

Message Confirmation Report

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH FIFTH STREET  
KANSAS CITY, KANSAS 66101

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EPA REGION 7 OFFICE  
REGISTRATION CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF )  
)  
) CLEAN WATER ACT SECTION 311  
) CLASS II  
Stilwell Oil Company )  
Stilwell, Kansas ) CONSENT AGREEMENT  
) AND FINAL ORDER  
)  
)  
)  
Respondent. ) Docket No. CWA-07-2009-0093

CONSENT AGREEMENT

Stipulations

The parties, by their own capacity or by their attorneys or other authorized representatives, hereby stipulate:

1. Section 311(j) of the Clean Water Act (CWA), 33 U.S.C. § 1321(j), provides for the regulation of onshore facilities to prevent or contain discharges of oil. Section 311(j) of the CWA, 33 U.S.C. § 1321(j), provides in part that the President shall issue regulations "establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of oil and hazardous substances from vessels and from onshore facilities and offshore facilities, and to contain such discharges."
2. To implement Section 311(j), 33 U.S.C. § 1321(j), EPA promulgated regulations to prevent oil pollution. These regulations, codified at 40 C.F.R. Part 112, set forth the requirements for the preparation and implementation of Spill Prevention Control and Countermeasure Plans ("SPCC Plans").
3. More specifically, under the authority of Section 311(j) of the CWA, 33 U.S.C. § 1321(j), 40 C.F.R. Part 112 establishes procedures, methods and equipment and other requirements to prevent the discharge of oil from non-transportation-related onshore facilities into or upon the navigable waters of the United States or adjoining shorelines.