

FILED

August 14, 2024

6:03PM

**U.S. EPA REGION 7
HEARING CLERK**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS**

IN THE MATTER OF:)
)
SCOUT ENERGY GROUP V, LP,) **Docket No. CAA-07-2024-0082**
)
Respondent.)

ADMINISTRATIVE ORDER FOR COMPLIANCE ON CONSENT

Preliminary Statement

1. This Administrative Order for Compliance on Consent (“Order”) is entered into voluntarily by the United States Environmental Protection Agency (“EPA”) and by Scout Energy Group V, LP dba Scout Energy Partners – Jayhawk Gas Plant (“Respondent” or “Scout Energy”), pursuant to Section 113(a)(3)(B) of the Clean Air Act (“CAA”), 42 U.S.C. § 7413(a)(3)(B), as amended.

2. This Order requires Respondent to comply with the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and the regulations promulgated thereunder and codified at 40 C.F.R. Part 68. Specifically, and as described in more detail herein, EPA orders Scout Energy to establish and implement a Mechanical Integrity Program to maintain the on-going integrity of process equipment. All activities specified below shall be initiated and completed as soon as possible even though maximum time periods for their completion may be specified herein. The terms of this Order shall not be modified except by a subsequent written agreement between the parties.

3. By entering into this Order, Respondent (1) consents to and agrees not to contest EPA’s authority or jurisdiction to issue or enforce this Order, (2) agrees to undertake all actions required by the terms and conditions of this Order, (3) consents to personal service by electronic mail at Matthew.Harrold@scoutep.com, and (4) consents to be bound by the requirements set forth herein. Respondent also 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 of fact or law set forth in this Order, including, but not limited to, any right of judicial review of this Order under Section 307(b)(1) of the CAA, 42 U.S.C. § 7607(b)(1), or under the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

Statutory and Regulatory Background

4. On November 15, 1990, the President signed into law the CAA Amendments of 1990. The Amendments added Section 112(r) to Title I of the CAA, 42 U.S.C. § 7412(r), which 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 that the Administrator 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), 42 U.S.C. § 7412(r)(7), requires the Administrator to promulgate regulations that address release prevention, detection, and correction requirements for these listed regulated substances.

5. On June 20, 1996, EPA promulgated a final rule known as the Risk Management Program, 40 C.F.R. Part 68, which implements Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7). These 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.

6. The regulations at 40 C.F.R. Part 68 set forth the requirements of a Risk Management Program that must be established at each stationary source. The Risk Management Program is described in a Risk Management Plan (“RMP”) that must be submitted to EPA.

7. Pursuant to Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.150, an RMP must be submitted for all covered processes by the owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process 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.

8. The regulations at 40 C.F.R. § 68.10 set forth how the chemical accident prevention provisions apply to covered processes. Pursuant to 40 C.F.R. § 68.10(i), a covered process is subject to Program 3 requirements as provided in 40 C.F.R. § 68.12(d) if the process does not meet the requirements of Program 1, as described in 40 C.F.R. § 68.10(g), and if it is in a specified North American Industrial Classification System code or is subject to the OSHA process safety management standard, 29 C.F.R. § 1910.119.

9. Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), grants the Administrator the authority to make a finding of violation of a requirement or prohibition of Title I of the CAA (Subchapter I of 42 U.S.C. Chapter 85), and upon such a finding, to issue an order requiring a person to comply with such requirement or prohibition.

Definitions

10. Section 112(a)(9) of the CAA, 42 U.S.C. § 7412(a)(9), defines “owner or operator” as any person who owns, leases, operates, controls, or supervises a stationary source.

11. Section 302(e) of the CAA, 42 U.S.C. § 7602(e), defines “person” to include any 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.

12. The regulations at 40 C.F.R. § 68.3 define “stationary source” 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.

13. 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, as amended, listed in 40 C.F.R. § 68.130, Tables 1, 2, 3, and 4, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

14. 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, as amended, in 40 C.F.R. § 68.130, Tables 1, 2, 3, and 4.

15. 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 the 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.

16. Section 112(r)(2)(A) of the CAA, 42 U.S.C. § 7412(r)(2)(A), and 40 C.F.R. § 68.3 define “accidental release” as an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source.

Findings of Fact and Law

17. 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).

