

2016 MAY 18 AM 9:12

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	Docket Nos.
Parallel Farms, Inc.)	CAA-07-2016-0024
Whiting, Kansas)	CWA-07-2016-0045
)	
)	
)	CONSENT AGREEMENT/
)	FINAL ORDER
Respondent)	
)	
)	
)	

CONSENT AGREEMENT AND FINAL ORDER

1. The United States Environmental Protection Agency, Region 7 (“EPA”) and Parallel Farms Inc. (“Respondent”) have agreed to a settlement of this action before filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (“Consolidated Rules”), 40 C.F.R. §§ 22.13(b) and 22.18(b)(2).

ALLEGATIONS

Jurisdiction

2. This is an administrative action for the assessment of civil penalties instituted pursuant to Section 113(d) of the Clean Air Act (“CAA”), 42 U.S.C. § 7413(d), and Section 311(b)(6) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (“CWA”), 33 U.S.C. § 1321(b)(6). This is a “Class I” administrative action for the assessment of civil penalties initiated pursuant to Section 311 of the CWA, 33 U.S.C. § 1321, and in accordance with the Consolidated Rules, 40 C.F.R. Part 22. Pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), the Administrator and the Attorney General jointly determined that this matter, where the violations involved failure to file a Risk Management Plan, was appropriate for administrative penalty action.

3. This Consent Agreement and Final Order (“CA/FO”) serves as notice that EPA has reason to believe that Respondent Parallel Farms has violated the Chemical Accident Prevention

Provisions in 40 C.F.R. Part 68, promulgated pursuant to Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and that Respondents are therefore in violation of Section 112(r) of the CAA. Furthermore, this CA/FO serves as notice pursuant to Section 113(d)(2)(A) of the CAA, 42 U.S.C. § 7413(d)(2)(A), of EPA's intent to issue an order assessing penalties for this violation. Additionally, EPA alleges that Respondent has violated Section 311(j) of the CWA, 33 U.S.C. § 1321(j), and regulations promulgated thereunder.

Parties

4. The Complainant, by delegation from the Administrator of the EPA, and the Regional Administrator of EPA, Region 7, is the Director of the Air and Waste Management Division, EPA, Region 7.

5. The Respondent is the owner and operator of an ammonia and fuel retail business addressed at 18648 286th Road, Whiting, Kansas 66552 ("Whiting facility").

6. In January 2016, the parties engaged in settlement negotiations which have resulted in this Consent Agreement and Final Order.

Statutory and Regulatory Requirements

Section 112 of the CAA

7. On November 15, 1990, the President signed into law the CAA Amendments of 1990. The Amendments added Section 112(r) to Title I of the CAA, 42 U.S.C. § 7412(r), which requires the Administrator of EPA to, among other things, promulgate regulations in order to prevent accidental releases of certain regulated substances. Section 112(r)(3), 42 U.S.C. § 7412(r)(3), mandates the Administrator to promulgate a list of regulated substances, with threshold quantities, and defines the stationary sources that will be subject to the accident prevention regulations mandated by Section 112(r)(7). Specifically, Section 112(r)(7), 42 U.S.C. § 7412(r)(7), requires the Administrator to promulgate regulations that address release prevention, detection and correction requirements for these listed regulated substances.

8. On June 20, 1996, EPA promulgated a final rule known as the Risk Management Program, 40 C.F.R. Part 68, which implements Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7). These regulations require owners and operators of stationary sources to develop and implement a risk management program that includes a hazard assessment, a prevention program and an emergency response program.

9. The regulations at 40 C.F.R. Part 68 set forth the requirements of a risk management program that must be established at each stationary source. The risk management program is described in a Risk Management Plan ("RMP") that must be submitted to EPA.

10. Pursuant to Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.150, an RMP must be submitted for all covered processes by the owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process no later than the latter of June 21, 1999, or the date on which a regulated substance is first present above the threshold quantity in a process.

