

Parties

3. Complainant is the Chief of the Chemical Branch, Enforcement and Compliance Assurance Division, Region 7, as duly delegated by the Administrator of EPA.

4. Respondent is HF Sinclair El Dorado Refining LLC a limited liability company authorized to operate under the laws of Kansas.

Statutory and Regulatory Framework

5. RCRA was enacted to address the volumes of municipal and industrial solid waste generated nationwide in order to protect human health and the environment from potential hazards of waste disposal, conserve energy and natural resources, reduce the amount of waste generated, and ensure that wastes are managed in an environmentally sound manner.

6. RCRA provides guidelines for a waste management program and provides EPA with the authorities found in Section 3008(a) of the Solid Waste Disposal Act to develop and promulgate specific requirements in order to implement the waste management program. Pursuant to these authorities, EPA promulgated the waste management regulations found at 40 C.F.R. Parts 262, 265, and 270.

7. Section 3002 of RCRA, 42 U.S.C. § 6922, requires the Administrator to promulgate regulations establishing such standards applicable to generators of hazardous waste identified or listed under this subchapter, as may be necessary to protect human health and the environment.

8. The regulation at 40 C.F.R. § 260.10 defines “facility” to include all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste, or for managing hazardous secondary materials prior to reclamation. A facility may consist of several treatment, storage or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

9. The regulation at 40 C.F.R. § 260.10 defines “treatment” as any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amendable for recovery, amendable for storage, or reduced in volume.

10. The regulation at 40 C.F.R. § 260.10 defines “storage” as the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

11. The regulation at 40 C.F.R. § 260.10 defines “disposal” as the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may

enter the environment or be emitted into the air or discharged into any waters, including ground waters.

12. “Solid waste” is defined at 40 C.F.R § 261.2.

13. The State of Kansas has been granted authorization to administer and enforce a hazardous waste program pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, and the State of Kansas has adopted by reference the federal regulations cited herein at pertinent parts of Title 28, Article 31 of the Kansas Administrative Regulations (hereinafter “K.A.R.”). Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes EPA to enforce the provisions of the authorized state program and the regulations promulgated thereunder. When EPA determines that any person has violated or is in violation of any RCRA requirement, EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. In the case of a violation of a hazardous waste program pursuant to Section 3006 of RCRA, EPA shall give notice to the state in which such violation has occurred or is occurring prior to issuing an order. The State of Kansas has been notified of this action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

14. Pursuant to 40 C.F.R. § 262.11 and K.A.R. 28-31-262(a): a generator of “solid waste,” as that term is defined in 40 C.F.R. § 261.2, is required to determine if the solid waste is a hazardous waste.

15. “Hazardous waste” is defined at 40 C.F.R. § 261.3.

16. The regulation at 40 C.F.R. § 260.10 defines “generator” as any person, by site, whose act or process produces hazardous waste identified or listed in part 261 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

17. The regulation at 40 C.F.R. § 260.10 defines “small quantity generator” as a generator who generates less than 1,000 kilograms of hazardous waste in a calendar month.

18. Pursuant to K.A.R. 28-31-260a(a)(8), small quantity generator generates 25 kilograms (55 pounds) or more of hazardous waste in any single calendar month; generates no more than 100 kilograms (220 pounds) of hazardous waste in any single calendar month; and generates and accumulates acutely hazardous waste and other waste listed in 40 C.F.R. 261.5(e) in quantities less than the generation limits listed in 40 C.F.R. 261.5(e).

19. The regulation at 40 C.F.R. § 260.10 defines “large quantity generator” as a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste or greater than 1 kilogram (2.2 pounds) of acute hazardous waste listed in 40 C.F.R. §§ 261.31 or 261.33(e).

20. Pursuant to K.A.R. 28-31-260a(a)(9), large quantity generators generate 1,000 kilograms (2,200 pounds) or more of hazardous waste in any calendar month, or generate or accumulate one (1) kilogram or more of acutely hazardous waste,

21. Pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), whenever on the basis of any information the EPA determines that any person has violated or is in violation of any requirement of RCRA, the EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period.

22. Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), authorizes a civil penalty of not more than \$25,000 per day for each violation. The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, 28 U.S.C. § 2461, and implementing regulations at 40 C.F.R. Part 19, increased these statutory maximum penalties to \$37,500 for violations that occurred before November 2, 2015, and to \$109,024 for violations that occur after November 2, 2015, and for which penalties are assessed on or after January 12, 2022. In assessing any such penalty, EPA must take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. Based upon the facts alleged in this Consent Agreement and Final Order, and upon those factors which Complainant must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant and Respondent agree to the payment of a civil penalty pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and to take the actions required by the Final Order, for the violations of RCRA alleged in this Consent Agreement and Final Order.