18. Respondent is the owner or operator of the Facility.

19. Respondent’s facility, located at 13201 East Highway 160 in Ulysses, Kansas (“Facility”), is a “stationary source” pursuant to 40 C.F.R. § 68.3.

20. EPA inspected Respondent’s Facility on July 11-12, 2023, to determine compliance with Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68. Information collected as a result of this inspection revealed that Respondent had failed to properly implement the risk management program at the Facility.

21. Butane, Ethane, Isobutane [Propane, 2-methyl], Pentane, Isopentane [Butane, 2-methyl-], Propane, and Methane are “regulated substances” pursuant to 40 C.F.R. § 68.3.

22. The threshold quantity for propane, as listed in 40 C.F.R. § 68.130, is 10,000 pounds.

23. The threshold quantity for the flammable mixture of Butane, Ethane, Isobutane [Propane, 2-methyl], Pentane, Isopentane [Butane, 2-methyl-], Propane, and Methane pursuant to § 68.115(b)(2), is the entire weight of the mixture because the concentration of each of the regulated substances is 1% or greater by weight of the total concentration of the flammable mixture.

24. At the time of the EPA inspection, Respondent had greater than 10,000 pounds of propane and 10,000 pounds of flammable mixture (Butane, Ethane, Isobutane [Propane, 2-methyl], Pentane, Isopentane [Butane, 2-methyl-], Propane, and Methane) in a process at the Facility.

25. From the time Respondent first had onsite greater than 10,000 pounds of propane and/or 10,000 pounds of flammable mixture in a process, Respondent was subject to the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68 because it was an owner and operator of a stationary source that had more than a threshold quantity of a regulated substance in a process.

26. From the time Respondent first had onsite greater than 10,000 pounds of propane and/or 10,000 pounds of flammable mixture in a process, Respondent was subject to Program 3 prevention program requirements because, pursuant to 40 C.F.R. § 68.10(i), the covered process at its facility did not meet the eligibility requirements of Program 1 and was subject to the OSHA process safety management standard, 29 C.F.R. § 1910.119.

27. From the time Respondent first had onsite greater than 10,000 pounds of propane and/or 10,000 pounds of flammable mixture in a process, Respondent was required under Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), to submit an RMP pursuant to 40 C.F.R. § 68.12(a) and comply with the Program 3 requirements provided at 40 C.F.R. § 68.12(d).

Findings of Violation

28. The facts stated in Paragraphs 17 through 27, above, are herein incorporated.

Mechanical Integrity

29. 40 C.F.R. § 68.12(d)(3) requires the owner or operator of a stationary source with a process subject to Program 3 to implement the prevention requirements of §§ 68.65 through 68.87.

30. 40 C.F.R. § 68.73(e) states that the owner or operator shall correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in

§ 68.65) before further use or in a safe and timely manner when necessary means are taken to assure safe operation.

31. 40 C.F.R. § 68.73(b) requires the owner or operator to establish and implement written procedures to maintain the ongoing integrity of process equipment.

32. The EPA inspection revealed that the Facility did not establish and implement a written mechanical integrity plan that met all requirements of 40 C.F.R. Part 68, as evidenced by:

- (a) Numerous examples of process units/equipment with past due inspection dates, including but not limited to:
- i. V-4504-2, a propane product storage vessel which contained 12,790 gallons (63,950 pounds) on the day of the inspection and was last inspected on January 1, 2014. Inspection was due January 1, 2024.
 - ii. V-4504-3, a propane product storage vessel which contained 12,790 gallons (63,950 pounds) on the day of the inspection and was last inspected on January 1, 2014. Inspection was due January 1, 2024.
 - iii. V-4505, a propane product storage vessel which contained 4,370 gallons (21,850 pounds) on the day of the inspection and was last inspected on January 1, 2014. Inspection was due January 1, 2024.
 - iv. V-3104, a LP residue standpipe pressure vessel, with a maximum intended inventory of 12,155 pounds and was last inspected on April 13, 2010. Inspection was overdue on April 30, 2012.
 - v. V-3005, an expander discharge separator process vessel, with a maximum intended inventory of 13,086 pounds and was last inspected on April 13, 2010. Inspection was overdue on April 12, 2020.
 - vi. H-5802, a medium temp chiller pressure vessel in natural gas liquid service, with a maximum intended inventory of 10,091 pounds and was last inspected on May 12, 2008. Inspection was overdue on May 12, 2018.
 - vii. H-5803, a low temp chiller pressure vessel in natural gas liquid service, with a maximum intended inventory of 15,192 pounds and was last inspected on May 13, 2008. Inspection was overdue on May 13, 2018.

