

In the Matter of:

Administrative Compliance Order

Xpress Natural Gas, LLC

Docket No: CAA-03-2024-0017DA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, PA 19103**

FILED

Nov 14, 2023

3:43 pm

**U.S. EPA REGION 3
HEARING CLERK**

In the Matter of	:	
	:	Docket No. CAA-03-2024-0017DA
Xpress Natural Gas, LLC	:	
300 Brickstone Square	:	
Suite 1005	:	
Andover, Massachusetts 01810	:	
	:	
Respondent	:	Administrative Compliance Order on Consent

ADMINISTRATIVE COMPLIANCE ORDER

A. PRELIMINARY STATEMENT

1. This Administrative Compliance Order on Consent (“Order”) is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (“EPA”) by Section 113(a) of the Clean Air Act (“CAA” or the “Act”), 42 U.S.C. § 7413(a).
2. On the EPA’s behalf, Karen Melvin, Director, Enforcement and Compliance Assurance Division, U.S. EPA Region 3 is delegated the authority to issue this Order under Section 113(a) of the Act.
3. Respondent is Xpress Natural Gas, LLC (“XNG” or “Respondent”), a corporation doing business in the Commonwealth of Pennsylvania. Respondent is a “person” as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e). Respondent owns and operates a natural gas tank filling facility known as the Forest Lake Facility, which is located at 3814 North Road, Montrose, PA (the “Facility”).
4. Respondent enters into this Order on consent.

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5. EPA notified Respondent of its failure to comply with provisions of 40 C.F.R. Part 60 Subpart JJJJ Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Subpart JJJJ) and 40 C.F.R. Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Subpart ZZZZ), specifically performance test requirements, in a Notice of Noncompliance Letter issued on December 3, 2020.
6. Respondent conducted performance testing on two model year 2015 1680 brake horsepower (“bhp”) rich burn natural gas fueled spark ignition internal combustion engine (“SI ICE”), each of which is a stationary source (collectively referred to herein as “subject engines”) at the Facility on June 30 and July 1, 2021.
7. Respondent conducted subsequent performance testing on October 25-26, 2022 & January 11, 2023.

B. STATUTORY AND REGULATORY BACKGROUND

8. The EPA is authorized by Section 113(a)(3)(B) of the Act, 42 U.S.C. § 7413(a)(3)(B), to take action to ensure that air pollution sources comply with all federally applicable air pollution control requirements. This includes requirements promulgated by the EPA to address hazardous air pollutants (“HAPs”) in Section 112 of the Act, 42 U.S.C. § 7412.
9. Section 112 of the Act, 42 U.S.C. § 7412, establishes a list of HAPs and directs EPA to define the categories of sources that are required to control emissions of HAPs. Section 112(d) of the Act, 42 U.S.C. § 7412(d), directs EPA to establish national emissions standards for hazardous air pollutants (“NESHAPs”) for sources in each category. NESHAPs established under the Act must require the maximum degree of reduction in emission of the HAPs, more commonly referred to as maximum available control technology (“MACT”).
10. A “stationary source” is defined in Section 302(z) of the Act, 42 U.S.C. § 7602(z), as “generally any source of an air pollutant except those emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in Section 7550 of this title.”
11. Hazardous air pollutant or “HAP” is defined as “any air pollutant listed in or pursuant to Section 112(b) of the Act.” 40 C.F.R. § 63.2.
12. A major source of HAP emissions includes a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAPs at a rate of 25 tons (22.68 megagrams) or more per year.