11. The regulations at 40 C.F.R. § 68.10 set forth how the chemical accident prevention provision regulations apply to covered processes. A covered process is subject to Program 2 if not eligible for Program 1 or subject to Program 3. Program 2 imposes streamlined prevention program requirements, as well as additional hazard assessment and emergency response requirements. The Whiting facility is subject to the Program 2 requirements.

12. The regulations at 40 C.F.R. § 68.3 define “stationary source,” in part, as any buildings, structures, equipment, installations or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur.

13. The regulations at 40 C.F.R. § 68.3 define “threshold quantity” as the quantity specified for regulated substances pursuant to Section 112(r)(5) of the CAA, as amended, listed in 40 C.F.R. § 68.130, Table 1, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

14. The regulations at 40 C.F.R. § 68.3 define “regulated substance” as any substance listed pursuant to Section 112(r)(3) of the CAA, as amended, in 40 C.F.R. § 68.130.

15. The regulations at 40 C.F.R. § 68.3 define “process” as any activity involving a regulated substance including any use, storage, manufacturing, handling or on-site movement of such substances, or combination of these activities. For the purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

16. Section 113(d) of the CAA, 42 U.S.C. § 7413(d), states that the Administrator may issue an administrative order against any person assessing a civil penalty against any person who has violated or is violating any requirement or prohibition of the CAA referenced therein, including Section 112(r)(7).

Section 311 of the CWA

17. Section 311(j) of the CWA, 33 U.S.C. § 1321(j), provides for the regulation of onshore facilities to prevent or contain discharges of oil. Section 311(j)(1)(C) of the Act, 33 U.S.C. § 1321(j)(1)(C), provides that the President shall issue regulations “establishing procedures, methods,

and equipment and other requirements for equipment to prevent discharges of oil . . . from onshore . . . facilities, and to contain such discharges”

18. EPA promulgated the SPCC regulations pursuant to these delegated statutory authorities, and pursuant to its authorities under the CWA, 33 U.S.C. § 1251 et seq., which established certain procedures, methods and requirements upon each owner and operator of a non-transportation-related onshore facility.

19. Pursuant to 40 C.F.R. § 112.1, the SPCC program is applicable if a facility stores greater than 1,320 gallons of oil and, due to its location, the facility could reasonably be expected to discharge oil into or upon the navigable waters of the United States and their adjoining shorelines in such quantity as EPA has determined in 40 C.F.R. § 110.3 may be harmful (“harmful quantity”) to the public health or welfare or the environment of the United States.

20. In promulgating 40 C.F.R. § 110.3, which implements Section 311(b)(4) of the Act, 33 U.S.C. § 1321(b)(4), EPA has determined that discharges of harmful quantities include oil discharges that cause either (1) a violation of applicable water quality standards, or (2) a film, sheen upon, or discoloration of the surface of the water or adjoining shorelines, or (3) a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

21. 40 C.F.R. § 112.2 sets forth definitions applicable to the FRP program and states “Oil means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.”

22. 40 C.F.R. § 112.7(a)(2) requires the owner and/or operator of a SPCC regulated facility to “comply with all applicable requirements” of 40 C.F.R. Part 112.

23. In accordance with Section 311(b)(6)(A)(ii) of CWA, 33 U.S.C. § 1321(b)(6)(A)(ii), EPA may assess a civil penalty against any owner or operator in charge of any onshore facility who fails to comply with any regulation issued under Section 311(j) of CWA, 33 U.S.C. § 1321(j).

General Factual Allegations

CAA

24. Respondent Parallel Farms is, and at all times referred to herein has been, a “person” as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

25. Respondent Parallel Farm’s bulk ammonia storage operations at the Whiting facility is a “stationary source” pursuant to 40 C.F.R. § 68.3.

26. On or about June 12, 2014 (“2014 Inspection”), EPA inspected the Whiting facility to determine compliance with Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68.

27. At the time of the 2014 inspection, Respondent Parallel Farms had greater than 10,000 pounds of anhydrous ammonia stored in a process (bulk storage tanks) at the Whiting facility. Respondent’s storage of ammonia at the facility began in approximately October 2012.

