



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

FEB 25 2019

**E-MAIL AND CERTIFIED MAIL –  
RETURN RECEIPT REQUESTED**

Mr. Andy Cannon, President  
Compass Energy, Inc.  
1014 S. Central Avenue  
Laurel, DE 19956  
andy@compassenergyinc.com

Re: In the Matter of Compass Energy, Inc., Docket Number: CWA-03-2018-0009CW  
Notice of Termination of Administrative Order on Consent; and Current Status of  
Compliance with EPCRA Planning Obligations

Dear Mr. Cannon:

Pursuant to Paragraph 48 of the Administrative Order on Consent, Docket No. CWA-03-2018-0009CW, (“Consent Order”) issued to Compass Energy, Inc. (“Respondent”) on October 25, 2017, Compass Energy was obligated to perform work items enumerated in the Consent Order, including but not limited to, submitting to EPA and implementing a Spill Prevention Control and Countermeasure (“SPCC”) plan for its tank farm facility located at the intersection of 10<sup>th</sup> Street and Wolfe Street in Laurel, Delaware (“the Facility”), ensuring secondary containment of bulk storage tank installations at the Facility are of adequate size and imperviousness, conducting integrity testing and inspections of the Facility’s above-ground storage tanks, completing routine inspections at the Facility, and providing training to the Facility’s oil-handling employees. Pursuant to Paragraph 48.g of the Consent Order, Respondent was obligated to provide EPA with written documentation to demonstrate timely completion of the aforementioned work items. EPA hereby notifies Respondent that the documentation it provided to the Agency pursuant to Paragraph 48.g (“Work Completion Documentation”) is deemed satisfactory and no further work shall be required under Paragraph 48 of the Consent Order.

Pursuant to Paragraph 65 of the Consent Order, based upon the review and approval of the Work Completion Documentation, the Consent Order shall be terminated, with the exception of the continuing obligations and the document retention requirements of Paragraphs 50 and 66. Pursuant to Paragraph 59 of the Order, nothing in this letter shall limit or preclude EPA from assessing penalties or taking any other action authorized under the Clean Water Act. EPA reserves the right to bring an action against the Respondent assessing or seeking penalties and/or other relief for any violation including, without limitation, the violations alleged in the Consent Order.

Finally, while the Consent Order did not address Respondent’s state of compliance with the emergency planning and community right-to-know requirements of Sections 302, 303, 311

and 312 of the Emergency Planning and Community Right-to-Know Act (“EPCRA”), 42 U.S.C. §§ 11002, 11003, 11021, 11022, EPA’s inspection of the Facility on November 30, 2016 sought, in part, to investigate Respondent’s compliance with EPCRA planning requirements. As of the date of this letter’s writing, Delaware Department of Natural Resources and Environmental Control (“DNREC”), the state emergency response commission (“SERC”), has represented to EPA that Respondent is currently in compliance with its Tier II reporting requirements, as required under Section 312 of EPCRA, 42 U.S.C. § 11022. EPA notes, however, that the annual deadline for filing of emergency and hazardous chemical inventory forms (often referred to as “Tier IIs”) is March 1st and encourages Respondent to continue to timely file complete and accurate Tier II documents in order to remain compliant with that specific legal obligation, as well as its other legal obligations.

Thank you for your cooperation in this matter. If you have any questions, please contact Arlín Galarza-Hernández of my staff at (215) 814-3223.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Dunn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Dunn, Acting Associate Director  
Office of Enforcement

cc: Lauren Ziegler (3RC42)  
Arlín Galarza-Hernández (3HS61)  
Perry Pandya (3HS61)