General Factual Background

23. Respondent is a limited liability company and authorized to conduct business within the State of Kansas. Respondent is a “person” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

24. Respondent owns and operates a facility is located at 1401 South Douglas Road, El Dorado, Kansas 67042 (“facility”).

25. Respondent is a manufacturer of refined petroleum products (motor fuels, heating oils, asphalt blending materials, liquid petroleum gases, etc.). Respondent employs approximately 500 people.

26. The facility’s crude oil processing capacity is 135,000 barrels (bbls) per day and has 297 above ground storage tanks on-site ranging from approximately 12,000 to 200,000 bbls.

27. On or about March 1, 2022, Respondent notified EPA, pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930, as a Large Quantity Generator of hazardous waste pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930.

28. On or about May 10-17, 2022, EPA inspectors conducted a RCRA Compliance Evaluation Inspection (hereinafter “the inspection”) of the hazardous waste management practices at Respondent’s facility.

29. At the time of inspection, the facility operated as a large quantity generator of hazardous waste, a small quantity handler of universal waste, and a used oil generator.

30. At the time of the inspection, the following wastes, among others, were present. These are solid and hazardous waste(s) as defined at 40 C.F.R. § 261.2 and 261.3:

- a. Petroleum refinery primary oil/water/solids separation sludge, carrying the hazardous waste code F037 and stored in roll-off containers, vacuum roll-off containers, and 55-gallon containers at the Waste Pad, Vacuum Truck Unloading Facility (VTUF) and Wastewater Treatment Plant (WWTP).
- b. Tank decommissioned waste, carrying the hazardous waste code D018 and stored in a 25-cubic yard vacuum roll-off container at the Waste Pad.
- c. Spent paint and solvents, carrying the hazardous waste codes D001, F003 and F005 and stored in a 55-gallon container at the Contractor Painting Enclave.
- d. Spent unpunctured aerosol cans, carrying the hazardous waste codes D001, D035, D039 and D040 and stored in a 55-gallon container at the Lab Supply Building.
- e. Aerosol can puncturing waste, carrying the hazardous waste codes D001, D035, D039 and D040 and stored in a 55-gallon container at the Lab Supply Building.

31. Respondent has been assigned the following EPA ID Number: KSD007233422.

Violations

32. Complainant hereby states and alleges that Respondent has violated RCRA, and the federal regulations promulgated thereunder, as follows:

Count 1

Operating as a Treatment, Storage or Disposal Facility Without a RCRA Permit or RCRA Interim Status

33. Complainant hereby incorporates the allegations contained in Paragraphs 23 through 32 above, as if fully set forth herein.

34. Section 3005 of RCRA, 42 U.S.C. § 6925, Kansas Statute Annotated 65-3431 and the regulations at 40 C.F.R. Part 270 and K.A.R. 28-31-270 require each person owning or operating a facility for the treatment, storage, or disposal of hazardous wastes identified or listed under Subchapter C of RCRA to have a permit or interim status for such activities.

35. At the time of the inspection, Respondent did not have a permit or interim status.

Generator Requirements

36. The regulations at 40 C.F.R. § 262.34(a), incorporated by K.A.R. 28-31-262(a), state that a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or without interim status, provided the conditions listed in 40 C.F.R. § 262.34(a)(1)-(4) are met. If a generator fails to comply with any of these conditions, the generator is not allowed to accumulate hazardous waste at their facility for any length of time. Respondent failed to comply with the following conditions:

Storage of hazardous waste for more than 90 days

37. At the time of the inspection, Respondent was not complying with the following regulatory conditions of 40 C.F.R. § 262.34(a), incorporated by K.A.R. 28-31-262(a): The EPA inspector observed one 25-cubic yard vacuum roll-off container at the Waste Pad containing “18TK Caustic” with container number VRB27186, marked with an accumulation start date of February 1, 2022, indicating the container had been onsite for 99 days as of May 10, 2022.

38. Respondent described the container contents as tank decommissioned waste. Respondent described the waste as hazardous waste due to Toxicity Characteristic Leaching Procedure (TCLP) benzene concentrations (EPA waste code D018).

39. After the inspection, on May 19, 2022, the D018 characteristic hazardous waste was transported to a Treatment, Storage, and Disposal Facility. As of May 19, 2022, the D018 characteristic hazardous waste had been stored 19 days beyond the 90-day large quantity generator storage limit.