- (b) Numerous examples of process units/equipment with past due retirement dates, including but not limited to:
 - i. V-4504-1, a propane product storage vessel which contained 12,790 gallons (63,950 pounds) of propane on the day of inspection and a retirement date of October 15, 2018.
 - ii. V-3104, a LP residue standpipe pressure vessel with a maximum intended inventory of 12,155 pounds and a retirement date of May 20, 2014.
- (c) Excessive ice accumulation observed in several process locations, including but not limited to:
 - i. around several valve stems and a valve actuator in areas prior to and in the cryogenic process.
 - ii. corroded insulation and bulging and separating insulation with potential for pipe corrosion under the insulation.
 - iii. deteriorated foam insulation around piping due to repeated icing and thawing.
- (d) Orphaned equipment in need of repair or replacement that appeared to be locked out and tagged out and taped off for an extended period of time.
- (e) A pump leaking lubricant onto the equipment base and onto the gravel.

33. During the inspection, Respondent acknowledged that the incorrect industry methodology was being used for its Jayhawk Plant Mechanical Integrity Program and that information was not being entered correctly to determine correct inspection intervals.

34. Respondent's failure to comply with the requirements for mechanical integrity in 40 C.F.R. Part 68, as described above, violates Section 112(r) of the CAA, 42 U.S.C. § 7412(r).

Order for Compliance

35. Based upon the Findings of Fact and Law, and Findings of Violation set forth above, and pursuant to the authority of Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), it is hereby ordered and agreed that Respondent shall comply with the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and the regulations promulgated thereunder and codified at 40 C.F.R. Part 68. Specifically, EPA and Respondent agree that Respondent shall, as expeditiously as possible, but in no event later than the following:

- (a) Within 45 days after the Effective Date of this Order:

- i. Produce or update a comprehensive inventory list of all equipment in each covered process that identifies, by priority, the inspection, testing or retirement deadlines.
- (b) Within 60 days after the Effective Date of this Order:
- i. The Respondent will produce a written plan for returning the Facility to compliance within nine (9) months after the Effective Date of this Order. The written plan must include the comprehensive inventory list of all equipment in each covered process and identify, by priority, the inspection, testing or retirement deadlines for all equipment, required by Paragraph 35(a)(i) above. The written plan must also indicate a timeline which incorporates plans for facility shutdown(s), if any. Respondent shall provide electronically a copy of the written plan to return to compliance to EPA no later than 60 days after the Effective Date of this Order.
- (c) Within 180 days after the Effective Date of this Order:
- i. Complete the inspection of or retire the process equipment in most urgent need of inspection and/or retirement.
 - ii. The Respondent will determine the appropriate course of action to be taken for all equipment in covered processes that are behind on inspection, testing or retirement. A report of the test and inspection results and determination for the remaining equipment shall be provided to EPA no later than 90 days after the testing and inspection was performed.
- (d) Within nine (9) months after the Effective Date of this Order:
- i. Complete the inspection of or retire the remaining process equipment in need of inspection or retirement.
 - ii. Develop and implement a formal (written) mechanical integrity program (to satisfy the requirements detailed in 40 C.F.R. § 68.73), including an implementation timeline with inspection and maintenance activities for all applicable equipment as required by §68.73(a). Per 40 C.F.R. § 68.73(e), if deficiencies in equipment outside acceptable limits are identified, before further use or in a safe and timely manner when necessary, means will be taken to assure safe operation. The implementation timeline will set forth a schedule of activities, specifying complete dates within nine (9) months after the Effective Date of this Order.

Submissions

36. Every 30 days, from the Effective date of this Order and until completion of all compliance actions set forth in Paragraph 35 of this Order, Respondent shall provide electronically a monthly progress report to EPA detailing the actions Respondent has taken in furtherance of its obligations under this Order. The first progress report shall be due no later than 30 days after the Effective Date of this Order. Each subsequent progress report shall be due every 30 days thereafter. Respondent shall notify EPA when it believes all compliance actions set forth in Paragraph 35 of this Order have been met and request that the reporting requirements end. If EPA agrees, the Respondent will no longer be required to submit monthly progress reports.