28. Anhydrous ammonia is a regulated substance pursuant to 40 C.F.R. § 68.3. The threshold quantity for anhydrous ammonia, as listed in 40 C.F.R. § 68.130, Table 1, is 10,000 pounds.

29. As alleged below, information collected as a result of the 2014 Inspection revealed that at the Whiting facility Respondent Parallel Farms had failed to properly develop and implement the risk management program required by Section 112(r) of the CAA and 40 C.F.R. Part 68.

30. On or about July 1, 2014, Respondent submitted a Risk Management Plan to EPA, and during the negotiations of this Consent Agreement/Final Order has documented compliance with the risk management program required by Section 112(r) of the CAA and 40 C.F.R. Part 68.

CWA

31. Respondent Parallel Farms, Inc. is a person within the meaning of Sections 311(a)(7) and 502(5) of the Act, 33 U.S.C. §§ 1321(a)(7) and 1362(5), and 40 C.F.R. § 112.2.

32. Respondent is the owner/operator, within the meaning of Section 311(a)(6) of the Act, 33 U.S.C. § 1321(a)(6), and 40 C.F.R. § 112.2, of the Whiting facility.

33. The Whiting facility has an estimated aggregate above-ground storage capacity of 60,000 gallons of oil. The facility began storage of oil in approximately 1988.

34. The Whiting facility is located directly up-gradient and within an estimated 800 feet of a tributary to Negro Creek. Negro Creek flows into the Delaware River which are both navigable waters of the United States within the meaning of 40 C.F.R. § 112.2 and Section 502(7) of the Act, 33 U.S.C. § 1362(7).

35. Respondent is engaged in storing, processing, using or consuming oil or oil products located at the Whiting facility.

36. The Whiting facility is a non-transportation-related facility within the meaning of 40 C.F.R. § 112 Appendix A, as incorporated by reference within 40 C.F.R. § 112.2.

37. The facility is an onshore facility within the meaning of Section 311(a)(10) of the Act, 33 U.S.C. § 1321(a)(10), and 40 C.F.R. § 112.2.

38. The facility is a non-transportation-related onshore facility which, due to its location, could reasonably be expected to discharge oil to a navigable water of the United States or its adjoining shorelines in a harmful quantity (“an SPCC-regulated facility”).

39. Pursuant to Section 311(j)(1)(C) of the Act, and 40 C.F.R. § 112.1 Respondent, as the owner and/or operator of an SPCC-regulated facility, is subject to the SPCC regulations.

40. On or about August 5, 2015, EPA conducted an inspection of Respondent’s facility (“2015 Inspection”). At the time of EPA’s inspection, Respondent did not have an SPCC plan or records of implementation of the SPCC program, as required by 40 C.F.R. Part 112.

41. A copy of EPA’s inspection report documenting EPA’s findings of violations of the SPCC regulations was mailed to Respondent on August 13, 2015. The report documents significant violations of the SPCC program and 40 C.F.R Part 112.

42. During the negotiations of this Consent Agreement/Final Order, Respondent has documented compliance with SPCC program required by Section 311 of the CWA and 40 C.F.R. Part 112.

Alleged Violations

Section 112 of the CAA

43. The facts stated in paragraphs 24 through 30, above, are hereby incorporated by reference.

44. The Whiting Kansas facility, is owned and operated by Respondent Parallel Farms, Inc., and is subject to the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68, Subpart G, because it is a stationary source that had more than the threshold quantity (10,000 pounds) of a regulated substance (anhydrous ammonia) in a process.

45. The Whiting facility is subject to the requirements of the Program 2 prevention program, 40 C.F.R. Part 68, Subpart C, because the process is not subject to the requirements of the Occupational Safety and Health Administration (“OSHA”) process safety management standard, 29 C.F.R. § 1910.119, 40 C.F.R. § 68.10(d) and there are public receptors at the facility.