40. Respondent’s accumulation of hazardous waste beyond the 90-day large quantity generator storage limit without a permit is a violation of Section 3005 of RCRA, 42 U.S.C. § 6925 and Kansas Statute Annotated 65-3431.

Failure to label hazardous waste accumulation containers

41. The regulation at 40 C.F.R. § 262.34(a)(3), incorporated by K.A.R. 28-31-262(a), requires that while being accumulated on-site, each container and tank be marked clearly with the words “Hazardous Waste.”

42. At the time of the inspection, the following hazardous waste accumulation containers were not marked with the words “Hazardous Waste”:

- a. One roll-off container labeled “VTUF Pad Contaminated Soil” with container number RB33481RT (EPA waste code F037) and another roll-off container labeled “VTUF WWT Contaminated Soil” with container number 1085736 (EPA waste code F037) at the WWTP.
- b. One 55-gallon container of spent unpunctured aerosol cans (EPA waste codes D001, D035, D039 and D040) and one 55-gallon container of

aerosol can puncturing waste (EPA waste codes D001, D035, D039 and D040) at the Lab Storage Building.

Failure to keep a hazardous waste accumulation container closed

43. The regulations at 40 C.F.R. § 262.34(a)(1)(i), referencing 40 C.F.R. § 265.173(a), incorporated by K.A.R. 28-31-262(a) and K.A.R. 28-31-265(a), requires a container holding waste must always be closed during storage, except when it is necessary to add or remove waste.

44. At the time of the inspection, the following hazardous waste accumulation container was open:

- a. One 30-cubic yard roll-off container of petroleum refinery primary oil/water/solids separation sludge with container number RB50162RT (EPA waste code F037) at the Waste Pad.

Satellite Accumulation

45. The regulations at 40 C.F.R. § 262.34(c)(1) and K.A.R. 28-31-262(c)(6) allow a generator to accumulate as much as fifty-five (55) gallons of hazardous waste or one quart of acutely hazardous waste listed in § 261.33(e) in containers at or near any point of generation where waste initially accumulates, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with § 262.34(a) provided the generator comply with various handling requirements. This type of accumulation is known as “satellite accumulation.” At the time of the inspection, Respondent failed to comply with the following satellite accumulation requirements:

Failure to keep hazardous waste satellite accumulation containers closed

46. The regulation at 40 C.F.R. § 262.34(c)(1) requires that a generator comply with the requirement set forth at 40 C.F.R. § 265.173(a) and is incorporated by reference at K.A.R. 28-31-262(a) and K.A.R. 28-31-265(a). Pursuant to this regulation, a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

47. At the time of the inspection, the following hazardous waste satellite accumulation containers were open:

- a. One 55-gallon hazardous waste satellite accumulation container of spent paint and solvents (EPA waste codes D001, F003 and F005) at the Contractor Painting Enclave.
- b. Two 55-gallon hazardous waste satellite accumulation containers of petroleum refinery primary oil/water/solids separation sludge (EPA waste code F037) at the WWTP.

Failure to label a satellite accumulation container

48. The regulation at 40 C.F.R. § 262.34(c)(1)(ii), incorporated by reference at K.A.R. 28-31-262(c)(7), requires, in pertinent part, for satellite accumulation containers to be marked with the words “Hazardous Waste.”

49. At the time of the inspection, the following hazardous waste satellite accumulation container was not labeled with the words, “Hazardous Waste”:

- a. One 55-gallon container of spent paint and solvents (EPA waste codes D001, F003 and F005) at the Contractor Painting Enclave.

Failure to minimize hazardous waste air emissions

50. In order to be conditionally exempt from hazardous waste storage permitting and operating requirements, the regulations at 40 C.F.R. § 262.34(a)(1)(i), referencing 40 C.F.R. § 265.1087(d)(1)(ii), incorporated by K.A.R. 28-31-262(a) and K.A.R. 28-31-265(a), require that a container using Container Level 2 controls operate with no detectable organic emissions.

51. Respondent is subject to Subpart CC, 40 C.F.R. 265.1080, et seq., for containers accumulating hazardous waste (large quantity hazardous waste generator requirements) with an average volatile organic concentration at the point of generation greater than 500 parts per million by weight.

52. At the Waste Pad, the inspector observed one 25-cubic yard vacuum roll-off container labeled “18TK Caustic” with container number VRB27186 (EPA waste code D018) and one 30-cubic yard roll-off container of petroleum refinery primary oil/water/solids separation sludge with container number RB50162RT (EPA waste code F037) in light material service and using Container Level 2 controls. A container accumulating hazardous waste that is greater than 0.46 cubic meters in volume and in light material service is subject to Container Level 2 standards in 40 C.F.R. § 265.1087(d).

