UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 1 1 2009

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Kurland
Chief Counsel
Law Department
Sunoco, Inc.
1735 Market Street Suite LL
Philadelphia, Pennsylvania 19103-7583

Dear Mr. Kurland:

Enclosed is a file stamped Consent Agreement and Final Order (CAFO) which resolves case docket number **CAA-05-2009-0033** with Sunoco Inc. (R&M). As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on SEP 1 1 2009.

Pursuant to paragraph 78 of the CAFO, Sunoco Inc. (R&M) must pay the civil penalty within 30 days of the date the CAFO is filed. Your check must display the case docket number, **CAA-05-2009-0033**, and the billing document number, **2750903A035**.

Please direct any questions regarding this case to Cathleen Martwick, Associate Regional Counsel at (312) 886-7166.

Sincerely,

William L. MacDowell
Chief
AECAS (MN/OH)

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	**Docket No.** CAA-05-2009-0033
	)	**Proceeding to Assess a Civil**
Sunoco Inc. (R&M)	)	**Penalty under Section 113(d) of the**
Haverhill Chemical Plant	)	**Clean Air Act,**
Haverhill, Ohio	)	**42 U.S.C. § 7413(d)**
	)	
	)	
Respondent.	)	

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the Act), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b), and 22.18(b) of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (Consolidated Rules) as codified at 40 C.F.R. Part 22 (2004).

2. Complainant is the Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5.

3. Respondent is Sunoco Inc. (R&M) (Sunoco), a corporation doing business in Ohio.

4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a Consent Agreement and Final Order (CAFO). 40 C.F.R. § 22.13(b) (2004).

5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to entry of this CAFO and the assessment of the specified civil penalty, and agrees to comply with the terms of the CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Sunoco admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Sunoco waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

Statutory and Regulatory Background

NESHAP

9. Under Section 112 of the Act, 42 U.S.C. § 7412, the Administrator of EPA promulgated the Hazardous Organic National Emission Standards for Hazardous Air Pollutants (HON NESHAP) for Equipment Leaks at 40 C.F.R. Part 63, Subparts F and H.

10. The Administrator for EPA proposed the HON NESHAP for Equipment Leaks on December 31, 1992 and the HON NESHAP became final on April 22, 1994.

11. The HON NESHAP applies to chemical manufacturing process units that manufacture as a primary product one or more of the chemicals listed in 40 C.F.R. Part 63, Subpart F, Table 1, use as a reactant or manufacture as a product or co-product, one or more of the hazardous organic air pollutants listed in 40 C.F.R. Part 63, Subpart F, Table 2, and are located at a plant site that is a major source as defined in section 112(a) of the Act. 40 C.F.R. § 63.100(b).

12. The HON NESHAP provisions for Equipment Leaks applies to pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrument systems, and control

devices or closed vent systems that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year. 40 C.F.R. § 63.160.

13. The owner or operator of an existing affected source must comply with the provisions of this NESHAP no later than April 24, 1995, for the Group III category. 40 C.F.R. § 63.100(k)(3).

14. The owner or operator of a new source that commences construction after August 26, 1996 must comply with the provisions of this NESHAP no later than start up. 40 C.F.R. § 63.100(k)(1)(ii).

15. The General Provisions of the NESHAP at 40 C.F.R. § 63.4(a)(1) provide that no owner or operator subject to the provisions of this part shall operate any affected source in violation of this requirement of this part except under an applicable extension of compliance.

16. 40 C.F.R. § 63.4(a)(1) applies to the HON NESHAP. 40 C.F.R. Part 63, Subpart F, Table 3.

17. The HON NESHAP at 40 C.F.R. § 63.167(a)(1), requires that each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve.

18. The HON NESHAP at 40 C.F.R. § 63.167(a)(2), requires that the cap, blind flange, plug or second valve shall seal the open end at all times except during operation requiring process fluid flow through the open-ended valve or line, or during maintenance or repair.

19. The HON NESHAP at 40 C.F.R. § 63.167(b), requires that each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process end is closed before the second valve is closed.

