

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

IN THE MATTER OF:)

MarkWest Liberty Bluestone, LLC)
601 Technology Drive, Suite 130)
Canonsburg, Pennsylvania 15342,)

Respondent.)

Bluestone Gas Processing Plant)
440 Hartmann Road)
Evans City, Pennsylvania 16033,)

and)

Sarsen Gas Processing Plant)
774 Prospect Road)
Evans City, Pennsylvania 16033,)

Facilities.)

Docket Number
CAA-03-2014-0246

Proceeding Pursuant to
Section 113(a)(3)(B)
of the Clean Air Act, as
amended, 42 U.S.C.
§ 7413(a)(3)(B)

CONSENT AGREEMENT

STATUTORY AUTHORITY

This Consent Agreement is proposed and entered into under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA" or the "Agency") by Section 113 of the Clean Air Act ("CAA"), as amended, 42 U.S.C. § 7413, and under the authority of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. The Administrator has delegated these authorities to the Regional Administrator, who has, in turn, delegated them to the Director, Hazardous Site Cleanup Division.

The parties agree to the commencement and conclusion of this cause of action by issuance of this Consent Agreement and Final Order (referred to collectively herein as "CA/FO") as prescribed by the Consolidated Rules of Practice pursuant to 40 C.F.R. § 22.13(b), and having consented to entry of this CA/FO, agree to comply with the terms of this CA/FO.

JURISDICTION

1. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(2).
2. The Regional Judicial Officer has the authority to approve this settlement and conclude this proceeding pursuant to 40 C.F.R. §§ 22.4(b) and 22.18(b)(3).
3. For the purpose of this proceeding, Respondent admits to the jurisdictional allegations in this Consent Agreement and agrees not to contest EPA's jurisdiction with respect to the execution or enforcement of this Consent Agreement.
4. With the exception of Paragraph 3, above, for purposes of this proceeding, Respondent neither admits nor denies factual allegations set forth in this Consent Agreement, but expressly waives its rights to contest said allegations.

FINDINGS OF FACT RELATED TO THE VIOLATION OF SECTION 112(r)(7) OF THE CLEAN AIR ACT

5. Respondent MarkWest Liberty Bluestone, LLC, is a limited liability company organized in the Commonwealth of Pennsylvania with its headquarters located at 601 Technology Drive, Suite 130, in Canonsburg, Pennsylvania.
6. Respondent is the owner and operator of the Bluestone Gas Processing Plant located at 440 Hartmann Road in Evans City, Butler County, Pennsylvania (the "Bluestone Facility") and the Sarsen Gas Processing Plant located at 774 Prospect Road in Evans City, Butler County, Pennsylvania (the "Sarsen Facility"), and has been since May 2012. The Bluestone Plant and the Sarsen Plant are collectively referred to herein as the "Facilities."
7. The Facilities each receive produced natural gas from a field gathering system. The produced natural gas is dehydrated to remove water and the gas is then sent through refrigeration dew point control units where the condensable liquids are extracted from the methane gas stream. The condensable liquids are then sent to pressurized bullet storage tanks.
8. Respondent submitted an initial risk management plan for the Bluestone Facility to EPA on June 4, 2012. Respondent submitted a revised plan on July 20, 2012.
9. Respondent's predecessor, Keystone Midstream Services, LLC, submitted an initial risk management plan for the Sarsen Facility on May 12, 2011. Respondent submitted a revised plan for the Sarsen Facility to EPA on July 20, 2012.
10. On November 15, 1990, the President signed into law the Clean Air Act Amendments of 1990. The Clean Air Act Amendments added Section 112(r) to the CAA, 42 U.S.C. § 7412(r).

11. Section 112(r) to the CAA, 42 U.S.C. § 7412(r), 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), 42 U.S.C. § 7412(r)(7). Specifically, Section 112(r)(7) requires the Administrator to promulgate regulations that address release prevention, detection, and correction requirements for these listed regulated substances, 42 U.S.C. § 7412(r)(7). The list of regulated substances and threshold levels can be found in 40 C.F.R. § 68.130.

