UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 4

In the Matter of: **Sunoco, LLC,** Respondent.	Docket No. **CAA-04-2022-0213(b)**

CONSENT AGREEMENT

I. NATURE OF ACTION

1. This is an administrative penalty assessment proceeding brought under Section 113(d) of the Clean Air Act ("CAA" or the "Act"), 42 U.S.C. § 7413(d), and Sections 22.13(b) and 22.18 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 Title 40 of the Code of Federal Regulations (C.F.R.), Part 22.

2. This Consent Agreement and the attached Final Order shall collectively be referred to as the CAFO.

3. Having found that settlement is consistent with the provisions and objectives of the Act and applicable regulations, the Parties have agreed to settle this action pursuant to 40 C.F.R. § 22.18 and consent to the entry of this CAFO without adjudication of any issues of law or fact herein.

II. PARTIES

4. Complainant is the Director of the Enforcement and Compliance Assurance Division, United States Environmental Protection Agency (EPA), Region 4, who has been delegated the authority on behalf of the Administrator of the EPA to enter into this CAFO pursuant to 40 C.F.R. Part 22 and Section 113(d) of the Act.

5. Respondent is **Sunoco, LLC**, a limited liability company doing business in the State of Alabama. This proceeding pertains to Respondent's facility located at 2700 Ishkooda Wenonah Road, Birmingham, Alabama 35211 (Facility).

III. GOVERNING LAW

6. Any person who violates Section 112(r) of the CAA, 42 U.S.C. § 7412(r), or rule promulgated thereunder, may be assessed a civil penalty pursuant to Section 113(d) of the Act, 42 U.S.C. §

7413(d), and 40 C.F.R. Part 19. Each day a violation continues may constitute a separate violation. Civil penalties under Section 113(d) of the Act, 42 U.S.C. § 7413(d), may be assessed by an administrative order.

7. Section 112(r) of the Act 42 U.S.C. § 7412(r), addresses the prevention of release of substances listed pursuant to Section 112(r)(3) of the Act, 42 U.S.C. § 7412(r)(3), and other extremely hazardous substances. The purpose of this section is to prevent the accidental release of extremely hazardous substances and to minimize the consequences of such releases. Pursuant to Section 112(r)(7) of the Act, 42 U.S.C. § 7412(r)(7), the EPA is authorized to promulgate regulations for accidental release prevention.

8. Pursuant to Sections 112(r)(3) and 112(r)(7) of the Act, 42 U.S.C. §§ 7412(r)(3) and 7412(r)(7), the EPA promulgated rules codified at 40 C.F.R. Part 68, Chemical Accident Prevention Provisions. These regulations are collectively referred to as the "Risk Management Program" (RMProgram) and apply to an owner or operator of a stationary source that has a threshold quantity of a regulated substance in a process. Pursuant to Sections 112(r)(3) and 112(r)(5) of the Act, 42 U.S.C. §§ 7412(r)(3) and 7412(r)(5), the list of regulated substances and threshold levels are codified at 40 C.F.R. § 68.130.

9. Pursuant to Section 112(r)(7)(B)(iii) of the Act, 42 U.S.C. § 7412(r)(7)(B)(iii), and 40 C.F.R. §§ 68.10 and 68.150, the owner or operator of a stationary source that has a regulated substance in an amount equal to or in excess of the applicable RMProgram threshold in a "process" as defined in 40 C.F.R. § 68.3, must develop an RMProgram accidental release prevention program, and submit and register a single Risk Management Plan (RMPlan) to the EPA.

10. The EPA and the United States Department of Justice jointly determined that this matter, although it involves alleged violations that occurred more than one year before the initiation of this proceeding, is appropriate for an administrative penalty assessment. 42 U.S.C. § 7413(d); 40 C.F.R. § 19.4.

IV. FINDINGS OF FACTS

11. Respondent is the owner and/or operator of the Facility, which is a "stationary source" as that term is defined by Section 112(r)(2)(C) of the Act, 42 U.S.C. § 7412(r)(2)(C).

12. Respondent has registered an RMPlan with the EPA for its Facility and has developed an RMProgram accidental release prevention program for the Facility.

13. On February 4, 2022, the EPA issued to Respondent a Notice of Potential Violation and Opportunity to Confer ("NOPVOC"), providing notice that the EPA found that Respondent potentially committed the alleged violations described in Section V of this Agreement and providing Respondent an opportunity to confer with the EPA. On April 22, 2022 and May 13, 2022, representatives of Respondent and the EPA held meetings to discuss the NOPVOC.