46. Prior to the July 1, 2014 submittal of the RMP, Respondent Parallel Farms failed to comply with the requirements of 40 C.F.R. Part 68 at the Whiting facility, as follows, in violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r):

- a. Respondent failed to develop a management system to oversee the implementation of the risk management program elements, assign a qualified person or position that has

overall responsibility for the RMP, and document persons or positions, other than the qualified individual, who have been assigned responsibilities for implementing elements, as required by 40 C.F.R. § 68.15.

- b. Respondent failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart B, by failing to conduct and document the hazard assessment as required by 40 C.F.R. § 68.20 through 68.42.
- c. Respondent failed to implement the Program 2 prevention steps specified in 40 C.F.R. Part 68, Subpart C, as follows:
 - (i) Respondent failed to keep an accurate maximum intended inventory for equipment in which anhydrous ammonia is stored or processed as required by 40 C.F.R. § 68.48(a)(2).
 - (ii) Respondent failed to compile and maintain safe upper and lower temperatures, pressures, flows and compositions in equipment in which anhydrous ammonia is stored as required by 40 C.F.R. § 68.48(a)(3).
 - (iii) Respondent failed to provide equipment specifications as required by 40 C.F.R. § 68.48(a)(4).
 - (iv) Respondent failed to provide documentation of codes and standards used to design, build, and operate the process as required by 40 C.F.R. § 68.48(a)(5).
 - (v) Respondent failed to ensure that the process is designed in compliance with recognized and generally accepted good engineering practices as required by 40 C.F.R. § 68.48(b).
 - (vi) Respondent failed to conduct a review of the hazards associated with the regulated substances, process, and procedures as required by 40 C.F.R. § 68.50.
 - (vii) Respondent failed to prepare written operating procedures that provide clear instructions or steps for safely conducting activities associated with the covered process, as required by 40 C.F.R. § 68.52.
 - (viii) Respondent failed to prepare and implement procedures to maintain the on-going mechanical integrity of the process equipment as required by 40 C.F.R. § 68.56.
 - (ix) Respondent failed to prepare a protocol for incident investigation in the event that an incident could result or could reasonably have resulted in catastrophic release, as required by 40 C.F.R. § 68.60.
- d. Respondent failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart G by not submitting a Risk Management Plan within the required timeframe.
- e. Respondent Parallel Farms failed to conduct a compliance audit as required in 40 C.F.R. § 68.58 at the Whiting facility, within three years of bringing more than the

threshold quantity (10,000 pounds) of a regulated substance (anhydrous ammonia) within the Whiting facility boundary.

Section 311 of the CWA

47. The facts stated in paragraphs 31 through 42, above, are hereby incorporated by reference.

48. At the time of the 2015 inspection, and thereafter, Respondent had failed to fully prepare and/or implement an SPCC Plan, as required by 40 C.F.R. § 112.3, as follows:

- a. Respondent failed to have an SPCC Plan for the facility prior to February 2015, in violation of 40 C.F.R. § 112.3;
- b. Respondent failed to have adequate secondary containment for two 1,000 gallon storage tanks at the facility, in violation of 40 C.F.R. § 112.7(a)(iii) , 112.7(c) and 112.8 (b);
- c. Respondent failed to secure access to controls during non-business hours, in violation of 40 C.F.R. § 112.7(g);
- d. Respondent failed to provide secondary containment at the loading/unloading rack for the largest container on the tank wagon, in violation of 40 C.F.R. § 112.7(c);
- e. Respondent's SPCC Plan failed to describe a schedule for integrity testing for bulk storage containers, in violation of 40 C.F.R. § 112.8(c)(6); and
- f. Respondent failed to perform integrity testing of the facility's bulk storage tanks, in violation with 40 C.F.R. § 112.8(c)(6).

49. Respondent's failure to prepare and implement an SPCC plan for the facility in accordance with the requirements of 40 C.F.R. Part 112, as described in Paragraph 45 violated 40 C.F.R. § 112.3.

