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

JUN 30 2016

REPLY TO THE ATTENTION OF

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank D. Tsuru, Manager
Utica East Ohio Midstream LLC
11543 State Route 644
Kensington, Ohio 44427

Dear Mr. Tsuru

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves Utica East Ohio Midstream LLC, docket no. **CAA-05-2016-0031**. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on June 30, 2016.
Pursuant to paragraph 55 of the CAFO, Utica East Ohio Midstream LLC must pay the civil penalty within 30 days of the filing date. Your check or electronic funds transfer must display the case name and case docket number.

Please direct any questions regarding this case to Luis Oviedo, Associate Regional Counsel, at (312) 353-9538.

Sincerely,

Sarah G. Marshall
Chief
Air Enforcement and Compliance Assurance Branch (MI/WI)

Enclosure

cc: Ann Coyle, Regional Judicial Officer/C-14J
Regional Hearing Clerk/E-19J
Luis Oviedo/C-14J

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REGIONAL HEARING CLERK
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U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:	)	**Docket No. CAA-05-2016-0031**
	)	
Utica East Ohio Midstream LLC	)	**Proceeding to Assess a Civil Penalty**
Kensington, Ohio,	)	**Under Section 113(d) of the Clean Air Act,**
	)	**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 CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b), and 22.18(b)(2) and (3) 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.
2. Complainant is the Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5.
3. Respondent is Utica East Ohio Midstream LLC ("Respondent" or "UEO"), a limited liability company doing business in Ohio. Respondent operates a gas processing plant in Kensington, 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).
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 the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

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

9. Under Sections 111 and 114 of the CAA, EPA promulgated the general provisions of the New Source Performance Standards (NSPS), which are codified at 40 C.F.R. Part 60, Subpart A, 60.1- 60.19.
10. EPA promulgated the Standards for Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution at 40 C.F.R. Part 60, Subpart OOOO ("Subpart OOOO") on September 23, 2013. 78 Fed. Reg. 58435 (September 23, 2013).
11. 40 C.F.R. § 60.5365 states that Subpart OOOO applies to an owner or operator of one or more of the affected onshore facilities listed in paragraphs (a) through (g) of that section, for which it commences construction, modification, or reconstruction after August 23, 2011. 40 C.F.R. § 60.5365(d)(3) includes natural gas processing plants, each pneumatic controller affected facility and (e) includes each storage vessel affected facility.
12. The Subpart OOOO for Crude Oil and Natural Gas Production, Transmission, and Distribution applies to Respondent.

13. 40 C.F.R. § 60.5430 defines a "natural gas processing plant (gas plant)" as "any processing site engaged in the extraction of natural gas liquids from field gas, fractionation of mixed natural gas liquids to natural gas products, or both."

14. 40 C.F.R. § 60.5430 defines a "pneumatic controller" as "an automated instrument used for maintaining a process condition such as liquid level, pressure, delta-pressure, and temperature."

15. 40 C.F.R. § 60.5430 defines a "storage vessel" as "a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support."

16. 40 C.F.R. § 60.5430 defines a Group 2 storage vessel as "a storage vessel, as defined in this section, for which construction, modification, or reconstruction has commenced after April 12, 2013."

17. 40 C.F.R. § 60.5365 defines a "storage vessel affected facility" as "a single storage vessel located in the oil and natural gas production segment, natural gas processing segment or natural gas transmission and storage segment, and has the potential for volatile organic compounds (VOC) emissions equal to or greater than 6 tpy as determined according to this section by October 15, 2013 for Group 1 storage vessels and by April 15, 2014, or 30 days after startup (whichever is later) for Group 2 storage vessels."

18. 40 C.F.R. § 60.5395(c) states "[i]f you are the owner or operator of a Group 2 storage vessel affected facility, you must comply with paragraphs (d) through (g) of this section."

19. 40 C.F.R. § 60.5395(d) states in relevant part, "[y]ou must comply with the control requirements of paragraph (d)(1) of this section unless you meet the conditions specified in paragraph (d)(2) of this section."

20. 40 C.F.R. § 60.5395 (d)(1) states "[r]educe VOC emissions by 95.0 percent according to the schedule specified in (d)(1)(i) and (ii) of this section....

    (i) For each Group 2 storage vessel affected facility, you must achieve the required emissions reductions by April 15, 2014, or within 60 days after startup, whichever is later..."

21. 40 C.F.R. § 60.5395(e)(1) states "if you use a control device to reduce emissions from your storage vessel affected facility, you must equip the storage vessel with a cover that meets the requirements of § 60.5411(b) and is connected through a closed vent system that meets the requirements of § 60.5411(c), and you must route emissions to a control device that meets the conditions specified in § 60.5412(c) and (d). As an alternative to routing the closed vent system to a control device, you may route the closed vent system to a process."