14. At its Facility:

    a. Respondent operates a gas processing plant.
    b. Respondent has on-site for use/storage, 55,126 pounds of sulfur dioxide, 8,240 pounds of anhydrous ammonia, 130,000 pounds of butane, and over 10,000 pounds of hydrogen.

c. Respondent has three RMProgram level 3 covered processes, which store or otherwise use sulfur dioxide, butane, and hydrogen. Sulfur dioxide, butane, and hydrogen are stored or otherwise used in amounts exceeding their applicable thresholds of 5,000 pounds, 10,000 pounds and 10,000 pounds, respectively. Anhydrous ammonia is stored at below the applicable threshold of 10,000 pounds; however, in extreme caution, the Respondent has registered the chemical for RMProgram level 3.

15. On September 28, 2021, the EPA conducted an on-site inspection of the RMProgram related records and equipment for the purpose of assessing the Respondent's compliance with the RMProgram requirements and the implemented recognized and generally accepted good engineering practices (RAGAGEP) for its covered processes at its Facility.

16. At the time of the inspection, or as otherwise indicated, EPA observed the following:

a. The Respondent had implemented a Program 3 Prevention Program to comply with 40 C.F.R. Part 68 requirements based on the determination that the Respondent has more than the RMP threshold quantity of the regulated substances sulfur dioxide and butane. The Respondent had also implemented a Program 3 Prevention Program to comply with 40 C.F.R. Part 68 requirements for the storage and use of anhydrous ammonia.

However, the Respondent maintained an aboveground storage tank containing hydrogen at more than the RMP threshold quantity of 10,000 pounds applicable to flammable substances. The Respondent had not included hydrogen as an RMP-regulated substance in its historical RMP submissions to the EPA. The EPA notes that this issue was identified as Recommendation No. 1.1 in the Respondent's March 2021 Process Safety Management/ Risk Management Program (PSM/RMP) Compliance Audit without a corresponding date of completion or responsible official assigned.

b. The following equipment did not comply with RAGAGEP.

i. The inspectors observed inadequate and inconsistent labeling of process piping and equipment throughout the Facility. Specifically, piping was not labeled to indicate contents and direction of flow in the following areas: (1) on sulfur dioxide (SO2) and ammonia piping leading from the loading and anhydrous ammonia storage tank area to the process; (2) on SO2 piping leading from the storage tank to the process; (3) at the SO2 injection point into the Hydrotreater; (4) at the ammonia injection point into the Hydrotreater; and (5) throughout the butane storage and blending area. Lack of clear piping and equipment labeling is inconsistent with the following RAGAGEP:

Section 3.1 of The American Society of Mechanical Engineers (ASME) A13.1-2015 states, *"Positive identification of the contents of a piping system shall be by lettered legend, giving the name of the contents in full or abbreviated form ... Arrows shall be used to indicate direction of flow. Where flow can be in both directions, arrows in both directions shall be displayed. Contents shall be identified by a legend with sufficient additional details such as temperature, pressure, etc., as are necessary to identify the hazard."*

ii. Inspectors observed that the anhydrous ammonia storage tank was not provided with any protective bollards to protect from potential vehicular impact from anhydrous ammonia delivery trucks. Facility personnel indicated that tanker trucks delivering ammonia drive up to and park immediately adjacent to the tank to facilitate bulk loading of ammonia into the system once every six (6) weeks.

Section 5.6.6 of The American National Standards Institute – Compressed Gas Association (ANSI-CGA) G-2.1 (2014) states, *"Adequate provisions shall be made to protect all exposed piping from physical damage, which could result from impact by moving machinery, automobiles or trucks, or any other equipment at the facility."*

Section 6.7.1 of ANSI-CGA G-2.1 (2014) states, *"Containers and appurtenances shall be located or protected by suitable barriers to avoid damage by trucks or other vehicles."*

iii. Inspectors observed that the anhydrous ammonia unloading area lacked an emergency shutdown button that could be used to shutdown tank loading operations in the event of an emergency.