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13. The term “area source” is defined as “any stationary source of hazardous air pollutants that is not a major source” per Section 112(a) of the Act.
14. On December 19, 2002, U.S. EPA proposed a rule under Section 112 of the CAA establishing NESHAPs for stationary reciprocating internal combustion engines [67 Federal Register (“Fed. Reg.”) 77830]. On June 15, 2004, U.S. EPA promulgated a rule under Section 112 of the CAA establishing NESHAPs for stationary reciprocating internal combustion engines (69 Fed. Reg. 33474). This rule was effective on August 16, 2004. This rule was and is codified at 40 C.F.R. Part 63, Subpart ZZZZ, *NESHAPs for Stationary Reciprocating Internal Combustion Engines* (40 C.F.R. " 63.6580-6675). Subpart ZZZZ, as promulgated in 2004, applied only to certain stationary reciprocating internal combustion engines at major sources. On March 5, 2009, U.S. EPA proposed amendments to Subpart ZZZZ under Section 112 of the CAA establishing national emission standards for hazardous air pollutants for existing stationary reciprocating internal combustion engines at area sources (74 Fed. Reg. 9698). On March 3, 2010, U.S. EPA promulgated amendments to Subpart ZZZZ under Section 112 of the CAA establishing national emission standards for hazardous air pollutants for existing stationary compression ignition reciprocating internal combustion engines at area sources (75 Fed. Reg. 9648). These amendments were effective on May 3, 2010.
15. Subpart ZZZZ regulations apply to each affected source. An “affected source” is any existing, new, or reconstructed stationary Reciprocating Internal Combustion Engine (“RICE”) located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cells/stands. 40 C.F.R. §63.6590(a).
16. Subpart ZZZZ regulations apply to any person who owns or operates a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand. 40 C.F.R. § 63.6585(a).
17. Pursuant to 40 C.F.R. §63.6585(a), a stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile.
18. Subpart ZZZZ at 63.6590(c) requires an affected source that meets certain criteria to comply with Subpart ZZZZ by utilizing the requirements of 40 C.F.R. Part 60 Subpart JJJJ Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
19. Provisions of Subpart JJJJ are applicable to owners and operators of stationary SI ICE and include emissions limitations and testing requirements. Subpart JJJJ at 60.4243(a)(2)(iii) requires subject facilities to complete a performance test on each subject engine at the Facility within one year of the startup date.

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C. Findings

20. Respondent is headquartered at 300 Brickstone Square, Suite 1005, Andover, MA with a Facility located at Montrose, PA 18801.
21. At all times relevant to the violations alleged in this Order, Respondent has been the owner and operator of the Facility.
22. Respondent constructed the Facility under Pennsylvania Department of Environmental Protection (“PADEP”) Plan Approval Permit # 58-00021A issued on May 11, 2018, with an expiration date of November 7, 2018. XNG submitted a request for extension of this Plan Approval Permit on September 3, 2020. PADEP issued a final State Only Natural Minor Operating Permit to XNG on February 18, 2022.
23. At the Facility, the subject engines are utilized to compress pipeline natural gas into tanker trucks for transport. Respondent began operating the subject engines in February 2017 and thus “startup” was February 2017.
24. Respondent is an area source of HAPs because the Facility has a potential to emit formaldehyde, which is defined as a HAP per Section 112(B) of the Act, at a rate of less than 10 tons per year, and does not otherwise exceed the major source thresholds of 10 tons per year for any single HAP or 25 tons per year of any combination of HAPs.
25. The subject engines at the Facility meet the definition at 40 C.F.R. § 63.6590(c)(1), “A new or reconstructed stationary RICE located at an area source”. Therefore, Respondent is required to comply with 40 C.F.R. Part 63 Subpart ZZZZ by following the requirements of Subpart JJJJ.
26. Pursuant to Subpart JJJJ at § 60.4243(a)(2)(iii), Respondent was required to complete a performance test on each subject engine at the Facility within one year of the startup date (February 2017), making the performance test due by February 2018.
27. Subpart JJJJ at § 60.4244(a) specifies that each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and in accordance with 40 C.F.R. § 60.8 which requires the source to be tested under representative conditions. Further, 40 C.F.R. § 60.4244(c) specifies that each performance test is to consist of three test runs, with the minimum time for each run being one hour.
28. Due to the nature of the Facility’s operations, Respondent indicated that it could not follow the standard performance test provisions outlined at § 60.4244. The Facility could not operate under representative conditions while at the same time satisfying the requirements of § 60.4244 for test duration and operation within 10 percent of 100 percent of peak load.

