UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail No.: 7013 1090 0000 1618 8849
Return Receipt Requested

Alicia Moy
President and CEO
The Gas Company, LLC (dba Hawai'i Gas)
PO Box 3000
Honolulu, Hawaii 96802-3000

JUN 1 1 2014

Re: The Gas Company, LLC
Consent Agreement and Final Order
Docket Nos: CAA(112r)-09-2014-0002
CERCLA (103)-09-2014-0002

Dear Ms. Moy:

This letter transmits a copy of the fully executed Consent Agreement and Final Order that resolves the violations of Section 112(r) of the Clean Air Act (CAA), 42 U.S.C. § 7412(r), Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and their implementing regulations, at the synthetic natural gas plant owned and operated by The Gas Company, LLC (dba Hawai'i Gas), located at 91-390, Kauhi Street, Kapolei, Hawaii.

Thank you for your prompt attention to this matter. If you have any questions or need additional information about the requirements of Section 112(r) of the CAA, Section 103 of CERCLA, or their implementing regulations, please feel free to contact Jeremy Johnstone of my staff at (415) 972-3499.

Sincerely,

Enrique Mananilla
Director, Superfund Division

Enclosure: Consent Agreement and Final Order

Cc: (by email) Ian Sanderson, Esq.

FILED

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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

IN THE MATTER OF:	)	**Docket Nos.**
	)	CAA(112r)-09-2014-0002
	)	CERCLA(103)-09-2014-0002
The Gas Company, LLC (dba HAWAII Gas),	)	
Respondent.	)	**CONSENT AGREEMENT AND FINAL ORDER PURSUANT TO 40 CFR §§ 22.13 and 22.18**

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 113(a)(3)(A) and (d) of the Clean Air Act ("CAA"), as amended, 42 U.S.C. § 7413(a)(3)(A) and (d) and Section 109 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, 42 U.S.C. § 9609, under the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits ("Consolidated Rules"), 40 CFR Part 22, as revised by 64 Fed. Reg. 141 (July 23, 1999). Complainant is the United States Environmental Protection Agency, Region IX ("EPA"). Respondent, The Gas Company, LLC (doing business as HAWAI'I GAS), is a limited liability company incorporated in Hawaii ("Respondent").

2. Respondent owns and operates a synthetic natural gas plant located at 91-390, Kauhi Street, Kapolei, Hawaii ("Facility").

3. This Consent Agreement and Final Order Pursuant to 40 CFR §§ 22.13 and 22.18, ("CA/FO"), simultaneously commences and concludes this proceeding, wherein EPA alleges that Respondent, at the Facility, violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and the regulations adopted pursuant thereto, and Section 103 of CERCLA, 42 U.S.C. § 9603.

B. GENERAL ALLEGATIONS

4. Respondent is a "person" as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e) and by Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

5. The real property and improvements thereto located at the Facility are a "stationary source" as defined by Sections 111(a)(3) and 112(a)(3) of the CAA, 42 U.S.C. §§ 7411(a)(3) and 7412(a)(3).

6. The real property and improvements thereto located at the Facility are a "facility" as defined by Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

7. Pursuant to Section 112(r) of the CAA, EPA established a "threshold quantity" ("TQ") for each "regulated substance," above which a facility shall be subject to the requirements of Section 112(r) of CAA. For substances designated as "regulated toxic substances" or "regulated flammable substances," the TQs are specified at 40 CFR § 68.130.

8. Synthetic Natural Gas includes the following components which are "regulated flammable substances" listed under CAA § 112(r)(3), each with a TQ of 10,000 pounds: propane, butane, isobutane and isopentane. 40 CFR § 68.130, Table 3.

9. At all times relevant to this CA/FO, the Facility produced, used or stored more than 10,000 pounds of a regulated flammable substance.

10. The Administrator of the EPA, as required under Section 102(a) of CERCLA, 42 U.S.C. § 9602(a), has published a list of substances designated as "Hazardous Substances," which, when released into the environment, may present substantial danger to public health or welfare or the environment, and has promulgated regulations establishing the reportable quantity ("RQ") of

certain Hazardous Substances, the releases of which are required to be reported under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a). This list, including the corresponding RQs for each Hazardous Substance, is codified at 40 CFR Part 302, Table 302.4.

11. Sodium Hydroxide is a "Hazardous Substance" as defined under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), with an RQ of one thousand (1000) pounds, as designated in 40 CFR Part 302, Table 302.4.