Section 7.4.2 of ANSI-CGA G-2.1 (2014) states, *"A check valve shall be installed on the tank liquid fill connection if it is located below the maximum liquid level. A remotely operated shutoff valve shall be installed on other connections located below the maximum liquid level."*

iv. Inspectors observed that the nameplate on the bulk butane storage tank was illegible and was not clearly marked with the required information. Section UG-116 of the 2010 ASME Boiler and Pressure Vessel Code (2011a Addenda; dated to July 1, 2011), and Section 5.2.8.3 of NFPA 58 (2014) require official certification marks, maximum allowable working temperatures and pressures, minimum design metal temperature, Manufacturer's serial number, and year built.

c. The EPA requested annual operating certification records to show that operating procedures were being reviewed annually to ensure they are current and accurate. The Respondent did not provide these records as part of its post-inspection response to the EPA. In an October 28, 2021 email to the EPA, the Respondent indicated: "Do not have these records but will begin documenting these in our training platform (PureSafety) going forward."

d. The Respondent did not demonstrate that inspections and tests were performed on process equipment, inspection and testing procedures follow RAGAGEP, and the frequency of inspections and tests of process equipment are consistent with applicable manufacturers' recommendations and good engineering practices, and occur more frequently if determined to be necessary by prior operating experience. Specifically:

i. API 510, Section 6.2.1.1 (2014) states that pressure vessels shall be inspected by an inspector at the time of installation. Facility personnel reported that they did not have a U-1A form for the bulk butane storage tank, and Respondent had not conducted the tests or inspections required. Also, the Respondent was unable to provide records of

inspections or tests conducted on the SO2, anhydrous ammonia, or butane storage tanks, either at the time of initial installation or since.

ii. API 570 (2016), Section 6.2.1 states that piping shall be inspected in accordance with code of construction requirements at the time of installation, which should document baseline thickness measurement to be used as initial thickness readings for corrosion rate calculations. Process piping associated with the butane storage and blending area was installed at the time of the bulk storage tank, in approximately 2016. SO2 and ammonia process piping was installed at the time those two processes were constructed at the Facility in 2017. Facility personnel were unable to provide records of inspections or tests conducted on any process piping at the Facility.

iii. American Petroleum Institute (API) 510 section 5.1.2.1 requires an inspection plan to be developed by the inspector and/or engineer and a corrosion specialist to be consulted when needed to designate potential damage mechanisms and specific locations where damage mechanisms may occur. While onsite, inspectors observed areas of surface corrosion on piping, specifically in the butane storage and blending area. In addition, facility personnel indicated that an incident occurred in 2017 related to corrosion and a tank weld issue on the bulk SO2 tank that necessitated an internal tank inspection. Also, in response to EPA's request for mechanical integrity inspection and testing reports, including any available non-destructive testing (NDT) for the bulk SO2, anhydrous ammonia, and butane storage tanks and associated piping, the Respondent only provided records of four (4) recent external visual inspections for the bulk anhydrous ammonia tank conducted by the third-party company that owns the tank. Therefore, Respondent had not developed or implemented an appropriate inspection plan to address corrosion.

e. The Respondent indicated that it performed a pre-startup safety review (PSSR) in advance of bringing the Hydrotreater online in 2017, which included installation and start-up of the SO2 and anhydrous ammonia loading and storage processes. Inspectors reviewed the PSSR checklist that the Respondent filled out for this project in 2017 and observed that several items within the checklist were not completed or designated with a "Yes," and that the checklist was missing final signature and approval to denote that all action items identified during the PSSR process were completed prior to startup.

f. The first compliance audit conducted for the butane storage and blending process was completed on December 17, 2020, more than four years after the date of the Respondent's initial submission for the process, September 07, 2016. The first compliance audit for a covered process is due three years after the initial submission date.

g. The Respondent produced the most recent incident investigation report; however, the date the investigation began was not identified and there was no way for the inspection team to confirm when the investigation began.

V. ALLEGED VIOLATIONS

17. Respondent is a "person" as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e)**.**

18. Based on EPA's compliance monitoring investigation, the EPA alleges that the Respondent

violated 40 C.F.R. Part 68, the codified rules governing the Act's Chemical Accident Prevention Provisions and Section 112(r) of the Act, 42 U.S.C. § 7412(r), when it:

a. Operated a process with more than a threshold quantity of a regulated substance, as determined under 40 C.F.R. § 68.115, without complying with the requirements of 40 C.F.R. Part 68 by no later than the date on which the regulated substance was first present above a threshold quantity in the process, as required by 40 C.F.R. § 68.10(a)(3);
b. Failed to document that equipment complies with RAGAGEP, as required by 40 C.F.R. § 68.65(d)(2);
c. Failed to review the operating procedures 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. Respondent did not certify annually that these operating procedures were current and accurate, as required by 40 C.F.R. § 68.69(c);
d. Failed to perform inspections and tests on process equipment; inspection and testing procedures did not follow RAGAGEP; and the frequency of inspections and tests of process equipment were not consistent with applicable manufacturers' recommendations and good engineering practices, as required by 40 C.F.R. § 68.73(d)(1)-(3);
e. Failed to confirm in the PSSR that prior to the introduction of a regulated substance to a process, safety, operating, maintenance, and emergency procedures were in place and are adequate, as required by 40 C.F.R. § 68.77(b)(2);
f. Failed to certify that it had evaluated compliance with the provisions of 40 C.F.R. Part 68, Subpart D at least every three (3) years to verify that procedures and practices developed under this subpart were adequate and being followed, as required by 40 C.F.R. § 68.79(a); and
g. Failed to prepare a report at the conclusion of an incident investigation which included the date the investigation began, as required by 40 C.F.R. 68.81(d)(2).