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29. The General Provisions of 40 C.F.R Part 60 at § 60.8(b)(3) allow for the EPA Administrator to approve an alternative method for conducting a performance test, typically referred to as an alternate monitoring plan (“AMP”).
30. The Respondent did not submit an AMP in a timely manner that would have allowed the Facility to complete its test program by the February 2018 due date.
31. On October 30, 2019, in accordance with the provisions of the General Provisions of 40 C.F.R Part 60, Respondent submitted a letter to EPA Region 3 requesting an AMP to allow performance testing to occur in a manner that differs from Subpart JJJJ. The AMP indicated that during a 120-minute tanker fill cycle at this facility, each subject engine slowly ramps up its operational load from 25% to roughly 95% (one hour), drops the engine load to idle (25% load) while the natural gas in the tanker cools (roughly 40 minutes), and then ramps up quickly to 95% for 10 minutes to “top off” the tanker. The engine then shuts off to await the next tanker. Overall, the engines operate at greater than 90% of their rated load capacity for roughly 20 minutes of the 120-minute filling cycle.
32. Because the Facility only operates at 90% or greater of peak load for only a portion of the fill cycle, the emissions generated by both engines are higher than would be calculated when utilizing the emission rate at or above the required 90% of peak load.
33. On November 29, 2019, EPA Region 3 issued an AMP approval letter (Hereinafter “November 29, 2019 AMP”) allowing Respondent to conduct a performance test consisting of three fill cycles in replacement of the three one-hour test runs specified in Subpart JJJJ.
34. The Plan Approval # 58-00021A required Respondent to submit a test protocol to PADEP for review and approval at least 60 days prior to the performance test date. The protocol was submitted to PADEP’s Source Testing Section on May 1, 2020.
35. PADEP’s Source Testing Section issued a conditional test protocol approval letter to Respondent via email on or about September 3, 2020.
36. Respondent completed a performance test for the subject engines at the Facility on June 30 and July 1, 2021.
37. The Facility submitted several iterations of its testing data in a final report format to PADEP and EPA for review. The performance test data submitted on March 8, 2022, was deemed to be a final complete report.
38. The test report indicates that for the purposes of categorizing engine operations into either “idling” or “filling” operations, it uses a revolution per minute (“rpm”) threshold of 900 rpms for idling and greater than 1200 rpms as filling.
39. Respondent did not follow the November 29, 2019 AMP by failing to include emissions generated during the idling of the subject engines in the emission calculations. Additionally, Respondent did not follow the approved testing protocol because it

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estimated fuel flow and did not use actual fuel flow from fuel flow meters as required by Method 19 during the June 30 and July 1, 2021, performance testing and consequently failed the performance test for both engines.

40. Respondent completed a subsequent performance test for the subject engines at the Facility on October 25 and 26, 2022. Due to a data logging issue, the Facility was unable to recover process data from Engine #1 during the testing and no emissions could be calculated.
41. For the performance test on engine #2 on October 25, 2022, Respondent did not follow the November 29, 2019 AMP by failing to include emissions generated during the idling of the engine in the emission calculations. Additionally, Respondent did not follow the approved testing protocol because it estimated fuel flow and did not use fuel flow meters as required by Method 19.
42. Following the unsuccessful performance tests for Engine #1 on October 26, 2022, Respondent completed an additional performance test for Engine #1 at the Facility on January 11, 2023.
43. Respondent did not follow the November 29, 2019 AMP by failing to include emissions generated during the idling of the engine in the emission calculations for Engine #1. Additionally, Respondent did not follow the approved testing protocol because it estimated fuel flow and did not use actual fuel flow meters as required by Method 19 during the January 11, 2023 performance testing for Engine #1.
44. On August 1, 2023, Counsel for Respondent and representatives from Respondent's technical staff met with EPA to discuss the ongoing violations and series of failed performance tests. Respondent stated that there were issues with the November 29, 2019 AMP and that revisions would be needed to the process in order to successfully complete performance tests on the subject engines.
45. On August 2, 2023, Respondent submitted a proposed variance request/AMP regarding the installation and use of fuel flow meters that were not strictly in accordance with EPA Method 2A Section 6.1, seeking EPA's approval. On September 8, 2023, Respondent submitted a new proposed AMP to EPA for the testing of the subject engines seeking EPA's approval. The EPA approved the August 2, 2023 variance request/AMP for the fuel flow meter on November 6, 2023. The EPA approved the September 8, 2023 AMP for the testing on November 8, 2023. (Hereinafter "2023 AMP")