53. The inspector viewed vapor emissions releasing from the flange on the east end and west end of the 25-cubic yard vacuum roll-off container labeled “18TK Caustic” with container number VRB27186 (EPA waste code D018). The vapor emissions were viewed and recorded utilizing a flame ionization detector, Thermo Fisher Scientific TVA-2020, which was calibrated and operated utilizing Reference Method 21.

54. The inspector viewed vapor emission releasing from an exposed gap to the interior of the 30-cubic yard roll-off container of petroleum refinery primary oil/water/solids separation sludge with container number RB50162RT (EPA waste code F037). The vapor emissions were viewed and recorded utilizing a flame ionization detector, Thermo Fisher Scientific TVA-2020, which was calibrated and operated utilizing Reference Method 21.

55. Because Respondent failed to comply with the generator requirements as set forth in Paragraphs 33 through 54 above, Respondent was not authorized to accumulate hazardous

waste at its facility for any length of time, and therefore was operating a hazardous waste storage facility without a permit in violation of Section 3005 of RCRA, 42 U.S.C. § 6925.

CONSENT AGREEMENT

56. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

- (a) admits the jurisdictional allegations set forth herein;
- (b) neither admits nor denies the specific factual allegations stated herein;
- (c) consents to the assessment of a civil penalty, as stated herein;
- (d) consents to the issuance of any specified compliance or corrective action order;
- (e) consents to any conditions specified herein;
- (f) consents to any stated Permit Action;
- (g) waives any right to contest the allegations set forth herein; and
- (h) waives its rights to appeal the Final Order accompanying this Consent Agreement.

57. Respondent consents to the issuance of this Consent Agreement and Final Order and consents for the purposes of settlement to the payment of the civil penalty specified herein.

58. Respondent and EPA agree to the terms of this Consent Agreement and Final Order and Respondent agrees to comply with the terms specified herein.

59. Respondent and EPA agree to conciliate this matter without the necessity of a formal hearing and to bear their respective costs and attorneys' fees.

60. Respondent consents to receiving an electronic copy of the filed Consent Agreement and Final Order at the following email address: *ryan.deloughder@HFSinclair.com*, *tim.jones@HFSinclair.com*, and *jmerrigan@spencerfane.com*.

Penalty Payment

61. Respondent agrees that, in settlement of the claims alleged herein, Respondent shall pay a civil penalty of Thirty-One Thousand Three Hundred and Seventy-Nine Dollars (\$31,379).

62. Respondent shall pay the penalty within thirty (30) days of the effective date of the Final Order. Such payment shall identify Respondent by name and docket number 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 979077
St. Louis, Missouri 63197-9000

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

63. A copy of the check or other information confirming payment shall simultaneously be emailed to the following:

Regional Hearing Clerk
R7_Hearing_Clerk_Filings@epa.gov; and
Anna Landis, Attorney
landis.anna@epa.gov

64. Respondent understands that its failure to timely pay any portion of the civil penalty may result in the commencement of a civil action in Federal District Court to recover the full remaining balance, along with penalties and accumulated interest. In such case, interest shall begin to accrue on a civil or stipulated penalty from the date of delinquency until such civil or stipulated penalty and any accrued interest are paid in full. 31 C.F.R. § 901.9. Interest will be assessed at a rate of the United States Treasury Tax and loan rates in accordance with 31 U.S.C. § 3717. Additionally, a charge will be assessed to cover the costs of debt collection including processing and handling costs, and a non-payment penalty charge of six (6) percent per year compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. 31 U.S.C. § 3717(e)(2).

Effect of Settlement and Reservation of Rights

65. Full payment of the penalty proposed in this Consent Agreement shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein. Complainant reserves the right to take any enforcement action with respect to any other violations of RCRA or any other applicable law.

66. The effect of settlement described in the immediately preceding paragraph is conditioned upon the accuracy of Respondent's representations to the EPA, as memorialized in paragraph directly below.

67. Respondent certifies by the signing of this Consent Agreement and Final Order that to the best of its knowledge, it is presently in compliance with all requirements of RCRA, 42 U.S.C. § 6901 *et. seq.*, its implementing regulations, and any permit issued pursuant to RCRA.

68. Full payment of the penalty proposed in this Consent Agreement 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 law. This Consent Agreement and Final Order does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of RCRA and regulations promulgated thereunder.