VI. STIPULATIONS

19. The issuance of this CAFO simultaneously commences and concludes this proceeding. 40 C.F.R. § 22.13(b).

20. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

a. admits that EPA has jurisdiction over the subject matter alleged in this CAFO;
b. neither admits nor denies the factual allegations set forth in Section IV (Findings of Facts) of this CAFO;
c. consents to the assessment of a civil penalty as stated below;
d. consents to the conditions specified in this CAFO;
e. waives any right to contest the allegations set forth in Section V (Alleged Violations) of this CAFO; and
f. waives its rights to appeal the Final Order accompanying this CAFO.

21. For the purpose of this proceeding, Respondent:

a. agrees that this CAFO states a claim upon which relief may be granted against Respondent;
b. acknowledges that this CAFO constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;
c. waives any rights it may possess at law or in equity to challenge the authority of EPA to bring a civil action in a United States District Court to compel compliance with the CAFO, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action;
d. by executing this CAFO, certifies to the best of its knowledge that Respondent is currently in compliance with all relevant requirements of the Act and its implementing regulations, and that all violations alleged herein, which are neither admitted nor denied, have been corrected;
e. waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CAFO; and
f. agrees to comply with the terms of this CAFO.

22. In accordance with 40 C.F.R. § 22.5, the individuals named in the certificate of service are authorized to receive service related to this proceeding and the parties agree to receive service by electronic means.

VII. TERMS OF PAYMENT

23. Respondent consents to the payment of a civil penalty, which was calculated in accordance with the Act, in the amount of **$174,095.00**, which is to be paid within thirty (30) calendar days of the Effective Date of this CAFO.

24. Payment(s) shall be made by cashier's check, certified check, by electronic funds transfer (EFT), or by Automated Clearing House (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: Treasurer, United States of America, and the Facility name and docket number for this matter shall be referenced on the face of the check. If Respondent sends payment by the U.S. Postal Service, the payment shall be addressed to:

United States Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

If Respondent sends payment by non-U.S. Postal express mail delivery, the payment shall be sent to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines & Penalties
1005 Convention Plaza

Mail Station: SL-MO-C2-GL
St. Louis, Missouri 63101
Contact Number: (314) 425-1819

If paying by EFT, Respondent shall transfer the payment to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

If paying by ACH, Respondent shall remit payment to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking
Physical location of US Treasury facility:
5700 Rivertech Court
Riverdale, Maryland 20737
Contact: John Schmid, (202) 874-7026
REX (Remittance Express): 1-866-234-5681

25. Respondent shall send proof of payment, within 24 hours of payment of the civil penalty, to:

Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
R4_Regional_Hearing_Clerk@epa.gov

and

Jordan Noles,
Enforcement and Compliance Assurance Division
Air Enforcement Branch
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
noles.jordan@epa.gov

26. "Proof of payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the Facility name and Docket No. **CAA-04-2022-0213(b)**.

27. Pursuant to 42 U.S.C. § 7413(d)(5), if Respondent fails to timely pay any portion of the penalty assessed under this CAFO, EPA may recover in addition to the amount of the unpaid penalty assessed, the following amounts on any amount overdue:

    a. Interest. Interest will begin to accrue on the civil penalty from the Effective Date of this CAFO. If the civil penalty is paid within 30 days of the Effective Date of this CAFO, Interest is waived. However, if the civil penalty is not paid in full within 30 days of the Effective Date of this CAFO, Interest will continue to accrue on any unpaid portion until the unpaid portion of the civil penalty and accrued Interest are paid. Interest will be assessed at rates established pursuant to 26 U.S.C. § 6621(a)(2).
    b. Non-Payment Penalty. A 10 percent quarterly nonpayment penalty pursuant to 42 U.S.C. § 7413(d)(5).
    c. Attorneys' Fees and Costs of Collection. The United States enforcement expenses, including, but not limited to, attorneys' fees and cost of collection.