12. At all times relevant to this CA/FO, Respondent has been the owner, operator, and person in charge of the Facility.

13. Under Section 112(r)(7) of the CAA and 40 CFR § 68.10(d), the owner or operator of a covered stationary source with a process in an NAICS code listed in 40 CFR § 68.10(d)(1) or subject to the Occupational Health and Safety Act ("OSHA") process safety management standard set forth in 29 CFR§ 1910.119 is subject to the "Program 3" requirements set forth in 40 CFR § 68.12(d).

14. The Facility is subject to Program 3 requirements because it is subject to the OSHA process safety management standard set forth in 29 CFR § 1910.119.

15. Since the Facility is subject to Program 3 requirements, Respondent is required to implement the prevention requirements set forth in 40 CFR §§ 68.65 through 68.87.

16. Based on EPA's investigation and on information supplied by Respondent, EPA alleges that Respondent has violated Section 112(r)(7) of CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR Part 68. Respondent neither admits nor denies this allegation.

17. Any person in charge of a facility is required under CERCLA Section 103(a), 42 U.S.C. § 9603(a), to immediately notify the National Response Center ("NRC") as soon as the person in charge has knowledge of a release of a Hazardous Substance from such facility in an amount equal to or greater than the RQ.

18. Based on information supplied by Respondent, EPA alleges that Respondent has violated Section 103 of CERCLA, 42 U.S.C. § 9603, and its implementing regulations. Respondent

neither admits nor denies this allegation.

19. Respondent is subject to the powers vested in the EPA Administrator by Section 113 of the CAA, 42 U.S.C. § 7413, and Section 109 of CERCLA, 42 U.S.C. § 9609.

20. Section 113 of the CAA, 42 U.S.C. § 7413, authorizes the assessment of a civil penalty for any violation of Section 112(r) of CAA, 42 U.S.C. § 7412(r). The Administrator of EPA has delegated to the Regional Administrators the authority to sign consent agreements memorializing settlements of enforcement actions under the CAA. Delegation 7-6-A, dated August 4, 1994. The Regional Administrator, EPA Region IX, in turn, has re-delegated this authority with respect to enforcement of Section 112(r)(1) and (7) of the CAA to the Director of the Superfund Division, as well as the Director of the Enforcement Division. Regional Order 1265.05A, dated February 11, 2013.

21. Section 109 of CERCLA, 42 U.S.C. § 9609, authorizes the President to assess civil penalties for any violations of Section 103 of CERCLA, 42 U.S.C. § 9603.
The Administrator of EPA has delegated this authority to the Regional Administrators by EPA delegation 14-31. The Regional Administrator, EPA Region IX, has delegated this authority to the Director of the Superfund Division with delegation R9 1290.16.

22. In a letter dated October 18, 2013, the Department of Justice granted EPA authority to bring the CAA enforcement claims commenced in this action pursuant to Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1).

C. ALLEGED VIOLATIONS

COUNT I

(Violation of 40 CFR § 68.69(c))

23. Paragraphs 1 through 22 above are incorporated herein by this reference as if they were set forth here in their entirety.

24. Respondent was required to certify annually that its operating procedures were current

and accurate, pursuant to Section 112(r)(7) of the CAA and 40 CFR § 68.69(c).

25. Respondent did not certify annually that its operating procedures were current and accurate.

26. Therefore, EPA alleges that Respondent violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR § 68.69(c).

COUNT II

(Violation of 40 CFR § 68.71(b))

27. Paragraphs 1 through 26 above are incorporated herein by this reference as if they were set forth here in their entirety.

28. Respondent was required to provide refresher training every three years, or more often as necessary, to each employee involved in operating a covered process, to assure that the employee understands and adheres to the current operating procedures of the process, pursuant to Section 112(r)(7) of the CAA and 40 CFR § 68.71(b).

29. Respondent did not provide refresher training every three years, or more often as necessary, to each employee involved in operating a covered process.

30. Therefore, EPA alleges that Respondent violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR § 68.71(b).

COUNT III

(Violation of 40 CFR § 68.73(d)(3))

31. Paragraphs 1 through 30 above are incorporated herein by this reference as if they were set forth here in their entirety.

32. Respondent was required to ensure that the frequency of inspections and tests of process equipment were consistent with applicable manufacturers' recommendations and good engineering practices, pursuant to Section 112(r)(7) of the CAA and 40 CFR §68.73(d)(3).

33. Respondent did not inspect several processes and pressure relief valves with the frequency required according to good engineering practices.

34. Therefore, EPA alleges that Respondent violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR § 68.73(d)(3).

COUNT IV

(Violation of 40 CFR § 68.79(a))

35. Paragraphs 1 through 34 above are incorporated herein by this reference as if they were set forth here in their entirety.

