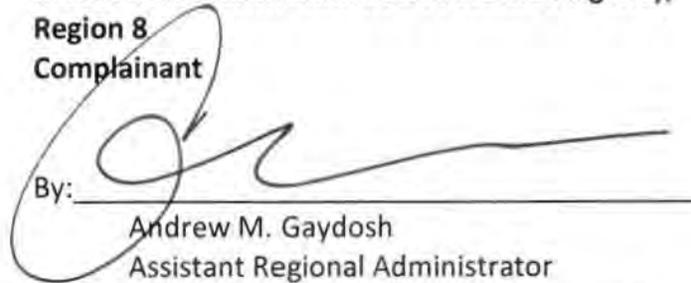
**QEP ENERGY COMPANY  
Respondent**

Date: June 22, 2012

  
By: \_\_\_\_\_  
C.B. Stanley  
President & CEO

**United States Environmental Protection Agency,  
Region 8  
Complainant**

Date: June 25, 2012

  
By: \_\_\_\_\_  
Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance and  
Environmental Justice

## ATTACHMENT 1:

### FULL TEXT OF MODIFIED PARAGRAPHS IN THE ORIGINAL AGREEMENT

D.1.e. Any emission sources for which construction will commence after August 29, 2012, are not subject to this Agreement and Respondent must obtain an effective synthetic minor source permit from EPA or comply with the provisions of 40 C.P.R. § 52.21 prior to commencing construction.

D.1.f. Inclusion of an emission source listed in Appendix A, Table A-2, A-3, A-4, and/or A-5 does not preclude Respondent from commencing construction of that emission source after the date specified in the relevant Paragraph D.1.b, c, and d above. However, all such emission sources must commence construction by August 29, 2012.

D.1.g. If any of those emission sources listed in Appendix A, Tables A-2, A-3, A-4, and /or A-5 do not commence construction by August 29, then they are therefore not subject to Section D of this Agreement

D.2.b. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, A-4, and A-5 the Respondent shall comply with the requirements of Appendix B upon start-up of production. Emission sources that receive an effective synthetic minor source permit before commencing construction are not subject to the requirements of this Agreement.

F.6. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, A-4, and A-5, compliance with the relevant CAA provisions requires that Respondent; a) obtains an effective synthetic minor source permit; b) is subject to an EPA approved Federal Implementation Plan which allows for a permit by rule; or c) complies with a new EPA applicable CAA regulation that removes them from PSD applicability.

QEP Resources, Inc.

Second Revised APPENDIX A to Consent Agreement, June 14, 2012:  
EMISSION SOURCE INVENTORY

TABLE A-5: Previously-Identified Emission Sources,  
Commencing Construction Between June 30, 2012 and August 29, 2012

SOURCE IDENTIFICATION	SECTION	TOWNSHIP	RANGE	Expected Commence Construction Date	Previously Included in Table:
16-31G	31	148	92	8/20/12	A-3
12-5H	5	148	91	8/20/12	A-3
16-31B	31	150	91	8/20/12	A-3
16-5F	5	149	90	8/20/12	A-3

### CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached Joint Motion to Amend Administrative Complaint and Consent Agreement in the matter of QEP Energy Company, Docket No. CAA-08-2011-0026, was filed with the Regional Hearing Clerk on June 25, 2012.

Further, the undersigned certifies that, on the same day, a true and correct copy of the document was hand-delivered to Cynthia Reynolds, Director, EPA Air & Toxics Technical Enforcement Program, 1595 Wynkoop Street, Denver, CO 80202 and mailed by first-class U.S. mail to Dan Ryan, Senior Environmental Engineer for QEP Energy, at 1050 17<sup>th</sup> Street, Suite 500, Denver, CO 80265.

Date: June 25, 2012

David Rochlin

David Rochlin  
Senior Enforcement Attorney  
U.S. Environmental Protection Agency