Summary of Violations

46. Pursuant to 40 C.F.R. §§ 63.6590(c) and 60.4243(a)(2)(iii), Respondent was required to complete a performance test on each subject engine at the Facility within one year of the startup date, making the performance tests due by February 2018. Respondent failed to complete a performance test that complied with the applicable testing requirements within one year of startup. Respondent is in violation of 40 C.F.R. §§ 63.6590(c) and 60.4243(a)(2)(iii), and Section 112 of the Act, 42 U.S.C. § 7412.

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D. ORDER

47. Based upon the Findings of Fact and Conclusions of Law recited above, Respondent is ordered to conduct the compliance program described in this section of this Order.
48. Source testing by Respondent on the subject engines is necessary to establish whether the subject engines in operation at the Facility are in compliance with the emissions standards found in Table 1 of Subpart JJJJ, for carbon monoxide (“CO”), nitrogen oxides (“NO_x”), volatile organic compounds (“VOC”), and formaldehyde.

Source Testing Requirements

49. Within 14 calendar days of the Effective Date of this Order, Respondent shall submit to the EPA a proposed performance testing protocol. After review of the protocol:
- a. EPA will in writing: (a) accept the submission; (b) accept the submission upon specified conditions; (c) accept part of the submission and request resubmission of the remainder; or (d) request a new submission.
 - b. If the protocol is unacceptable in whole or in part, Respondent shall, within 15 Days or such other time as the Parties agree to in writing, correct all deficiencies and resubmit the protocol, or any unacceptable portion thereof, for approval, in accordance with this Paragraph 49. If the resubmission is accepted in whole or in part, Respondent shall proceed in accordance with the subsequent Paragraphs 50 - 53.
50. Within 30 calendar days of the date of approval of the performance testing protocol, Respondent shall schedule performance test(s) for each engine at the Facility in accordance with the 2023 AMP, and the approved performance test protocol. The testing must be completed within 90 days of approval of the performance testing protocol.
51. Within 30 calendar days prior to the planned test date, Respondent shall submit notification to EPA of the scheduled date and time of such testing.
52. During the performance test(s), the engines shall be operating in a manner representative of routine operating conditions (as set forth in the 2023 AMP and as required by 40 C.F.R. § 60.4244) during all test runs.
53. Respondent shall submit to EPA a test report on the results of the testing within sixty (60) days of completion of the testing and shall include the following:
- c. Summary of Results
 - i. The first page of the test report shall be a Test Results Summary (“TRS”). The TRS shall contain a table listing the following: the test date(s); the source and source ID numbers; the average result(s) of each pollutant

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measured in units of the permit limit(s); the permit limit(s) for each pollutant measured; the permit number(s) where the limit was obtained; and whether the results demonstrate compliance or non-compliance with the permit limit(s).

- ii. Process and control equipment data related to determining compliance;
 - iii. Discussion of test errors
 - iv. Discussion of any deviations from the reference methods; and
 - v. Production data
- d. Facility Operations
- i. Description of the process and control equipment in operation;
 - ii. Operating parameters of the process units and scrubber at the time of the test, including all parameters identified in the EPA accepted testing protocol; and
 - iii. Ranges of operating parameters that demonstrate that the process units were operated at the required production rates in accordance with 40 C.F.R. §§ 60.664 and 60.704, including those identified in the EPA accepted testing protocol.
- e. Sampling and Analytical Procedures
- i. Sampling port location(s) and dimensions of cross-section;
 - ii. Sampling point description, including labeling system;
 - iii. Brief description of sampling procedures, including equipment and diagram;
 - iv. Description of sampling procedures (planned and accidental) that deviated from any standard method;
 - v. Brief description of analytical procedures, including calibration;
 - vi. Description of analytical procedures (planned or accidental) that deviated from any standard method; and
 - vii. Quality control/ quality assurance procedures, tests, and results.
- f. Appendix
- i. Complete results with example calculations;
 - ii. Raw field data (original, not computer printouts);
 - iii. Laboratory report, with signed chain-of-custody forms;