36. Respondent was required, pursuant to Section 112(r)(7) of the CAA and 40 CFR § 68.79(a) to certify that it had evaluated compliance with the provisions of the prevention program set forth in 40 CFR Part 68, Subpart D, at least every three years to verify that the developed procedures and practices were adequate and being followed.

37. Respondent failed to finalize or certify the compliance audit it conducted in 2008, and it did not conduct another compliance audit within three years following that incomplete audit.

38. Therefore, EPA alleges that Respondent violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR § 68.79(a).

COUNT V

(Violation of 40 CFR § 68.79(d))

39. Paragraphs 1 through 38 above are incorporated herein by this reference as if they were set forth here in their entirety.

40. Respondent was required to promptly determine and document an appropriate response to each of the compliance audit's findings, and document that deficiencies had been corrected, pursuant to Section 112(r)(7) of the CAA and 40 CFR §68.79(d).

41. Respondent did not determine and document an appropriate response to the

recommendations from the 2009 draft report which was based on the 2008 compliance audit.

42. Therefore, EPA alleges that Respondent violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 CFR § 68.79(d).

COUNT VI

(Violation of Section 103 of CERCLA)

43. Paragraphs 1 through 26 above are incorporated herein by this reference as if they were set forth here in their entirety.

44. On February 4, 2010, more than 1000 pounds (the RQ) of sodium hydroxide was released from the Facility.

45. Respondent had actual or constructive knowledge of the release of sodium hydroxide close to the time that it occurred.

46. Respondent did not notify the NRC until more than four years had passed after the release occurred.

47. By failing to immediately notify the NRC as soon as it had knowledge of this release of an RQ of sodium hydroxide, Respondent violated Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).

D. CIVIL PENALTIES

48. Section 113(d) of the CAA, as adjusted by the Debt Collection Improvement Act of 1996, *see* 40 CFR Part 19, authorizes a civil penalty of up to THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS ($37,500) per day for each day a violation of Section 112(r) of the CAA and the implementing regulations continues. *See* Table 1 of 40 CFR ' 19.4.

49. Based on the facts alleged herein and upon all the factors which the Complainant considers pursuant to the Combined Enforcement Policy for Section 112(r) of the Clean Air Act ("CEP"), dated April, 2013, including the nature, extent, and gravity of the violations, the

Respondent's ability to pay, prior history of violations, degree of culpability, any economic benefit, and such other matters as justice may require, the Complainant proposes that the Respondent be assessed, and Respondent agrees to pay a total of **ONE HUNDRED AND THIRTY-SIX THOUSAND DOLLARS ($136,000)** as the civil penalties for the CAA violations alleged herein. The proposed penalty was calculated in accordance with the CEP.

50. Section 109 of CERCLA, 42 U.S.C. § 9609, as adjusted by the Debt Collection Improvement Act of 1996, *see* 40 CFR Part 19, authorizes a civil penalty of up to THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS ($37,500) per day for each day that a violation of Section 103 of CERCLA occurs after January 12, 2009. *See* Table 1 of 40 CFR §19.4.

51. Based on the facts alleged herein and upon all the factors which the Complainant considers pursuant to the Enforcement Response Policy for Sections 304, 311, and 312 of the Emergency Planning and Community Right-to-Know Act and Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act ("ERP"), dated September 30, 1999, including the nature, extent, and gravity of the violations, the Respondent=s ability to pay, prior history of violations, degree of culpability, and any economic benefit, and such other matters as justice may require, the Complainant proposes that the Respondent be assessed, and Respondent agrees to pay **NINETEEN THOUSAND DOLLARS ($19,000)**, as the civil penalty for the CERCLA violations alleged herein. The proposed penalty was calculated in accordance with the ERP.

E. ADMISSIONS AND WAIVERS OF RIGHTS

52. Respondent admits and agrees that EPA has jurisdiction and authority over the subject matter of the action commenced in this CA/FO and over Respondent pursuant to Section 113 of the CAA, 42 U.S.C. § 7413, Section 109 of CERCLA, 42 U.S.C. § 9609, and 40 CFR Part 22. Respondent consents to and agrees not to contest EPA's jurisdiction and authority to enter into

and issue this CA/FO and to enforce its terms. Further, Respondent will not contest EPA's jurisdiction and authority to compel compliance with this CA/FO in any enforcement proceedings, either administrative or judicial, or to impose sanctions for violations of this CA/FO.

53. Respondent neither admits nor denies any allegations of fact or law set forth in Section C of this CA/FO. Respondent hereby waives any rights Respondent may have to a hearing or an appeal on any issue relating to the factual allegations or legal conclusions set forth in this CA/FO, including without limitation a hearing or judicial review pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), or Section 109 of CERCLA, 42 U.S.C. § 9609. Respondent hereby consents to the terms of this CA/FO and the issuance of this CA/FO without adjudication.