12. On June 20, 1996, EPA promulgated a final rule known as the Risk Management Program (“RMP”), 40 C.F.R. Part 68, which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA. The 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. The RMP is described in a risk management plan that must be submitted to EPA. The risk management plan must include a hazard assessment to assess the potential effects of an accidental release of any regulated substance, a program for preventing accidental releases of hazardous substances, and a response program providing for specific actions to be taken in response to an accidental release of a regulated substance, so as to protect human health and the environment.

13. Pursuant to Section 112(r)(7)(B)(iii) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(iii), and its regulations at 40 C.F.R. §§ 68.10(a) and 68.150(a), the owner or operator of a stationary source at which a regulated substance is present in more than a threshold quantity must submit a risk management plan to EPA 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.

14. Section 113(d)(1)(B) of the CAA, 42 U.S.C. § 7413(d)(1)(B), authorizes EPA to commence an administrative action to assess civil penalties of not more than \$25,000 per day for each violation of Section 112(r) of the CAA that occurs before January 30, 1997. Section 113(d)(1)(B), as amended by the Debt Collection Improvement Act of 1996, authorizes EPA to commence an administrative action to assess civil penalties of not more than \$32,500 per day for each violation of Section 112(r) of the CAA that occurs after March 15, 2004 through January 12, 2009, and \$37,500 per day for each violation of Section 112(r) of the CAA that occurs after January 12, 2009.

15. 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.

16. 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, listed in 40 C.F.R. § 68.130, Tables 1-4, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

17. 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 in 40 C.F.R. § 68.130.

18. 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 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.

19. Section 302(e) of the CAA, 42 U.S.C. § 7602(e), defines “person” as including an individual, corporation, partnership, association, State, municipality, political subdivision of a State and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof.

20. EPA conducted an inspection of the Facilities on June 13, 2013 to assess Respondent’s compliance with Section 112(r)(1) and (7) of the CAA, 42 U.S.C. § 7412(r)(1) and (7), and the regulations at 40 C.F.R. Part 68.

21. At the Bluestone Facility, EPA inspectors observed five 60,000-gallon bullet tanks, two of which stored natural gas liquids (“NGL”) and three of which stored liquefied petroleum gas (“LPG”).

22. At the Sarsen Facility, EPA inspectors observed three 78,000-gallon bullet tanks, two of which stored NGL and one of which stored LPG.

23. The LPG contained in the bullet tanks at each of the Facilities is a flammable mixture (CAS No. 00-11-11). The mixture consists of 90-95% of RMP-listed chemical propane (CAS No. 74-98-6), 0-5% of RMP-listed chemical propylene (CAS No. 115-07-1), and 0-2.5% isobutane/“subutane”, according to the Material Safety Data Sheet (“MSDS”). The mixture has a flammability rating of 4.

24. The NGL contained in the bullet tanks at each of the Facilities is a flammable mixture consisting of 20-70% of the RMP-listed chemical propane, 15-25% n-butane, 5-15% isobutene, 5-25% pentane, 0-25% hexane, 0-5% ethane, and 0-0.555% hydrogen sulfide, according to its MSDS. According to its MSDS, the mixture has a flammability rating of 4.

25. The approximate population within one-half mile of the Bluestone Facility is 77 persons and within one-half mile of the Sarsen Facility is 43 persons.

26. The Chemical Accident Prevention Provisions require an owner or operator to comply with process safety information requirements at 40 C.F.R. § 68.65(d)(1)(vi) and (d)(2), *i.e.* to compile process safety information pertaining to the equipment in the process including design codes and standards employed and to document that the equipment in the process complies with recognized and generally accepted good engineering practices.