37. With the monthly progress reports, Respondent must provide documentation of completion of the compliance actions set forth in Paragraph 35, including copies of any document(s) generated pursuant to Paragraph 35, via electronic mail or a secure dropbox or website; provided, however, the reports required pursuant to Paragraph 35 shall be delivered pursuant to the applicable timelines set forth in Paragraph 35.

38. All submissions to EPA required by this Order shall contain the following certification signed by an authorized representative of Respondent:

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

39. All submissions to EPA required by this Order shall be sent to:

Lynelle Ladd
Ladd.lynelle@epa.gov
Air Branch, Chemical Accident Prevention Section
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219.

40. All documents submitted by Respondent to EPA in the course of implementing this Order shall be available to the public unless identified as confidential by Respondent pursuant to 40 C.F.R. Part 2, Subpart B, and determined by EPA to merit treatment as confidential business information in accordance with applicable law.

Stipulated Penalties

41. Respondent shall be liable for stipulated penalties to the United States in the amounts set forth below for failure to comply with the requirements of Paragraphs 35-36 of this Consent Agreement. The following stipulated penalties shall accrue per violation per day:

- (a) For failure to complete the inspection of or retire equipment as required by Paragraph 35:

<u>Penalty Per Violation Per Day</u>	<u>Period of Noncompliance</u>
\$1,500	1st through 15th day
\$3,000	15th day and beyond

- (b) For failure to submit the inspection reports to EPA as required by Paragraphs 35 and 36:

<u>Penalty Per Violation Per Day</u>	<u>Period of Noncompliance</u>
\$250	1st through 15th day
\$500	15th day and beyond

42. All penalties shall begin to accrue on the day after the complete performance is due or the day a violation of a Consent Agreement deadline or other Consent Agreement requirement occurs and shall continue to accrue through the final day of the correction of the noncompliance or completion of the activity. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations of this Consent Agreement.

43. The payment of stipulated penalties under this Consent Agreement shall not alter in any way the Respondent's obligations to comply with the provisions of this Consent Agreement.

44. Respondent shall pay stipulated penalties not more than thirty (30) days after receipt of written demand by EPA for such penalties. Method of payment shall be in accordance with the provisions set forth in Paragraph 46 of this Consent Agreement.

45. The stipulated penalties provided for in this Consent Agreement shall be in addition to any other rights, remedies, or sanctions available to the EPA for Respondent's violation of this Consent Agreement or applicable law. Where a violation of this Consent Agreement is also a violation of statutory or regulatory requirements, Respondent shall be allowed a credit, for any stipulated penalties paid, against any statutory penalties imposed for such violation.

46. Payment of any stipulated penalties shall identify Respondent by name and docket number CAA 07-2024-0082 and shall be by certified or cashier's check made payable to the "United States Treasury" and sent to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979078
St. Louis, Missouri 63197-9000

or by alternate payment method described at
<http://www.epa.gov/financial/makepayment>.

- (a) A copy of the check or other information confirming payment shall simultaneously be emailed to the following:

Regional Hearing Clerk
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
Email: R7_hearing_clerk_filings@epa.gov, and to

Lynelle Ladd
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 7
11201 Renner Blvd.
Lenexa, Kansas 66219
Email: Ladd.Lynelle@epa.gov

47. If Respondent fails to timely pay any portion of the EPA penalty assessed under this Consent Agreement, the EPA may:

- (a) Request the Attorney General to bring a civil action in an appropriate district court to recover: the amount assessed; interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); the United States' enforcement expenses; and a 10 percent quarterly nonpayment penalty, 42 U.S.C. § 7413(d)(5);
- (b) Refer the debt to a credit reporting agency or a collection agency, 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33;
- (c) Collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H; and
- (d) Suspend or revoke Respondent's licenses or other privileges, or (ii) suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, 40 C.F.R. § 13.17.

General Provisions

Potential Liability

48. Failure to comply with any of the provisions of this Order may result in an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413. Under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), the Administrator may:

- (a) issue an administrative penalty order assessing a civil penalty not to exceed \$48,192 per day of violation, pursuant to Section 113(d)(1)(B) of the CAA, 42 U.S.C. § 7413(d)(1)(B);
- (b) bring a civil action for permanent or temporary injunction, or to assess and recover a civil penalty not to exceed \$121,275 per day of violation, or both, pursuant to Section 113(b)(2) of the CAA, 42 U.S.C. § 7413(b)(2); or
- (c) request the Attorney General to commence a criminal action pursuant to Section 113(c) of the CAA, 42 U.S.C. § 7413(c).