54. Complainant and Respondent agree that settlement of this matter is in the public interest and that entry of this CA/FO without further litigation is the most appropriate means of resolving this matter.

F. PARTIES BOUND

55. This CA/FO shall apply to and be binding upon Respondent and its agents, successors and assigns and upon all persons acting under or for Respondent, until such time as the civil penalties required under Section D (and any additional civil penalty required under Section I) and any delays in performance and/or stipulated penalties have been resolved. At such time as those matters are concluded, this CA/FO shall terminate and constitute full and complete settlement of the violations alleged herein.

56. No change in ownership or corporate, partnership or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.

57. Until termination of this CA/FO, Respondent shall give notice of this CA/FO to any successor in interest prior to transfer of ownership or operation of the Facility and shall notify EPA within seven (7) days prior to such transfer.

58. The undersigned representative of Respondent hereby certifies that he is fully authorized by Respondent to enter into and execute this CA/FO, and to legally bind Respondent to it.

G. CERTIFICATION OF COMPLIANCE

59. Upon signing this CA/FO, Respondent certifies to EPA that it has fully complied with the requirements of Section 112(r) of the CAA and Section 103 of CERCLA that formed the basis for the violations alleged in this CA/FO, and the Facility is now in compliance with Section 112(r) of the CAA and Section 103 of CERCLA.

60. The signatory for Respondent certifies under penalty of law that this certification of compliance is based upon true, accurate and complete information, which the signatory can verify personally or regarding which the signatory has inquired of the person or persons directly responsible for gathering the information.

H. PAYMENT OF CIVIL PENALTY

61. Respondent consents to the assessment of and agrees to pay a civil penalties totaling **ONE HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS ($155,000)** in settlement of the civil penalty claims made in this CA/FO.

62. Within thirty (30) days of the Effective Date of this CA/FO, Respondent shall pay the CAA civil penalty by sending a certified or cashier's check in the amount of **ONE HUNDRED AND THIRTY-SIX THOUSAND DOLLARS ($136,000)**, payable to U.S. EPA, and Respondent shall pay the CERCLA civil penalty by sending certified or cashier's check in the amount of **NINETEEN THOUSAND ($19,000),** payable to "U.S. EPA Hazardous Substance Superfund."

Respondent shall send both checks to:

Regular Mail:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

Overnight Mail:

U.S. Bank
1005 Convention Plaza
Mail Station SL-MO-C2GL
ATTN Box 979077
St. Louis, MO 63101
Contact: Natalie Pearson (314-418-4087)

Alternatively, payment may be made by electronic transfer as provided below:

Wire Transfers:

Wire transfers must be sent directly to the Federal Reserve Bank in New York City with the following information:
Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency"

ACH (also known as REX or remittance express):
Automated Clearinghouse (ACH) for receiving US currency
PNC Bank
808 17th Street, NW
Washington, DC 20074
Contact – Jesse White (301-887-6548)
ABA = 051036706
Transaction Code 22 – checking
Environmental Protection Agency
Account 31006
CTX Format

On Line Payment:
This payment option can be accessed from the information below:
www.pay.gov
Enter "sfo1.1" in the search field
Open form and complete required fields

63. The payment for the CAA civil penalty shall reference the name and the CAA docket number of this CA/FO, and the payment for the CERCLA civil penalty shall reference the name and the CERCLA docket number of this CA/FO. They shall be accompanied by a cover letter stating that payment is being made pursuant to this CA/FO. The cover letter and civil penalties shall be sent by certified mail, return receipt requested. Copies of the transmittals shall be sent to:

Joshua Wirtschafter (ORC-3)
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

and

Regional Hearing Clerk (ORC-1)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

64. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), failure to send the penalty so that it is received by the due date will result in imposition of interest from the effective date of this CA/FO at the current interest rate published by the U.S. Treasury, as described at 40 CFR §13.11. In addition, a twelve percent (12%) per annum penalty will be applied on any principal amount not paid within ninety (90) days of the due date.

65. The penalties specified in this CA/FO shall represent civil penalties assessed by EPA and shall not be deducted by Respondent or any other person or entity for federal, state or local taxation purposes.

I. DELAY IN PERFORMANCE / STIPULATED PENALTIES

66. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as set forth below. Compliance by Respondent shall include completion of any activity under this CA/FO in a manner acceptable to EPA and within the specified time schedules in and approved under this CA/FO.