27. “Design codes and standards” and “recognized and generally accepted good engineering practices,” for purposes of 40 C.F.R. § 68.65, include, as applicable, the following:

- a. The American Petroleum Institute Standard 2510, *Design and Construction of Liquefied Petroleum Gas (“LPG”) Installations* (8th Edition, May 2001) (“API 2510”), Section 1, “covers the design, construction, and location of liquefied petroleum gas (LPG) installations at marine and pipeline terminals, natural gas processing plants, refineries, petrochemical plants, or tank farms.” Section 10.3 of API 2510 provides for fire water systems for LPG storage facilities unless a safety analysis shows this protection is unnecessary or impractical. Except for remote facilities, which require no protection, Section 10.7.1 of API 2510 provides for fireproofing for LPG vessels if portable equipment is the only means of applying fire water.
- b. The American Petroleum Institute Standard 2510A, *Fire-Protection Considerations for the Design and Construction of Liquefied Petroleum Gas (LPG) Storage Facilities* (2nd Edition, December 1996) (“API 2510A”) addresses “the design, operation, and maintenance of LPG storage facilities from the standpoints of prevention and control of releases, fire protection design, and fire-control measures [S]ince it supplements API Standard 2510 and provides the basis for many of the requirements stated in that standard, [API 2510A] must be used in conjunction with API Standard 2510.” API 2510A, Section 1.1.1. API 2510A, Section 2.12.8, provides that truck loading racks should be located and designed to minimize the possibility of a truck hitting LPG pipe or equipment.

28. The LPG and the NGL in the bullet tanks at each of the Facilities both constitute LPG within the meaning of API 2510A. LPG consists of “light hydrocarbons with a vapor pressure exceeding 40 pounds per square inch absolute @ 100° F. Examples include propane, propylene, butane (normal or isobutane), and butylenes (including isomers). The most common LPGs are propane and normal butane or a mixture of these” API 2510A, § 1.6.2 (LPG Properties).

29. EPA’s inspection and communications with Respondent in the aftermath of the inspection revealed the following safety concerns at the Facilities:

- a. Neither Respondent’s predecessor nor Respondent had ever conducted a fire safety analysis for the bullet tanks at either Facility.
- b. Neither Facility had a fire protection system for the bullet tanks containing LPG and NGL.

30. After the inspections, Respondent conducted a safety analysis at each of the Facilities. The safety analysis for the Bluestone Facility, “Fire-Protection Consideration Study (API 2510 and 2510A),” prepared by Contek Solutions, LLC, dated December 2013 and

provided to EPA by Respondent, was premised on imminent expansion plans at the Facility. Respondent is currently redesigning the Bluestone Facility to construct a fractionation plant called the Bluestone 2 Gas Processing Plant. The five current bullet tanks will be relocated to the southeast, across the railroad tracks from the new fractionation plant. The number of bullet tanks in the new location will increase from five to 23. According to the safety analysis, the design for the fractionation plant and the bullet tanks includes a water deluge system for fire protection. The safety analysis recommended, consistent with API 2510 and API 2510A, three additional improvements at the redesigned Bluestone Facility: (1) installing a drainage and spill containment area for the bullet tanks in their new location; (2) updating the fire contingency plan; and (3) ensuring that the preventative maintenance plan for the transfer hoses includes testing. These recommendations would be implemented prior to the construction of the new fractionation plant.

31. The safety analysis for the Sarsen Facility, "Fire-Protection Consideration Study (API 2510 and 2510A)," prepared by Contek Solutions, LLC, dated January 2014 and provided to EPA by Respondent, contained the following recommendations, consistent with API 2510 and API 2510A, for three additional improvements at the Sarsen Facility: (1) installing a drainage and spill containment area for the bullet tanks; (2) updating the fire contingency plan, in consultation with local fire response authorities; and (3) addressing general plant issues, including (a) ensuring that the preventative maintenance plan for the transfer hoses includes hydrostatic testing, (b) extending the discharge piping on the bullet tanks to at least 10 feet above the operating platforms, and (c) installing a weep hole on the bottom of each discharge stack elbow on the bullet tanks.