69. Notwithstanding any other provision of this Consent Agreement and Final Order, EPA reserves the right to enforce the terms and conditions of this Consent Agreement and Final Order by initiating a judicial or administrative action under Section 3008 of RCRA, 42 U.S.C. § 6928, and to seek penalties against Respondent in an amount not to exceed Sixty Thousand Thirty-Nine Dollars (\$65,666) per day, per violation, pursuant to Section 3008(c) of RCRA, for each day of non-compliance with the terms of this Consent Agreement and Final Order, or to seek any other remedy allowed by law.

70. Except as expressly provided herein, nothing in this Consent Agreement and Final Order shall constitute or be construed as a release from any claim (civil or criminal), cause of action, or demand in law or equity by or against any person, firm, partnership, entity, or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from Respondent's facility.

71. Notwithstanding any other provisions of the Consent Agreement and Final Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should EPA find that the handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at Respondent's facility may present an imminent and substantial endangerment to human health and the environment.

72. Nothing contained in the Final Order portion of this Consent Agreement and Final Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state, and local environmental statutes and regulations and applicable permits.

General Provisions

73. By signing this Consent Agreement, the undersigned representative of Respondent certifies that he or she is fully authorized to execute and enter into the terms and conditions of this Consent Agreement and has the legal capacity to bind the party he or she represents to this Consent Agreement.

74. This Consent Agreement shall not dispose of the proceeding without a final order from the Regional Judicial Officer or Regional Administrator ratifying the terms of this Consent Agreement. This Consent Agreement and Final Order shall be effective upon the filing of the Final Order by the Regional Hearing Clerk for EPA, Region 7. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

75. The penalty specified herein shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal, State and local taxes.

76. This Consent Agreement and Final Order shall apply to and be binding upon Respondent and Respondent's agents, successors and/or assigns. Respondent shall ensure that all contractors, employees, consultants, firms, or other persons or entities acting for Respondent with respect to matters included herein comply with the terms of this Consent Agreement and Final Order.

77. The headings in this Consent Agreement and Final Order are for convenience of reference only and shall not affect interpretation of this Consent Agreement and Final Order.

78. The provisions of this Consent Agreement and Final Order shall be deemed satisfied upon a written determination by Complainant that Respondent has fully implemented the actions required in the Final Order.

COMPLAINANT:

U.S. Environmental Protection Agency

Date

Candace Bednar
Chemical Branch Chief
Enforcement and Compliance Assurance Division

Date

Anna Landis
Office of Regional Counsel

RESPONDENT:

Holly Frontier Sinclair El Dorado Refining LLC

Date

 02/22/2023

Teodoro Trevino III
Vice President and Refinery Manager
Holly Frontier Sinclair El Dorado Refining LLC

Teodoro Trevino III
Printed Name

Vice President and Refinery Manager
Title

FINAL ORDER

Pursuant to Sections 3008(a) of RCRA, 42 U.S.C. § 6928(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22, the foregoing Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

Respondent is ORDERED to comply with all of the terms of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

IT IS SO ORDERED.

Karina Borromeo
Regional Judicial Officer

Date

CERTIFICATE OF SERVICE

I certify that that a true and correct copy of the foregoing Consent Agreement and Final Order in the matter of HF Sinclair El Dorado Refining LLC, EPA Docket No. RCRA-07-2023-0051 was sent this day in the following manner to the addressees:

Copy via Email to Complainant:

Anna Landis
Office of Regional Counsel
landis.anna@epa.gov

Mike Martin
Enforcement and Compliance Assurance Division
martin.mike@epa.gov

Copy via Email to Respondent and Counsel for Respondent:

Ryan Delaughder
Environmental Manager
HF Sinclair Corporation
1401 Douglas Road, P.O. Box 1121
El Dorado, KS 67042
ryan.delaughder@HFSinclair.com

Tim Jones
Senior Assistant General Counsel, Legal & Compliance
HF Sinclair Corporation
2828 N Harwood St., Ste. 1300
Dallas, TX 75201
tim.jones@HFSinclair.com

Jessica E. Merrigan
Spencer Fane LLP
1000 Walnut St., Ste. 1400
Kansas City, MO 64106
jmerrigan@spencerfane.com

Copy via Email to the State of Kansas:

Julie Coleman, Director (e-copy)
Bureau of Waste Management
Kansas Department of Health and Environment
julie.coleman@ks.gov

Amy E. Thompson (e-copy)
Compliance and Enforcement, Waste Reduction, and Assistance Section
Kansas Department of Health and Environment
amy.e.thompson@ks.gov

Dated this _____ day of _____, _____.

Signed