CONSENT AGREEMENT

50. Respondent and EPA agree to the terms of this Consent Agreement/Final Order.

51. Respondent admits the jurisdictional allegations set forth in this Complaint and Consent Agreement/Final Order, and agrees not to contest EPA's jurisdiction in this proceeding or in any subsequent proceeding to enforce the terms of this Consent Agreement/Final Order.

52. Respondent neither admits nor denies the factual allegations and legal conclusions set forth in this Complaint and Consent Agreement/Final Order.

53. Respondent waives its right to a judicial or administrative hearing on any issue of fact or law set forth above and its right to appeal this Consent Agreement/Final Order.

54. Respondent and EPA agree to resolve the matters set forth in this Complaint and Consent Agreement/Final Order without the necessity of a formal hearing and agree to bear their own costs and attorney's fees incurred as a result of this action.

55. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement/Final Order and to execute and legally bind Respondent to it.

56. Respondent understands and agrees that this Consent Agreement/Final Order shall apply to and be binding upon Respondent and the Respondent's agents, successors and/or assigns. Respondent shall ensure that all contractors, employees, consultants, firms or other persons or entities acting for Respondent with respect to matters included herein complies with the terms of this Consent Agreement/Final Order.

57. Respondent Parallel Farms, Inc., certifies by signing this Consent Agreement/Final Order that, to the best of the Respondent's knowledge, the Whiting facility is in compliance with all requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and all regulations promulgated thereunder.

58. Respondent Parallel Farms, Inc., certifies by signing this Consent Agreement/Final Order that, to the best of its knowledge, Respondent's Whiting facility is in compliance with the SPCC requirements of Section 311 of the CWA and 40 C.F.R. Part 112.

Penalty Payment

59. In resolution of the penalty claims for the "SPCC" violations of Section 311 of the CWA and 40 C.F.R. Part 112 alleged above, Respondent agrees to and shall pay the following penalty:

- a. Within thirty (30) days of the entry of this Final Order pay a civil penalty of Twelve Thousand, Eight Hundred Dollars (\$12,800). Payment shall be by cashier's or certified check made payable to the "Environmental Protection Agency – OSLTF-311" and remitted to:

U.S. EPA
Fines and Penalties
P.O. Box 979077
St. Louis, Missouri 63197-9000

- b. The payment required by this Paragraph shall reference the Docket Number CWA-07-2016-0045 and **In the Matter of Parallel Farms, Inc.** on the check.

60. In resolution of the penalty claims for the "RMP" violations of Section 112 of the CAA and 40 C.F.R. Part 68 alleged above, Respondent agrees to and shall pay the following penalty:

- a. Within thirty (30) days of the entry of this Final Order pay a civil penalty of Seventeen Thousand, Six Hundred and Seventy Five Dollars (\$17,675).
- b. Within ninety days (90) of the effective date of this Final Order, Respondent shall pay a civil penalty and applicable interest of Thirty Thousand, Six Hundred and Fifty Two Dollars (\$30,652).
- c. The payments required by this Paragraph shall be made by cashier's or certified check made payable to "Treasurer, United States of America," and be remitted to:

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

- d. The payments required by this Paragraph shall reference the Docket Number CAA-07-2016-0024 and **In the Matter of Parallel Farms, Inc.** on the checks.

61. Copies of each transmittal letter and check shall be simultaneously sent to:

Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219,

and to:

Howard Bunch
Office of Regional Counsel
U.S. Environmental Protection Agency - Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219.

62. No portion of the civil penalty or interest paid by Respondents pursuant to the requirements of this Consent Agreement/Final Order shall be claimed by Respondent as a deduction

for federal, state, or local income tax purposes.