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- iv. Calibration procedures and results;
 - v. Raw process and control equipment data signed by plant representative;
 - vi. Test log;
 - vii. Project participants and titles; and
 - viii. Related correspondence.
54. Once a performance test demonstrates compliance for each subject engine, Respondent shall thereafter use the date of that test as the date by which future subsequent testing is due.
55. If the performance test does not demonstrate compliance with the emission standards in Subpart JJJJ for either subject engine, within 60 days of the completion of the performance test, Respondent shall submit to EPA a plan to rectify any operational issues with the engines, emissions controls, or the test procedures that may have contributed to a failed test.
56. Respondent shall then schedule a follow-up test within 30 days of the date of EPA's approval of the plan submitted pursuant to Paragraph 55.
57. If a retest is conducted in accordance with Paragraph 56, Respondent shall then follow the same test reporting timeframes and requirements as set out in Paragraphs 51 through 54.
58. In the event any subsequent retest fails to demonstrate compliance with the emission standards, Respondent shall follow the same reporting timeframes and requirements set out in paragraphs 51 through 53.
59. EPA requires the Facility to use the source testing emission rates, as determined from the required performance testing in this order to calculate and submit emission calculations to EPA for each subject engine, on a monthly basis by the 15th of each month for a period of one year from the Effective Date of this Order.

Reporting Requirements

60. The Facility shall begin continuous data logging of engine revolutions per minute ("RPM"), and fuel flow for each subject engine. Respondent shall submit to EPA continuous data reduced to one minute time step intervals for both subject engines listing the date, time, engine RPM, and fuel flow for each subject engine. This data should be in excel format and submitted on a monthly basis by the 15th of each month for a period of one year from the Effective Date of this Order. The requirements of Paragraphs 59 and 60 will begin on the latter of: (a) thirty days after the fuel flow meters have been installed; and (b) submittal of a test report that demonstrates compliance under Paragraph 53 and shall cover the first full month after the latter date.
61. The monthly reports shall be submitted by the 15th day of each subsequent month for the month prior. For example, a report summarizing the emissions for the month of

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September would include data for the time period of September 1 through September 30, and would be submitted by October 15th. The provisions of Paragraph 60 specify the deadline for submittal of the first report.

62. Respondent shall submit all required information or reports to EPA in accordance with Paragraph 71.
63. If any other performance test is required by federal or state regulation or PADEP-issued permit during the one-year period after the Effective Date of this Order, Respondent shall notify EPA of the proposed test date and submit the performance test report to EPA concurrently with the submission to PADEP's Source Testing Section.

E. OTHER TERMS AND CONDITIONS

64. Respondent admits the jurisdictional allegations contained in this Order.
65. Respondent neither admits nor denies the findings in Section C (Findings) of this Order.
66. In the event a force majeure event impacts the ability of Respondent to comply with the terms of the Order, Respondent shall contact the EPA at the earliest sign of potential non-compliance. For purposes of this Order, "force majeure" is defined as any event arising from causes beyond the control of Respondent, of any entity controlled by Respondent, or of Respondent's contractors, that delays or prevents the compliance of the terms of this Order despite Respondent's best efforts to fulfill its obligations. Increased costs or expenses associated with compliance, or a change in Respondent's economic circumstances does not constitute force majeure. Respondent shall identify how a force majeure was the cause of the non-compliance, and the decisions and actions taken in response, including best efforts to comply with the Order. The EPA and Respondent shall work cooperatively to mutually agree to a reasonable modification to the terms of the Order. Respondent shall act responsibly under the circumstances in order to minimize the duration of any non-compliance with the Order caused by a force majeure.