20. The HON NESHAP at 40 C.F.R. § 63.181(b), requires a list of identification numbers for equipment (except connectors exempt from monitoring and recordkeeping identified

in § 63.174 of this subpart and instrumentation systems) subject to the requirements of this subpart. Connectors need not be individually identified if all connectors in a designated area or length of pipe subject to the provisions of this subpart are identified as a group, and the number of connectors subject is indicated.

21. The HON NESHAP at 40 C.F.R. § 63.164(a), requires each compressor to be equipped with a seal system that includes a barrier fluid and that prevents leakage of process fluid to the atmosphere, except as provided in § 63.162(b) of 40 C.F.R. § Part 63, Subpart H and paragraph (h) and (i) of 40 C.F.R. § 63.164(a).

22. The HON NESHAP at 40 C.F.R. § 63.164(b), requires that each compressor seal system as required in paragraph (a) of this section shall be: (1) operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or (2) equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed-vent system to a control device that complies with the requirements of § 63.172; or (3) equipped with a system that purges the barrier fluid into a process stream.

23. The HON NESHAP at 40 C.F.R. § 63.164(e)(2), requires that the owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

24. The HON NESHAP at 40 C.F.R. § 63.168(f)(1) requires, that the owner or operator of valves in light liquid service repair leaking valves as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 C.F.R. § 63.171.

25. The HON NESHAP at 40 C.F.R. § 63.169(c)(1) requires, that the owner or operator of valves in heavy liquid service repair leaking valves as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 C.F.R. § 63.171.

26. The HON NESHAP at 40 C.F.R. § 63.168(e)(1) requires that percent leaking valves at a process unit shall be determined by the following equation: $\%V_L=(V_L/(V_T+V_C))\times 100$

where:

$\%V_L$=Percent leaking valves as determined through periodic monitoring required in paragraphs (b) through (d) of this section.

V_L=Number of valves found leaking excluding nonrepairables as provided in paragraph (e)(3)(i) of this section.

V_T=Total valves monitored, in a monitoring period excluding valves monitored as required by (f)(3) of this section.

V_C=Optional credit for removed valves=0.67 × net number (i.e., total removed--total added) of valves in organic HAP service removed from process unit after the date set forth in §63.100(k) of subpart F for existing process units, and after the date of initial start-up for new sources. If credits are not taken, then V_C=0.

27. The HON NESHAP at 40 C.F.R. § 63.174(i)(2), requires that percent leaking connectors at a process unit shall be determined using the following equation:

$$\% C_L = [(C_L -- C_{AN})/(C_t + C_C)] \times 100$$

where:

$\% C_L$= Percent leaking connectors as determined through periodic monitoring required in paragraphs (a) and (b) of this section.

C_L= Number of connectors, including nonrepairables, measured at 500 parts per million or greater, by the method specified in §63.180(b) of this subpart.

C_{AN}= Number of allowable nonrepairable connectors, as determined by monitoring required in paragraphs (b)(3) and (c) of this section, not to exceed 2 percent of the total connector population, C_t.

C_t= Total number of monitored connectors, including nonrepairables, in the process unit.

C_C= Optional credit for removed connectors = 0.67 × net number (i.e., total removed—total added) of connectors in organic hazardous air pollutants service removed from the process unit after the compliance date set forth in the applicable subpart for existing process units, and after the date of initial start-up for new process units. If credits are not taken, then C_C= 0.

Enforcement Provisions

28. The Administrator of EPA (the Administrator) may assess a civil penalty of up to $27,500 per day of violation up to a total of $220,000 for SIP and NSPS violations that occurred from January 31, 1997 through March 15, 2004, and may assess a civil penalty of up to $32,500 per day of violation up to a total of $270,000 for violations that occurred after March 15, 2004 under Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19 (2004).

29. Section 113(d)(1) limits the Administrator's authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

30. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that this matter involving a penalty greater than $270,000 is appropriate for an administrative penalty action.

31. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

Factual Allegations

32. At all times relevant to this Consent Agreement and Final Order (CAFO), Sunoco was and is the owner and operator of a chemical plant located at 1019 Haverhill-Ohio Furnace Road, Haverhill, Ohio 45636.

33. Sunoco constructed the Phenol 1 chemical manufacturing process unit in 1969.

34. Sunoco constructed the Phenol 2 chemical manufacturing process unit in 1979.

35. Sunoco constructed the Phenol 3 chemical manufacturing process unit in 1999.

36. Sunoco constructed the Cumene Oxidation chemical manufacturing process unit prior to October 24, 1994.

37. Sunoco constructed the Alpha-Methyl Styrene chemical manufacturing process unit prior to April 24, 1995.

38. Sunoco constructed the Bisphenol-A chemical manufacturing process unit prior to April 24, 1995.

39. Sunoco manufactures alpha-methyl styrene, bisphenol-A and phenol.

40. Alpha-methyl styrene, bisphenol-A and phenol are chemicals listed in 40 C.F.R. Part 63, Subpart F, Table 1.

41. Phenol is an organic hazardous air pollutant listed in 40 C.F.R. Part 63, Subpart F, Table 2.

42. Sunoco's chemical plant is a major source as defined in section 112(a) of the Act.

43. At its chemical plant, Sunoco operates pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrument systems, and control devices or closed vent systems that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year.

44. Sunoco's Phenol 1, Phenol 2, Cumene Oxidation, Alpha-Methyl Styrene, and Bisphenol-A chemical manufacturing process units are "existing sources" as defined at 40 C.F.R. § 63.2.

45. Sunoco's Phenol 3 chemical manufacturing process unit is a "new source" as defined at 40 C.F.R. § 63.2.

46. Sunoco's chemical manufacturing process units are Group III process units.

47. From February 28 through March 3, 2005, EPA conducted an inspection at the Sunoco facility that included records review and "leak detection and repairs" (LDAR) monitoring on process equipment and components subject to 40 C.F.R. Part 63, Subpart H and F.

48. On July 26, 2005, EPA issued a Section 114 request letter to Sunoco.

49. On August 17, 2005, Sunoco submitted a response to the July 26, 2005, Section 114 request letter.

50. On September 29, 2005, EPA issued a Finding of Violation (FOV) to Sunoco for violations of the Act. The FOV identified Sunoco Chemical Company as the Respondent. Respondent should have been identified as Sunoco Inc. (R&M) or Sunoco Chemicals, a business unit of Sunoco Inc. (R&M).

51. On December 27 2005, EPA issued a Section 114 request letter to Sunoco requesting, among other things, the number of open-ended lines that were not equipped with a cap, second valve, plug or blind flange as required by 40 C.F.R. § 63.167(a); the current number of connecters in the LDAR program and the number of connectors reported to be in the program prior to EPA's inspection.

52. On February 17, 2006, Sunoco submitted a response to the December 27, 2005, Section 114 request letter.

53. In its February 2006 response to the Section 114 request, Sunoco reported 45 open-ended lines at its process units that were not equipped with a cap, second valve, plug or blind flange from January 1, 2005 through December 31, 2005.

54. In its February 2006 response to the Section 114 request, Sunoco reported that, previous to EPA's 2005 inspection, it had reported 5300 connectors associated with valves as

part of those valves and more recently identified those 5300 connectors separately from their associated valves resulting in an increased number of connectors totaling 7215.

55. In its February 2006 response to the Section 114 request, Sunoco provided its 2005 first quarter deviation report dated April 29, 2005 that reports its failure to report the compressor and lack of barrier fluid for the closed vent system.

56. In its August 17, 2005 response to the Section 114 request, Sunoco reported four leaking valves in light liquid service and one leaking valve in heavy liquid service that took longer than 15 days to repair during calendar year 2005.

Violations

COUNT I

57. 40 C.F.R. § 63.167(a)(1), requires the owner or operator of HON process units to equip each open-ended valve or line with a cap, blind flange, plug or second valve.

58. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.167(a)(1) by failing to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve.

COUNT II

59. 40 C.F.R. § 63.167(a)(2), requires the owner or operator of a HON process unit to seal the open end at all times with a cap, blind flange, plug or second valve, except during operation requiring process fluid flow through the open-ended valve or line, or during maintenance or repair.

60. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.167(a)(2) by failing to equip each open end with a cap, blind flange, plug, or a second valve

to seal the open end at all times except during operation requiring process fluid flow through the open-ended valve or line, or during maintenance or repair.

COUNT III

61. 40 C.F.R. § 63.167(b) requires the owner or operator of a HON process unit to operate each open-ended valve or line equipped with a second valve in a manner such that the valve on the process end is closed before the second valve is closed.

62. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.167(b) by failing to operate each open-ended valve or line equipped with a second valve in a manner such that the valve on the process end is closed before the second valve is closed.

COUNT IV

63. 40 C.F.R. § 63.181 (b),requires a list of identification numbers for equipment (except connectors exempt from monitoring and recordkeeping identified in § 63.174 of this subpart and instrumentation systems) subject to the requirements of this subpart. Connectors need not be individually identified if all connectors in a designated area or length of pipe subject to the provisions of this subpart are identified as a group, and the number of connectors subject is indicated.

64. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.181(b) by failing to identify the number of connectors in a designated area or length of pipe that are subject to the provisions of the subpart.

COUNT V

65. 40 C.F.R. § 63.164(a), requires each compressor to be equipped with a seal system that includes a barrier fluid and that prevents leakage of process fluid to the atmosphere, except as provided in § 63.162(b) of 40 C.F.R. § Part 63, Subpart H and paragraph (h) and (i) of 40 C.F.R. § 63.164(a).

66. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.164(a) by failing to equip each compressor with a seal system that includes a barrier fluid and that prevents leakage of process fluid to the atmosphere, except as provided in § 63.162(b) of 40 C.F.R. § Part 63, Subpart H and paragraph (h) and (i) of 40 C.F.R. § 63.164(a).

COUNT VI

67. 40 C.F.R. § 63.164(b), requires that each compressor seal system as required in paragraph (a) of this section shall be: (1) operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or (2) equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed-vent system to a control device that complies with the requirements of § 63.172; or (3) equipped with a system that purges the barrier fluid into a process stream.

68. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.164(b) with respect to its compressor by failing to: (1) operate with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or (2) equip with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed-vent

system to a control device that complies with the requirements of § 63.172; or (3) equip with a system that purges the barrier fluid into a process stream.

COUNT VII

69. 40 C.F.R. § 63.164(e)(2), requires that the owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the compressor's seal system, the barrier fluid system, or both.

70. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.164(e)(2) by failing to determine, based on design considerations and operating experience, a criterion that indicates failure of its compressor's seal system, the barrier fluid system, or both.

COUNT VIII

71. 40 C.F.R. § 63.168(f)(1) requires, that the owner or operator of valves in light liquid service repair leaking valves as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 C.F.R. § 63.171 of this subpart.

72. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.168(f)(1) by failing to repair leaking valves in light liquid service as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 C.F.R. § 63.171 of this subpart.

COUNT IX

73. 40 C.F.R. § 63.168(e)(1)requires that percent leaking valves at a process unit shall be determined by the following equation: $\%V_L=(V_L/(V_T+V_C))\times100$ where:

$\%V_L$=Percent leaking valves as determined through periodic monitoring required in paragraphs (b) through (d) of this section.

V_L=Number of valves found leaking excluding nonrepairables as provided in paragraph (e)(3)(i) of this section.

V_T=Total valves monitored, in a monitoring period excluding valves monitored as required by (f)(3) of this section.

V_C=Optional credit for removed valves=0.67 × net number (i.e., total removed--total added) of valves in organic HAP service removed from process unit after the date set forth in §63.100(k) of subpart F for existing process units, and after the date of initial start-up for new sources. If credits are not taken, then V_C=0.

74. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.168(e)(1) by failing to insert the correct number of leaking valves in the equation.

COUNT X

75. The HON NESHAP at 40 C.F.R. § 63.174(i)(2), requires that percent leaking connectors at a process unit shall be determined using the following equation:

$$\% C_L = [(C_L -- C_{AN})/(C_t + C_C)] \times 100$$

where:

$\% C_L$= Percent leaking connectors as determined through periodic monitoring required in paragraphs (a) and (b) of this section.

C_L= Number of connectors, including nonrepairables, measured at 500 parts per million or greater, by the method specified in §63.180(b) of this subpart.

C_{AN}= Number of allowable nonrepairable connectors, as determined by monitoring required in paragraphs (b)(3) and (c) of this section, not to exceed 2 percent of the total connector population, C_t.

C_t= Total number of monitored connectors, including nonrepairables, in the process unit.