32. On June 16, 2014, EPA and Respondent entered into an Administrative Settlement Agreement and Order on Consent, EPA Docket No. CAA-03-2014-0063DA ("Order"), pursuant to the authority of Sections 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B). The Order required Respondent to take the following actions at the Facilities (hereafter the "Work"): (a) construct a drainage and spill containment area for the bullet tanks; (b) consult with local fire response authorities and update the fire contingency plan for each of the Facilities; (c) address general plant issues, including extending discharge piping on bullet tanks, and installing weep holes on discharge stacks; (d) train company personnel, fire departments and local emergency management officials in the dangers at LPG facilities; and (e) conduct an exercise at each Facility with local emergency personnel.

33. Respondent is complying with the Work under the Order pursuant to an EPA-approved schedule.

**CONCLUSIONS OF LAW RELATED TO THE
VIOLATION OF SECTION 112(r)(7) OF THE CLEAN AIR ACT**

34. The findings of fact contained in Paragraphs 5 through 33 of this CA/FO are incorporated by reference herein as though fully set forth at length.

35. As a limited liability company, Respondent is, and at all times referred to herein was, a "person" as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and the owner and/or operator of the Facilities.

36. Each of the Facilities is a "stationary source" pursuant to Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C).

37. Some of constituents of the NGL and the LPG at the Facilities listed in Paragraphs 23 and 24 are "regulated substances" for purposes of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), because they are listed pursuant to Section 112(r)(3) of the CAA, at 40 C.F.R. § 68.130.

38. The total quantity of the LPG and NGL together at each Facility is counted when determining whether more than a threshold quantity of a listed substance is present in a process, pursuant to 40 C.F.R. § 68.115(b)(2).

39. The threshold quantity for a mixture of flammable substances containing the regulated substance propane at a concentration greater than one percent is 10,000 pounds, pursuant to 40 C.F.R. §§ 68.115(b)(2) and 68.130, Table 3.

40. At all times relevant to this Consent Agreement, more than a threshold quantity of a regulated substance has been present in a process at each of the Facilities.

41. Each of the Facilities constitutes a natural gas processing plant, as defined at 40 C.F.R. § 68.3.

42. Each Facility is a Program 3 Facility under the Chemical Accident Prevention Provisions, in accordance with 40 C.F.R. § 68.10(d).

43. Respondent is subject to the requirements of Section 112(r)(7) of the CAA, 40 U.S.C. § 7412(r)(7), and 40 C.F.R. Part 68, at each of the Facilities because Respondent is the owner and operator of a stationary source that has more than a threshold quantity of a regulated substance in a process.

44. Prior to Respondent's compliance with the Order, Respondent failed to comply with the process safety information requirements at 40 C.F.R. § 68.65(d)(1)(vi) and (d)(2) at each of the Facilities, *i.e.*, to compile process safety information pertaining to design codes and standards relevant to the equipment and to document that the equipment in the process complies with recognized and generally accepted good engineering practices.

SETTLEMENT

45. In full and final settlement and resolution of all allegations referenced in the foregoing Findings of Fact and Conclusions of Law, and in full satisfaction of all civil penalty claims pursuant thereto, for the purpose of this proceeding, Respondent consents to the

assessment of a civil penalty for the violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), as set forth above, in the amount of **\$74,556.00**.

46. Respondent consents to the issuance of this Consent Agreement, and consents for purposes of settlement to the payment of the civil penalty cited in the foregoing Paragraph.