F. GENERAL PROVISIONS

67. Any violation of this Order may result in a civil administrative or judicial action for an injunction or civil penalties up to the statutory maximum amount per day per violation, or both, as provided in Sections 113(b)(2) and 113(d)(1) of the Act, 42 U.S.C. §§ 7413(b)(2) and 7413(d)(1) and the relevant Civil Monetary Penalty Adjustment Rule, as well as criminal sanctions as provided in Section 113(c) of the Act, 42 U.S.C. § 7413(c). The

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EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

68. Nothing in this Order shall relieve Respondent of the duty to comply with all applicable provisions of the Act or other federal, state or local laws or statutes, nor shall it restrict the 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.
69. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.
70. The provisions of this Order shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns. From the Effective Date of this Order until the Termination Date as set out in Paragraph 78. Respondent must give written notice and a copy of this Order to any successors in interest prior to any transfer of ownership or control of any portion of or interest in the Facility. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to the EPA. In the event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this Order unless the EPA has provided written approval of the release of said obligations or liabilities.
71. Unless this Order states otherwise, whenever, under the terms of this Order, written notice or other document is required to be given, it shall be directed to the individuals specified at the addresses below unless those individuals or their successors give notice of a change of address to the other party in writing, via electronic mail:

For the EPA:

Alex Everhart

Life Scientist

Everhart.Alex@epa.gov

Copies shall be sent to:

Patrick J. Foley

Assistant Regional Counsel

R3_ORC_mailbox@epa.gov

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For The Respondent:

Mr. Seth Berry

Chief Administrative Officer

Xpress Natural Gas, LLC

sberry@xng.com

72. All notices and submissions shall be considered effective upon receipt.
73. To the extent this Order requires Respondent to submit any information to the EPA, Respondent may assert a business confidentiality claim covering part or all of that information, but only to the extent and only in the manner described in 40 C.F.R. Part 2, Subpart B. The EPA will disclose information submitted under a confidentiality claim only as provided in 40 C.F.R. Part 2, Subpart B. If Respondent does not assert a confidentiality claim, the EPA may make the submitted information available to the public without further notice to Respondent.
74. Each undersigned representative of the Parties certifies that he or she is authorized to enter into the terms and conditions of this Order to execute and bind legally the Parties to this document.
75. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of paragraphs 47 through 63 is required to come into compliance with the law.

G. EFFECTIVE DATE AND OPPORTUNITY FOR A CONFERENCE

76. Pursuant to Section 113(a)(4) of the Act, an Order does not take effect until the person to whom it has been issued has had an opportunity to confer with the EPA concerning the alleged violations. By signing this Order, Respondent acknowledges and agrees that it has been provided an opportunity to confer with the EPA prior to issuance of this Order. Accordingly, this Order will take effect immediately upon signature by the latter of Respondent or the EPA (“Effective Date of this Order”).

H. Judicial Review

77. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue

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of fact or law set forth in this Order, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1).

I. Termination

78. This Order shall terminate on the earlier of the following (the “Termination Date”) at which point Respondent shall operate in compliance with the Act:

- a. One year after the Effective Date of this Order;
- b. The effective date of any determination by the EPA that Respondent has achieved compliance with all terms of this Order; or
- c. Immediately upon receipt by Respondent of notice from the EPA finding that an imminent and substantial endangerment to public health, welfare, or the environment has occurred.

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For United States Environmental Protection Agency, Region 3:

Karen Melvin, Director

[digitally signed and dated]

Enforcement & Compliance Assurance Division (3ED00)

U.S. EPA, Region 3

Philadelphia, PA 19103

In the Matter of:

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For Xpress Natural Gas, LLC:

Signature

Date

Printed Name: _____

Title: _____

Address: _____

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 3

Philadelphia, PA 19103

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300 Brickstone Square	:	
Suite 1005	:	
Andover, Massachusetts 01810	:	
	:	
Respondent	:	Administrative Compliance Order on Consent

CERTIFICATE OF SERVICE

I certify that the foregoing Administrative Order on Consent was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the Administrative Order on Consent. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing Administrative Order on Consent to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

For the Respondent:

Mr. Seth Berry, Chief Administrative Officer

Xpress Natural Gas. LLC

Sberry@xng.com

In the Matter of:

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For EPA:

Patrick J. Foley
Assistant Regional Counsel
U.S. EPA, Region 3
Foley.Patrick.J@epa.gov

Alex Everhart
Environmental Scientist
U.S. EPA, Region 3
Everhart.Alex@epa.gov

[Digital Signature and Date]

Bevin Esposito
Regional Hearing Clerk
U.S. Environmental Protection Agency,
Region 3