63. Late Payment Provisions. Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim or late payment. Additional interest will therefore begin to accrue on a civil or stipulated penalty if it is not paid by the date required. If payment is not received on or before the due date, interest will be assessed at the annual rate established by the Secretary of the Treasury, pursuant to 31 U.S.C. § 3717. The interest will be assessed on the overdue amount from the due date through the date of payment. Interest will be assessed at a rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b). A charge will be assessed to cover the costs of the debt collection, including processing and handling costs and attorneys' fees. In addition, a non-payment penalty charge of six (6) percent per year, compounded annually, will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. Any such non-payment penalty charge on the debt will accrue from the date the penalty payment becomes due and is not paid. 31 C.F.R. §§ 901.9(c) and (d). Failure to pay the assessed penalty may result in the referral of this matter to the United States Department of Justice for collection.

Effect of Settlement and Reservation of Rights

64. This Consent Agreement/Final Order resolves all civil and administrative claims for the CAA and CWA violations alleged in this Consent Agreement and Final Order. Complainant reserves the right to take enforcement action with respect to any other violations of the CAA, CWA or other applicable law.

65. The effect of settlement described in Paragraph 64 is conditional upon the accuracy of Respondents' representations to EPA, as memorialized in Paragraphs 57 and 58 of this Consent Agreement/Final Order.

66. Nothing in this Consent Agreement/Final Order shall be construed as a release from any other action under law and/or regulation administered by EPA, nor shall it alter or otherwise affect Respondents' obligation to comply with all applicable federal, state, and local environmental statutes and regulations and applicable permits.

General Provisions

67. The executed Consent Agreement and Final Order shall be filed with the Regional Hearing Clerk, U.S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219.


68. Pursuant to 40 C.F.R. § 22.31(b), the effective date of this Consent Agreement/Final Order shall be the date on which it is filed. All time periods herein shall be calculated therefrom in calendar days unless otherwise provided in this Consent Agreement/Final Order.

69. The headings in this Consent Agreement/Final Order are for convenience of reference only and shall not affect interpretation of this Consent Agreement/Final Order.

70. Respondent and Complainant agree that this Consent Agreement/Final Order may be signed in part and counterpart.

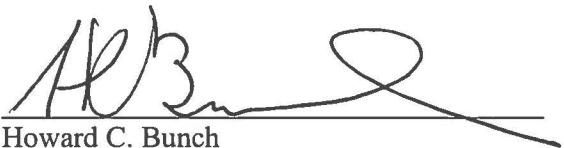
COMPLAINANT:
U.S. ENVIRONMENTAL PROTECTION AGENCY

Date 5/16/16



John Smith
Deputy Director, Air and Waste Management Division
U.S. Environmental Protection Agency
Region 7

Date 5/16/16



Howard C. Bunch
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 7

RESPONDENT:
PARALLEL FARMS, INC.

Date 5-12-16

Luke W. Cochran
Name

Luke W Cochran
Signature

Vice - President
Title

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KS 66219

IN THE MATTER OF)	
)	
Parallel Farms, Inc.,)	Docket Nos.
)	CAA-07-2016-0024
Respondent.)	CWA-07-2016-0045
_____)	

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, and authorities delegated to me, the foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. Pursuant to Section 113(d) of the Clean Air Act, 42 U.S.C. § 7413(d), and Section 311(b)(6) of the Clean Water Act, 33 U.S.C. § 1321(b)(6), Respondent is hereby ordered to comply with the terms of the foregoing Consent Agreement.

U.S. ENVIRONMENTAL PROTECTION AGENCY

May 18, 2016
Date

Karina Borromeo
Karina Borromeo
Regional Judicial Officer

IN THE MATTER Of Parallel Farms, Inc., Respondent
Docket Nos. CAA-07-2016-0024 and CWA-07-2016-0045

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order was sent this day in the following manner to the addressees:

Copy emailed to Attorney for Complainant:

bunch.howard@epa.gov

Copy by First Class Mail and emailed to Respondent:

Mary Cochren
authorized representative
of Parallel Farms, Inc.
Route 1, Box 58
Whiting, Kansas 66552

MindyC56@hotmail.com

Dated: 5/18/10



Kathy Robinson
Hearing Clerk, Region 7