PAYMENT TERMS

47. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with the civil penalties described in this CA/FO, Respondent shall pay the civil penalty of \$74,556.00, no later than thirty (30) days after the effective date of the Final Order (the "final due date") by either cashier's check, certified check, or electronic wire transfer, in the following manner:

- a. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, CAA-03-2014-0246;
- b. All checks shall be made payable to **United States Treasury**;
- c. All payments made by check and sent by regular mail shall be addressed to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000
Contact: Heather Russell, 513-487-2044

- d. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Bank
Government Lockbox 979077
U.S. EPA, Fines & Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101
Contact: 314-418-1028

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account No. = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:
D 68010727 Environmental Protection Agency

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737
Contact: Jesse White 301-887-6548 or REX, 1-866-234-5681

- h. On-Line Payment Option:

WWW.PAY.GOV/PAYGOV
Enter sfo 1.1 in the search field. Open and complete the form.

- i. Additional payment guidance is available at:

http://www.epa.gov/ocfo/finservices/make_a_payment.htm

45. Respondent shall submit copies of the check, or verification of wire transfer or ACH, to the following persons:

Lydia Guy
Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Cynthia T. Weiss
Senior Assistant Regional Counsel (3RC42)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

46. The CAA civil penalty stated herein is based upon Complainant's consideration of a number of factors, including, but not limited to, the penalty criteria set forth in Section

113(e) of the CAA, 42 U.S.C. § 7413(e), and is consistent with 40 C.F.R. Part 19 and the *Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7) and 40 C.F.R. Part 68* (June 2012).

47. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment by the final due date or to comply with the conditions of this CA/FO shall result in the assessment of late payment charges, including interest beyond that required by this CA/FO, penalties and/or administrative costs of handling delinquent debts.

48. Interest on the civil penalty assessed in this CA/FO will begin to accrue on the date that a copy of this CA/FO is mailed or hand-delivered to Respondent. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

49. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue in accordance with 40 C.F.R. § 13.11(b). Pursuant to Appendix B of EPA's *Resource Management Directives – Cash Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the final due date and an additional \$15.00 for each subsequent thirty (30) day period the penalty remains unpaid.

50. A penalty charge of six percent per year will be assessed monthly on any portion of the civil penalty which remains delinquent more than ninety (90) calendar days in accordance with 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent, in accordance with 31 C.F.R. § 901.9(d).

51. Failure of Respondent to pay the penalty assessed by the Final Order in full by the final due date may subject Respondent to a civil action to collect the assessed penalties, plus interest, pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In any such collection action, the validity, amount and appropriateness of the penalty shall not be subject to review.

GENERAL PROVISIONS

52. By entering into this CA/FO, Respondent does not admit any liability for the civil claims alleged herein.

53. For purposes of this proceeding, Respondent expressly waives its right to hearing and to appeal the Final Order pursuant to Section 113 of the CAA, 42 U.S.C. § 7413.

54. Respondent certifies by the signing of this CA/FO that, to the best of its knowledge, once Respondent complies with the Order, the Facilities will be in compliance with all requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and all regulations promulgated thereunder.

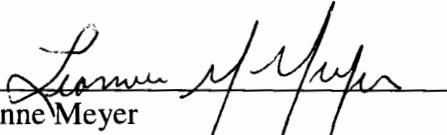
55. The provisions of this CA/FO shall be binding upon Respondent, its officers, directors, agents, servants, employees, and successors or assigns. By his or her signature below, the person signing this Consent Agreement on behalf of the Respondent is acknowledging that he or she is fully authorized by the party represented to execute this Consent Agreement and to legally bind said Respondent to the terms and conditions of the Consent Agreement and accompanying Final Order.

56. This CA/FO does not constitute a waiver, suspension or modification of the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), or any regulations promulgated thereunder.

57. This CA/FO is a complete and final settlement of all civil and administrative claims and causes of action set forth in this CA/FO for alleged violations of Section 112(r) of the CAA, 42 U.S.C. § 7412(r). Nothing herein shall be construed to limit the authority of EPA to undertake action against any person, including the Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare or the environment. Nothing in this CA/FO shall be construed to limit the United States' authority to pursue criminal sanctions.

