

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
DOCKET NO.: CAA-08-2011-0018

2011 NOV -3 AM 9:18

IN THE MATTER OF:

XTO ENERGY, INC.

RESPONDENT.

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ORDER ON JOINT
MOTION TO AMEND
ADMINISTRATIVE COMPLAINT
AND CONSENT AGREEMENT

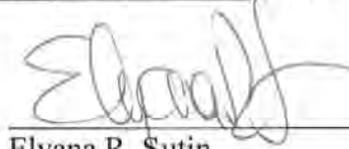
FILED
EPA REGION V
HARRISBURG, PA

On November 3, 2011, the Parties filed a Joint Motion to Amend Administrative Complaint and Consent Agreement. The Motion requests, pursuant to paragraphs D.1.a and F.13 of the Agreement, that the Complaint and Consent Agreement be amended to include a Revised Appendix A and modification of the penalty.

The Revised Appendix A substitutes the original Appendix A by adding one source to Table A-3 and two sources to Table A-4. This amendment increases the number of existing emission sources from 21 to 24 and thereby, increases the penalty to \$72,000 from \$63,000 as contemplated by paragraph E.1 of the original Administrative Complaint and Consent Agreement.

The court hereby approves the Motion to Amend to include the Revised Appendix A and the modification to paragraph E.1 based on the terms of the Complaint and Consent Agreement for good cause shown, pursuant to 40 C.F.R. §§22.14(c), 22.16(c) and 22.18(b)(2). The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement, which was effective on August 26, 2011 by Final Order.

SO ORDERED THIS 3rd DAY OF November, 2011.



Elyana R. Sutin
Regional Judicial Officer

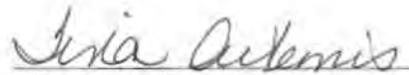
CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER ON JOINT MOTION TO AMEND ADMINISTRATIVE COMPLAINT AND CONSENT AGREEMENT** in the matter of **XTO ENERGY; DOCKET NO.: CAA-08-2011-0018** was filed with the Regional Hearing Clerk on November 3, 2011.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, James H. Eppers, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on November 3, 2011, to:

Christopher W. Armstrong
XTO Energy
810 Houston Street
Ft. Worth, TX 76102-6298

November 3, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk