UNITED STATES ENVIRONMENTAL PROTECTION AGENCY **REGION 8**

1595 Wynkoop Street DENVER, CO 80202-1129 Phone 800-227-8917 http://www.epa.gov/region08

2011 JAN -6 PM 12: 37

EPA REGION VIII HEARING CLERK.

DOC	KET NO.: SDWA-08-2010-0085	
IN THE MATTER OF:		
QEP ENERGY CO.) FINAL ORDER	
Respondent.)	

Pursuant to Section 22.18(a) of the United States Environmental Protection Agency's ("EPA"), Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Order, and Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. §22.18(a), the respondent has elected the "Quick Resolution" of the matter by payment of the full penalty proposed in the complaint. Full payment of the \$89,798.00 proposed penalty has been received by the Agency.

The subject complaint does not seek a Compliance or Corrective Action Order, or Permit Action; and the proceeding is not subject to the public comment provisions of §22.45 of the Consolidated Rules; therefore, quick resolution is immediately available.

Full payment of the \$89,798.00 penalty proposed in the complaint the Respondent has resolved the violations asserted in the Administrative Complaint which, in conjunction with its timely payment of the full penalty amount, resolves it's liability for those violations.

Payment in the penalty shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive, or other equitable relief, or criminal sanctions for any violations of the law.

Payment of the penalty shall constitute a waiver of respondent's right to contest the allegations and to appeal the final order.

This Final Order does not waive, extinguish, or otherwise affect respondent's obligation to comply with all applicable provisions of the Act and regulations promulgated thereunder.

This Final Order constitutes the final Agency action in this matter and is effective upon filing.

SO ORDERED THIS OF DAY OF

Elyana R. Sutin Regional Judicial Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **FINAL ORDER** in the matter of **QEP ENERGY CO.**; **DOCKET NO.**: **SDWA-08-2010-0085** was filed with the Regional Hearing Clerk on January 6, 2011.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, David J. Janik, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested and e-mail on January 6, 2011, to:

Eric L. Dady
Vice President and General Counsel
QEP Energy Co.
Independent Plaza
1050 17th Street, Suite 500
Denver, CO 80265
Eric.Dady@qepres.com

E-mailed to:

Elizabeth Whitsel
U. S. Environmental Protection Agency
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-0002)
Cincinnati, Ohio 45268

January 6, 2011

Lina allemos

Paralegal/Regional Hearing Clerk