22. 40 C.F.R. § 60.5411(b)(3) states that "[e]ach storage vessel thief hatch shall be equipped, maintained and operated with a weighted mechanism or equivalent, to ensure that the lid remains properly seated."

23. 40 C.F.R. § 60.5411(c)(1) states "[y]ou must design the closed vent system to route all gases, vapors, and fumes emitted from the material in the storage vessel to a control device that meets the requirements specified in § 60.5412(c) and (d), or to a process."

24. 40 C.F.R. § 60.5400(a) states an onshore natural gas processing plant must comply with the equipment leak standard requirements of specific portions of Subpart VVa—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals

Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Subpart VVa) at 40 C.F.R. §§ 60.482-1a(a), (b), and (d), 60.482-2a, and 60.482-4a through 60.482-11a, except as provided in 40 C.F.R. § 60.5401.

25. 40 C.F.R. § 60.5400(b) states that as an alternative to 40 C.F.R. § 60.5400(a), a natural gas processing plant may elect to comply with the requirements of 40 C.F.R. §§ 60.483-1a and 60.483-2a.

26. 40 C.F.R. § 60.5400(d) states that a facility "must comply with the provisions of § 60.485a of this part except as provided in paragraph (f) of this section."

27. 40 C.F.R. § 60.5400(e) states that a facility "must comply with the provisions of §§ 60.486a and 60.487a of this part except as provided in §§ 60.5401, 60.5421, and 60.5422 of this part."

28. 40 C.F.R. § 60.5400(f) states a facility "must use the following provision instead of § 60.485a(d)(1): Each piece of equipment is presumed to be in VOC service or in wet gas service unless an owner or operator demonstrates that the piece of equipment is not in VOC service or in wet gas service."

29. 40 C.F.R. § 60.482-1a(a) states "[e]ach owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of §§ 60.482-1a through 60.482-10a or §60.480a(e) for all equipment within 180 days of initial startup."

30. 40 C.F.R. § 60.482-1a(b) states "[c]ompliance with §§ 60.482-1a to 60.482-10a will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in § 60.485a."

31. 40 C.F.R. § 60.482-2a (a)(1) states "[e]ach pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in § 60.485a(b), except as provided in § 60.482-1a(c) and (f) and paragraphs (d), (e), and (f) of this section. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period."

32. 40 C.F.R. § 60.482-11a(a) states "[t]he owner or operator shall initially monitor all connectors in the process unit for leaks by the later of either 12 months after the compliance date or 12 months after initial startup."

33. 40 C.F.R. § 60.482-11a(d) states that "when a leak is detected pursuant to paragraphs (a) and (b) of this section, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in § 60.482-9a. A first attempt at repair as defined in this subpart shall be made no later than 5 calendar days after the leak is detected" from a connector.

34. 40 C.F.R. § 60.482-7a(d)(2) states that "a first attempt at repair shall be made no later than 5 calendar days after each leak is detected" from a valve.

35. 40 C.F.R. § 60.482-3a(g)(2) states that "a first attempt at repair shall be made no later than 5 calendar days after each leak is detected" from a compressor.

36. 40 C.F.R. § 60.482-6a(a)(1) states that "each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in § 60.482-1a(c) and paragraphs (d) and (e) of this section."

37. 40 C.F.R. § 60.482-6a(a)(2) states that "the cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line."

38. 40 C.F.R. § 60.482-7a(a)(1) states that "each valve shall be monitored monthly to detect leaks by the methods specified in §60.485a(b) and shall comply with paragraphs (b) through (e) of this section."

39. 40 C.F.R. § 60.482-7a(a)(2) states that "a valve that begins operation in gas/vapor service or light liquid service after the initial startup date for the process unit must be monitored according to paragraphs (a)(2)(i) or (ii)."

40. 40 C.F.R. § 60.482-7a(a)(2)(i) states that a facility must "monitor the valve as in paragraph (a)(1) of this section. The valve must be monitored for the first time within 30 days after the end of its startup period to ensure proper installation."

41. The NSPS Appendix A, at 40 C.F.R. Part 60, Method 21 §§ 8.3.1 and 8.3.1.1, sets forth the technique which must be used to determine if there is a leak from a valve.

42. 40 C.F.R. § 60.485a (b) states "[t]he owner or operator shall determine compliance with the standards in §§ 60.482-1a through 60.482-11a, 60.483a, and 60.484a as follows: (1) Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7 of this part."

43. The Administrator of EPA (the Administrator) may assess a civil penalty of up to $37,500 per day of violation up to a total of $320,000 for CAA violations that occurred after December 6, 2013 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

44. 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 the Attorney General of the United States jointly

determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

45. 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 and Alleged Violations

46. UEO owns and operates the Kensington Gas Processing Plant (KGP), an onshore natural gas processing plant, at 11543 State Route 644, Kensington, Ohio, which removes natural gas liquids from field gas via gravity separation and cryogenic processing.