C_C= Optional credit for removed connectors = 0.67 × net number (i.e., total removed—total added) of connectors in organic hazardous air pollutants service removed from the process unit after the compliance date set forth in the applicable subpart for existing process units, and after the date of initial start-up for new process units. If credits are not taken, then C_C= 0.

76. Sunoco violated Section 112 of the Act, 42 U.S.C. § 7412 and 40 C.F.R. § 63.174(i)(2) by failing to insert the correct number of leaking connectors and total number of monitored connectors in the equation.

Civil Penalty

77. Based on analysis of the factors specified in Section 113(e) of the Act, 42 U.S.C. § 7413(e), the facts of this case, EPA has determined that an appropriate civil penalty to settle this action is $400,000.

78. Within 30 days after the effective date of this CAFO, Sunoco must pay the $400,000 civil penalty by electronic funds transfer, payable to the "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D68010727 Environmental Protection Agency"

In the comment or description field of the electronic funds transfer, Sunoco must identify the case name, In the Matter of Sunoco Inc. (R&M) Haverhill Chemical Plant, the docket number of this CAFO and the billing document number.

79. Sunoco must provide written notice of the electronic funds transfer within five business days to Cathleen Martwick, Associate Regional Counsel, 77 West Jackson (C-14J), Chicago, Illinois 60604.

80. This civil penalty is not deductible for federal tax purposes.

81. If Sunoco does not pay timely the civil penalty, EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties and the

United States' enforcement expenses for the collection action under Section 113(d)(5) of the Act, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

82. Pursuant to 31 C.F.R. § 901.9, Sunoco must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established under 31 U.S.C. § 3717. Sunoco will pay a $15 handling charge each month that any portion of the penalty is more than 30 days past due. Sunoco will pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue according to Section 113(d)(5) of the Act, 42 U.S.C. § 7413(d)(5). This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter.

Final Statement

83. This CAFO resolves only Respondent's liability for federal civil penalties for the violations set forth in this CAFO.

84. This CAFO does not affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

85. This CAFO does not affect Sunoco's responsibility to comply with the Act and other applicable federal, state and local laws, and regulations. Except as provided in paragraph 83 above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by Complainant.

86. Sunoco certifies to the best of its knowledge and belief that it is fully complying with the sections of the HON NESHAP set forth above in Paragraphs 57, 59, 61, 63, 65, 67, 69, 71, 73 and 75 of this CAFO.

87. This CAFO constitutes an "enforcement response" as that term is used in "EPA's Clean Air Act Stationary Source Civil Penalty Policy" to determine Sunoco's "full compliance history" under Section 113(e) of the Act, 42 U.S.C. § 7413(e).

88. The terms of this CAFO bind Sunoco, and its successors, and assigns.

89. Each person signing this consent agreement certifies that he or she has the authority to sign this consent agreement for the party whom he or she represents and to bind that party to its terms.

90. Each party agrees to bear its own costs and attorneys' fees in this action.

91. This CAFO constitutes the entire agreement between the parties.

U.S. Environmental Protection Agency, Complainant

9/4/09
Date

Cheryl L. Newton
Director
Air and Radiation Division
U.S. Environmental Protection
Agency, Region 5 (A-18J)

Sunoco Inc. (R&M), Respondent

8/31/09
Date

Bruce D. Rubin
Senior Vice President, Chemicals
Sunoco Inc. (R&M)

CONSENT AGREEMENT AND FINAL ORDER
Sunoco Chemical Company
Docket No. CAA-05-2009-0033

Final Order

It is ordered as agreed to by the parties and as stated in the consent agreement, effective immediately upon filing of this CAFO with the Regional Hearing Clerk. This final order disposes of this proceeding pursuant to 40 C.F.R. § 22.18.

9-8-09
Date

Bharat Mathur
Acting Regional Administrator
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3511

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Consent Agreement and Final Order (CAFO) docket number **CAA-05-2009-0033**, by Certified Mail, Return Receipt Requested, to:

David Kurland, Chief Counsel
Law Department
Sunoco, Inc.
1735 Market Street Suite LL
Philadelphia, Pennsylvania 19103-7583

RECEIVED
SEP 11 2009
REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

on the 11 day of Sept, 2009

Loretta Shaffer
AECAS, (MN-OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0192 1581