67. For failure to submit a payment to EPA by the time required in this CA/FO: FIVE HUNDRED DOLLARS ($500) per day for the first to fifteenth day of delay, ONE THOUSAND DOLLARS ($1,000) per day for the sixteenth to thirtieth day of delay, and FIVE THOUSAND DOLLARS ($5,000) per day for each day of delay thereafter.

68. The determination of whether Respondent has satisfactorily complied with the terms of this CA/FO and the determination of whether Respondent has made a good faith, timely effort to complete the tasks required by this CA/FO, are within the sole discretion of the Division Director, Superfund Division, EPA Region IX. The decision of the Division Director, Superfund Division, EPA Region IX is not reviewable in any forum.

69. Stipulated penalties shall begin to accrue on the day after performance is due, and shall continue to accrue through the final day until performance is complete. Respondent shall pay stipulated penalties within fifteen (15) days of receipt of a written demand by Complainant for such penalties. Payment of stipulated penalties shall be made in accordance with the procedure set forth for payment of penalties in Section H of this CA/FO.

70. If a stipulated penalty is not paid in full, interest shall begin to accrue on the unpaid balance at the end of the fifteen-day period at the current rate published by the United States Treasury, as described at 40 CFR ' 13.11. Complainant reserves the right to take any additional action, including but not limited to, the imposition of civil penalties, to enforce compliance with this CA/FO or with the CAA, CERLCA, and their implementing regulations.

71. The payment of stipulated penalties specified in this Section shall not be deducted by Respondent or any other person or entity for federal, state or local taxation purposes.

J. RESERVATION OF RIGHTS

72. EPA expressly reserves all rights and defenses that it may have.

73. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent perform tasks in addition to those required by this CA/FO. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent's failure to comply with any of the requirements of this CA/FO, including without limitation, the assessment of penalties under the CAA, CERCLA, or any other statutory, regulatory or common law enforcement authority of the United States. This CA/FO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under the CAA, CERCLA, or any other statutory, regulatory or common law enforcement authority of the United States.

74. Compliance by Respondent with the terms of this CA/FO shall not relieve Respondent of its obligations to comply with the CAA, CERCLA, or any other applicable local, state or federal laws and regulations.

75. The entry of this CA/FO and Respondent's consent to comply shall not limit or otherwise preclude EPA from taking additional enforcement actions should EPA determine that such actions are warranted except as it relates to those matters resolved by this CA/FO.

76. EPA reserves its right to seek reimbursement from Respondent for such additional costs as may be incurred by the United States. Notwithstanding compliance with the terms of this CA/FO, Respondent is not released from liability, if any, for the costs of any response actions taken by EPA.

K. MISCELLANEOUS

77. This CA/FO may be amended or modified only by written agreement executed by both EPA and Respondent.

78. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.

79. Each party to this action shall bear its own costs and attorneys' fees.

80. Complainant and Respondent consent to entry of this CA/FO without further notice.

81. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CA/FO shall be effective on the date that the Final Order contained in this CA/FO, having been approved and issued by the Regional Judicial Officer, is filed.

IT IS SO AGREED.

6/5/2014
Date

Alicia Ley
The Gas Company LLC (dba HAWAI'I GAS)

6 June 2014
Date

Enrique Manzanilla, Director
Superfund Division
U.S. Environmental Protection Agency, Region IX

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order ("CA/FO") (Docket No. CAA(112r)-9-2014-0002/CERCLA(103)-09-2014-0002) be entered and that Respondent pay civil penalties totaling **ONE HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS ($155,000),** payable in the manner and form specified in Section H of this CA/FO within thirty (30) days after the Effective Date, and complete any and all tasks required by this CA/FO.

THIS FINAL ORDER SHALL BE EFFECTIVE UPON FILING.

06/11/14
Date

Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region IX

CERTIFICATE OF SERVICE

Docket No. CAA(112r)-09-2014-0002
CERCLA(103)-09-2014-0002

I hereby certify that the original copy of the foregoing CAFOs with the Docket numbers referenced above, have been filed with the Region 9 Hearing Clerk and that copies were sent by certified mail, return receipt requested, to:

Alicia Moy
President and CEO
The Gas Company, LLC (dba Hawaii Gas)
PO Box 3000
Honolulu, HI 96802-3000

CERTIFIED MAIL NUMBER: 7013 1090 0000 1618 8849

Additional copies were hand-delivered to the following U.S. EPA case attorney:

Joshua Wirtschafter, Esq.
Office of Regional Counsel
U.S. EPA, Region IX
75 Hawthorne St.
San Francisco, CA 94105

6/11/14
Date

FOR: Steven Armsey
Acting Regional Hearing Clerk
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105