47. UEO KGP is subject to the requirements in Subpart OOOO, and those provisions of Subpart VVa that are referenced in Subpart OOOO.

48. UEO KGP started up three parallel gas processing plants as follows: Train 1 in July 2013, gas processing Train 2 in December 2013, and gas processing Train 3 in May 2014.

49. UEO KGP's P003 and T004 tanks are "Group 2 storage vessels" and "storage vessel affected facilities" as defined at 40 C.F.R. § 60.5430 and 40 C.F.R. § 60.5365, and were installed after April 12, 2013 as part of Trains 1, 2, or 3.

50. On October 28, 2014, EPA conducted a CAA inspection of the UEO KGP and performed hydrocarbon imaging using a FLIR® GF-320 camera on storage vessels. From that inspection, EPA alleges that the P003 Closed Drain Tank and the T004 Condensate Product Storage Tank were visually leaking hydrocarbon emissions using a FLIR® GF-320 camera, including leaks from thief hatches.

51. On November 3 and 4, 2014, EPA conducted a CAA inspection (November 2014 Inspection) of the UEO KGP and performed monitoring for leaks on valves, pumps, and

closure devices of open-ended lines in Train 1 and Train 2 using Method 21. These allegations arise from that inspection:

a. UEO KGP's initial Method 21 monitoring event for valves and pumps in Train 1 took place in January 2014.

b. From the November 2014 Inspection, EPA alleges that three (3) open-ended valves or lines in Train 2 that were capped, plugged, blind flanged, or had a second valve.

c. From the November 2014 Inspection, EPA alleges that one (1) capped open-ended valve or line in Train 1 associated with tag number 5395 having a screening value of 1,100 parts per million (ppm).

d. From the November 2014 Inspection, EPA alleges that that UEO KGP is unable to monitor valves that are insulated such that the probe inlet does not reach the surface of the component interface where leakage could occur.

e. In reviewing UEO KGP's leak history, EPA alleges that the following leaks that did not have a first attempt at repair within 5 days:

Tag #	Leak Date	Component Type
2179	5/19/2014	Valve
7312	6/14/2014	Valve
402.1	1/24/2014	Connector
404.1	1/24/2014	Connector
2670	1/24/2014	Compressor
3327	1/24/2014	Connector

52. On April 9, 2015, EPA issued to UEO a finding of violation alleging that it violated the NSPS for Crude Oil and Natural Gas Production, Transmission and Distribution by failing to do the following: include all equipment into their Leak Detection and Repair (LDAR) program; cap, plug, blind flange, or second-valve each open-ended valve or line; seal each cap from all open-ended after valves or lines; perform EPA Method 21 on all valves; monitor new pumps and valves timely after its startup date; make first attempt at repairs on valves, connectors, and pumps within 5 days; and capture and control all tanks emissions as required in Subpart OOOO. In the FOV, EPA alleges:

    a. UEO failed to perform Method 21 properly on 25 insulated valves, in violation of 40 C.F.R. § 60.482-7a(a)(1) (and by reference 60.485(b)) and 40 C.F.R. Part 60 Method 21 §§ 8.3.1 and 8.3.1.1.

    b. UEO failed to identify and monitor 18 valves subject to the standards set forth at 40 C.F.R. §§ 60.482-1a to 60.482-10a, in violation of 40 C.F.R. §§ 60.632(e), 60.635(a) (and by reference § 60.486(e)(1)).

    c. UEO failed to perform initial monthly monitoring of all valves within 30 days in Trains 1, 2, and 3 after the initial startup period in violation of 40 C.F.R. §§ 482-7a(a)(2) and 482-7a(a)(1).

    d. UEO failed to cap, blind flange, plug, or second valve each open-ended valve or line in paragraph 51b., in violation of 40 C.F.R. § 60.482-6a(a)(1).

    e. UEO failed to seal each open-ended valve or line in violation of 40 C.F.R. § 60.482-6a(a)(2).

f. UEO failed to make timely first attempts at repairs within 5 days on two valves in violation of 40 C.F.R. § 60.482-7a(d)(2).

g. UEO failed to make timely first attempts at repairs within 5 days on three connectors in violation of 40 C.F.R. § 60.482-11a(d).

h. UEO failed to make timely first attempt at repairs within 5 days on one compressor in violation of 40 C.F.R. § 60.482-3a(g)(2).

i. UEO failed to reduce VOC emissions by 95 percent at its P003 and T004 tanks within 60 days of startup in violation of 40 C.F.R. § 60.5395(d)(1). UEO failed to equip, maintain, and operate each storage vessel thief (pressure relief) hatch on tank P003 with a properly weighted mechanism or equivalent, and maintain a hatch gasket on T004 to ensure that the lid remains properly seated, in violation of 40 C.F.R. § 60.5411(b)(3).

j. UEO failed to install its closed vent system connected to tank P003 and T004 to route all gases, vapors, and fumes emitted from the material in the storage vessel to a control device, in violation of 40 C.F.R. § 60.5411(c)(1).