28. If Respondent fails to timely pay any portion of the penalty assessed under this CAFO, EPA may:

    a. Refer the debt to a credit reporting agency or a collection agency pursuant to 40 C.F.R. §§ 13.13 and 13.14;
    b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H;
    c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, 40 C.F.R. § 13.17; and/or
    d. Request that the Attorney General bring a civil action in the appropriate district court to recover the amount assessed, in addition to the amounts described above, pursuant to 42 U.S.C. § 7413(d)(5). In any such action, the validity, amount, and appropriateness of the penalty and of this CAFO shall not be subject to review.

29. Penalties paid pursuant to this CAFO shall not be deductible for purposes of federal taxes.

VIII. EFFECT OF CAFO

30. In accordance with 40 C.F.R. § 22.18(c), Respondent's full compliance with this CAFO shall only resolve Respondent's liability for federal civil penalties for the violations and facts specifically alleged above.

31. Full payment of the civil penalty, as provided in Section VII (Terms of Payment), 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. 40 C.F.R. § 22.18(c).

32. Any violation of this CAFO may result in a civil judicial action for civil penalties as provided in Section 113(b) of the Act, 42 U.S.C. § 7413(b), as well as criminal sanctions as provided in

Section 113(c) of the Act, 42 U.S.C. § 7413(c). EPA may use any information submitted under this CAFO in an administrative, civil judicial, or criminal action.

33. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit, except as expressly provided herein.

34. Nothing herein shall be construed to limit the power of EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment as provided under the Act.

35. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of both Parties, and approval of the Regional Judicial Officer.

36. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, authorized representatives, successors, and assigns.

37. Any change in the legal status of the Respondent, or change in ownership, partnership, corporate or legal status relating to the Facility, will not in any way alter Respondent's obligations and responsibilities under this CAFO.

38. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.

39. By signing this Consent Agreement, the Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.

40. By signing this Consent Agreement, both Parties agree that each party's obligations under this CAFO constitute sufficient consideration for the other party's obligations.

41. By signing this Consent Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, and continues to be, true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

42. EPA also reserves the right to revoke this CAFO and settlement penalty if and to the extent that EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to EPA. If such false or inaccurate material was provided, EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

43. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CAFO shall remain in force and shall not be affected thereby.

44. Unless specifically stated otherwise in this CAFO, each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.

IX. EFFECTIVE DATE

45. This CAFO shall become effective after execution of the Final Order by the Regional Judicial Officer, on the date of filing with the Hearing Clerk.

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Complainant and Respondent will Each Sign on Separate Pages

The foregoing Consent Agreement in the Matter of **Sunoco, LLC, Docket No. CAA-04-2022-0213(b)**, is Hereby Stipulated, Agreed, and Approved for Entry.

FOR RESPONDENT:

SUNOCO, LLC

Signature

August 29, 2022
Date

Printed Name: Matthew D. Hager

Title: Vice President - Midstream Operations

Address: 3805 West Chester Pike, Newtown Square, Pennsylvania 19073

The foregoing Consent Agreement in the Matter of **Sunoco, LLC**, **Docket No. CAA-04-2022-0213(b),** is Hereby Stipulated, Agreed, and Approved for Entry.

FOR COMPLAINANT:

LARRY LAMBERTH Digitally signed by LARRY LAMBERTH Date: 2022.09.02 14:22:37 -04'00' for

Carol L. Kemker, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

In the Matter of: **Sunoco, LLC,** Respondent.	Docket No**. CAA-04-2022-0213(b)** FINAL ORDER

The Regional Judicial Officer is authorized to ratify this Consent Agreement which memorializes a settlement between Complainant and Respondent. 40 C.F.R. §§ 22.4(b) and 22.18(b)(3). The foregoing Consent Agreement is, therefore, hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22.

The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Final Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

BEING AGREED, IT IS SO ORDERED.

TANYA FLOYD
Digitally signed by TANYA FLOYD
Date: 2022.09.08 12:40:46 -04'00'

Tanya Floyd
Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order, in the Matter of **Sunoco, LLC, Docket No. CAA-04-2022-0213(b)**, were filed and copies of the same were emailed to the parties as indicated below.

Via email to all parties at the following email addresses:

To Respondent:
Heather Sisson, Sr. Specialist HSE
Sunoco, LLC
2700 Ishkooda Wenonah Road
Birmingham, Alabama 35211
heather.sisson@sunoco.com
205-278-6179

To EPA:
Jordan Noles, Case Development Officer
noles.jordan@epa.gov
404-562-9105

Lucia Mendez, Attorney-Advisor
mendez.lucia@epa.gov
404-562-9637

U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

SHANNON RICHARDSON

Digitally signed by SHANNON RICHARDSON
Date: 2022.09.08 13:08:06 -04'00'

Shannon L. Richardson, Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960