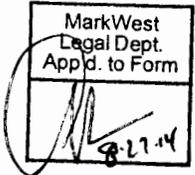
58. Each party to this action shall bear its own costs and attorney's fees.

FOR MARKWEST LIBERTY BLUESTONE, LLC

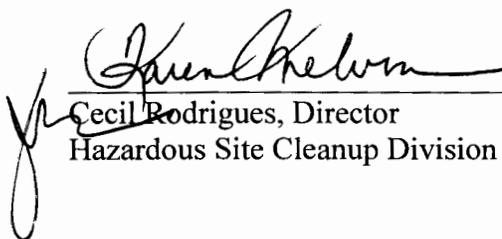


Leanne Meyer
Vice President, Environmental, Health
Safety and Compliance

8.28.14
Date

MarkWest
Legal Dept.
Appd. to Form


FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY



Cecil Rodrigues, Director
Hazardous Site Cleanup Division

SEP 2 2014

Date

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

IN THE MATTER OF:

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601 Technology Drive, Suite 130
Canonsburg, Pennsylvania 15342,

Respondent.

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Docket Number
CAA-03-2014-0246

Proceeding Pursuant to
Section 113(a)(3)(B)
of the Clean Air Act, as
amended, 42 U.S.C.
§ 7413(a)(3)(B)

FINAL ORDER

Pursuant to Section 113 of the Clean Air Act, 42 U.S.C. § 7413, and in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits," codified at 40 C.F.R. Part 22, and based on the representations in the Consent Agreement, the foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. The Respondent is ORDERED to pay \$74,556 and otherwise to comply with the terms of the referenced Consent Agreement.

Effective Date

This Final Order shall become effective upon the date of its filing with the Regional Hearing Clerk.

Date: 09-08-14



Heather Gray
Regional Judicial Officer/Presiding Officer

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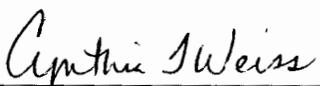
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§ 7413(a)(3)(B)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date provided below, I hand-delivered and filed the original of Complainant's, the United States Environmental Protection Agency's, Consent Agreement and Final Order with the Regional Hearing Clerk, EPA Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029, and that true and correct copies of the Administrative Order, along with its enclosures and/or attachments, were sent via certified mail, return receipt requested, to:

Christopher Rimkus, Esquire
MarkWest Energy Partners, L.P.
1515 Arapahoe Street, Tower 1
Suite 1600
Denver, Colorado 80202

Date: **SEP 08 2014**


Cynthia T. Weiss
Senior Assistant Regional Counsel



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

HAND DELIVERY

Lydia Guy
Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

SEP 08 2014

Re: **In the Matter of MarkWest Liberty Bluestone, LLC.**
U.S. EPA Docket No. CAA-03-2014-0246

Dear Ms. Guy:

Enclosed please find the original and one copy of Consent Agreement and Final Order, along with a certificate of service.

Sincerely yours,

A handwritten signature in cursive script that reads "Cynthia T. Weiss".

Cynthia T. Weiss
Senior Assistant Regional Counsel

Enclosures

cc: Christopher Rimkus, Esq.
Mary Hunt (3HS61)

*Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474*





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
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SEP 08 2014

Christopher Rimkus, Esquire
MarkWest Energy Partners, L.P.
1515 Arapahoe Street, Tower 1
Suite 1600
Denver, Colorado 80202

Re: **In the Matter of MarkWest Liberty Bluestone, LLC**
U.S. EPA Docket No. CAA-03-2014-0246

Dear Chris:

Enclosed please find a copy of Consent Agreement and Final Order, which has been filed with the Regional Hearing Clerk today.

Sincerely yours,

A handwritten signature in cursive script that reads "Cynthia T. Weiss".

Cynthia T. Weiss
Senior Assistant Regional Counsel

Enclosure

cc: Mary Hunt (3HS61)

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