53. On May 21, 2015, representatives of UEO and EPA discussed the April 9, 2015 finding of violation.

Civil Penalty

54. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case and cooperation, prompt return to compliance, Complainant has determined that an appropriate civil penalty to settle this action is $175,000.

55. Within 30 days after the effective date of this CAFO, Respondent must pay a $175,000 civil penalty by [Choose method of payment, address and instructions reflecting payment method

agreed upon during settlement negotiations.] [For checks sent by regular U.S. Postal Service mail] sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

[For checks sent by express mail (non-U.S. Postal Service which won't deliver mail to P.O. Boxes)]sending a casher's or certified check, payable to "Treasurer, United States of America," to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines and Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, Missouri 63101

[The check must note Respondent's name and the docket number of this CAFO.]

[For electronic funds transfer]electronic funds transfer, payable to "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, New York 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, state Respondent's name and the docket number of this CAFO.]

[For Automated Clearinghouse (ACH) also known as REX or remittance express]ACH electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

US Treasury REX/Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22-checking

[In the comment area of the electronic funds transfer, state Respondent's name and the docket number of this CAFO.]

[For on-line payment]an on-line payment. To pay on-line, go to www.pay.gov. Use the Search Public Forms option on the tool bar and enter SFO 1.1 in the search field. Open the form and complete the required fields.

56. Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA at the following addresses when it pays the penalty:

Attn: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Luis Oviedo (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

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

58. If Respondent does not pay timely the civil penalty, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the

collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

59. Respondent 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 by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorney's fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. 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. 42 U.S.C. § 7413(d)(5).

General Provisions

60. Consistent with the Standing Order Authorizing E-Mail Service of Orders and Other Documents Issued by the Regional Administrator or Regional Judicial Officer under the Consolidated Rules, dated March 27, 2015, the parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: oviedo.luis@epa.gov (for Complainant), and AJGiuliani@vorys.com (Counsel for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

61. UEO is entering into this CAFO to settle EPA's allegations. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO. By entering into this CAFO, the CAFO itself, taking any action in accordance with this CAFO and/or any work performed at KGP does not constitute an admission of any liability, wrongdoing, or misconduct on the part of UEO, its agents, members, managers, officers,

directors, employees, servants, successors, assigns or related corporate entities. UEO neither admits nor denies the factual allegations and findings in this CAFO or the FOV, but UEO agrees to the terms of this CAFO and waives any right to contest or appeal the issuance of this CAFO.

62. Subject to Paragraph 61, the CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

63. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 61, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

64. Respondent certifies to the best of its knowledge that it is complying fully with Subpart OOOO.

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

66. The terms of this CAFO bind Respondent, its successors and assigns.

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

68. Each party agrees to bear its own costs and attorney fees in this action.

69. This CAFO constitute the entire agreement between the parties.

Utica East Ohio Midstream LLC, Respondent

6/21/2016
Date

Frank D. Tsuru, Manager
Utica East Ohio Midstream LLC

United States Environmental Protection Agency, Complainant

6/28/16
Date

Edward Nam, PhD
Acting Director
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5

Consent Agreement and Final Order
In the Matter of: Utica East Ohio Midstream LLC
Docket No. CAA-05-2016-0031

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

Jan 30, 2016
Date

Robert Kaplan
Acting Regional Administrator
U.S. Environmental Protection Agency
Region 5

Consent Agreement and Final Order
In the matter of: Utica East Ohio Midstream LLC
Docket Number: **CAA-05-2016-0031**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number [**CAA-05-2016-0031**], which was filed on 6/30/2016 , in the following manner to the following addresses:

Copy by Certified Mail to Respondent:	Frank D. Tsuru, Manager Utica East Ohio Midstream LLC 11543 State Route 644 Kensington, Ohio 44427
Copy by E-mail to Attorney for Complainant:	Luis Oviedo oviedo.luis@epa.gov
Copy by E-mail to Attorney for Respondent:	Anthony J. Giuliani AJGiuliani@vorys.com
Copy by E-mail to Regional Judicial Officer:	Ann Coyle coyle.ann@epa.gov

Dated: June 30, 2016

LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5

CERTIFIED MAIL RECEIPT NUMBER(S): 7011 1150 0000 2640 7209