49. In accordance with Section 113(a)(4) of the CAA, 42 U.S.C. § 7413(a)(4), issuance of this Order does not preclude EPA from assessing penalties or taking any other action authorized under the CAA for this or any other violation found. This Order does not affect the obligation of Respondent to comply with all federal, state, and local statutes, regulations, and permits.

Taxpayer Identification Number

50. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service (“IRS”) annually, a completed IRS Form 1098-F (“Fines, Penalties, and Other Amounts”) with respect to any court order or settlement agreement (including administrative settlements) that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor’s violation of any law or the investigation or inquiry into the payor’s potential violation of any law, including amounts paid for “restitution or remediation of property” or to come “into compliance with a law.” EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number (“TIN”), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. To provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

- (a) Respondent shall complete an IRS Form W-9 (“Request for Taxpayer Identification Number and Certification”), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;

- (b) Respondent shall certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;
- (c) Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Center at weidner.lori@epa.gov within 30 days after the Effective Date of this Order, and EPA recommends encrypting IRS Form W-9 email correspondence; and
- (d) In the event that Respondent has certified in its completed IRS Form W-9 that it has applied for a TIN and that TIN has not been issued to Respondent within 30 days after the Effective Date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall notify EPA of this fact within 30 days after the Effective Date of this Order, and email EPA with Respondent's TIN within 5 days of Respondent's issuance and receipt of the TIN.

Amendment of Order

51. The terms of this Order may be modified only by subsequent written agreement signed by all the Parties, in accordance with the authority of the CAA. Any amendment will be transmitted to Respondent. In the event of any such subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as specified by the original Order.

52. If any provision or authority of the Order or the application of the Order to Respondent is held by federal judicial authority to be invalid, the application to Respondent of the remainder of the Order shall remain in full force and effect and shall not be affected by such a holding.

Access and Requests for Information

53. Nothing in this Order shall limit EPA's right to obtain access to, and/or inspect Respondent's facility, and/or to request additional information from Respondent pursuant to the authority of Section 114 of the CAA, 42 U.S.C. § 7414.

Effective Date

54. This Order shall become effective on the date that it is signed by the authorized EPA representative.

55. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

Termination

56. This Order shall terminate one year after the Effective Date of this Order, or at the time that EPA determines that Respondent has achieved compliance with all the terms of this Order, whichever is earlier.

Notice to the State

57. Pursuant to Section 113(a)(4), 42 U.S.C. § 7413(a)(4), the State of Kansas has been provided notice of this action.

For the U.S. ENVIRONMENTAL PROTECTION AGENCY:

David Cozad
Director
Enforcement and Compliance Assurance Division

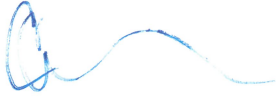
Date

Kate Vetterick
Office of Regional Counsel

Date

For RESPONDENT:

Scout Energy Group V, LP dba Scout Energy Partners – Jayhawk Gas Plant



Signature

Aug. 6, 2024

Date

SCOTT GLADEN

Printed Name

Attorney-in-Fact

Title

CERTIFICATE OF SERVICE

(to be completed by EPA)

I certify that that a true and correct copy of the foregoing Order was sent this day in the following manner to the addressees:

Copy via E-mail to Complainant:

Kate Vetterick, vetterick.kate@epa.gov,

Lynelle Ladd, ladd.lynelle@epa.gov,

Dave Hensley, hensley.david@epa.gov,

Milady Peters, peters.milady@epa.gov.

Copy via E-mail to Respondent:

Matthew Harrold
Plant Manager
Scout Energy Partners - Jayhawk Gas Plant
13201 E. Hwy. 160
Satanta, Kansas 67870
Matthew.Harrold@scoutep.com

Cody Graber
HSE Manager
Scout Energy Partners – Jayhawk Gas Plant
13201 E. Hwy. 160
Satanta, Kansas 67870
Cody.Grabber@scoutep.com

Ashley T.K. Phillips
Partner
Holland & Knight LLP
98 San Jacinto Boulevard, Suite 1900
Austin, Texas 78701
Ashley.Phillips@hkllaw.com

Dated this _____ day of _____, _____

Signed