

FILED

MAR 09 2023

CLERK OF CIRCUIT COURT #66
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. KWAME RAOUL, Attorney)
General of the State of Illinois,)
)
Plaintiff,)
)
v.)
)
MARATHON PIPE LINE LLC,)
a Delaware limited liability company,)
)
Defendant.)

No. 2022 CH 20

SECOND AGREED INTERIM ORDER

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, Attorney General of the State of Illinois (“Plaintiff”) and Defendant, MARATHON PIPE LINE LLC, a Delaware limited liability company, have agreed to the making of this Second Agreed Interim Order (“Order”) and submit it to this Court for approval.

NOW, THEREFORE, the parties having thus agreed, the Court enters the following Order, which shall remain in effect until further order by this Court. IT IS HEREBY ORDERED:

I. BACKGROUND

1. Plaintiff alleges in its Verified Complaint for Injunctive Relief and Civil Penalties (“Verified Complaint”) filed in this matter and incorporated by reference herein that a substantial danger to public health and the environment was created as the result of a release of crude oil (“Release”) from an underground pipeline into Cahokia Creek, near Edwardsville, Illinois, commencing on March 11, 2022. The Verified Complaint alleges that the underground pipeline

("Pipeline") is a 22-inch pipeline transporting crude oil from Wood River, Illinois to Patoka, Illinois. The Verified Complaint alleges that, on March 11, 2022, the Pipeline experienced a failure in the vicinity of the intersection of Illinois State Routes 143 and 159 near Old Alton-Edwardsville Road in Edwardsville, Madison County, Illinois ("the Site"). The Verified Complaint further alleges that Defendant Marathon Pipe Line LLC ("Defendant") operates the Pipeline, and that, as a result of the Release, Defendant violated the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 *et seq.* (2020), Illinois Pollution Control Board ("Board") Regulations, 35 Ill. Adm. Code 101.100 *et seq.*

2. On March 11, 2022, Defendant reported to the National Response Center that an estimated 3,000 barrels of crude oil had been discharged from the Pipeline as a result of the Release. That same date, upon learning of the Release, Defendant initiated an emergency response and actions to contain and recover the Release.

3. On March 11, 2022, representatives from United States Environmental Protection Agency ("USEPA"), Illinois Environmental Protection Agency ("Illinois EPA"), the Edwardsville Fire Department, and Defendant formed a Unified Command to address the emergency response to the Release.

4. On March 13, 2022, Defendant updated IEMA Hazardous Materials Incident Report #H-2022-0215 to indicate that the size of Release was 3,900 barrels of crude oil.

5. In all, the Release spilled an estimated 147,000 gallons of crude oil from the Pipeline into the environment. Defendant recovered an estimated 141,212 gallons of crude oil or 96 percent of the crude oil spilled.

6. To date, Defendant has submitted the Private Water Well Sampling Plan, Surface Water Sampling Plan, Sediment Assessment Poling Plan, Shoreline Cleanup Assessment

Techniques Plan, and Wildlife Management Plan, all of which were approved by USEPA, Illinois EPA, and/or the Illinois Department of Natural Resources. Defendant has performed activities associated with the approved plans.

7. On April 13, 2022, a First Agreed Interim Order was entered to address the emergency treatment and discharge of excavation water to Cahokia Creek, as part of ongoing emergency response actions.

8. On May 13, 2022, Defendant ceased all treatment and discharge of excavation water pursuant to the First Agreed Interim Order.

9. The National Transportation Safety Board ("NTSB") is conducting a root-cause analysis of the causes of the Release and other associated investigatory analysis of the Pipeline in conjunction with the Pipeline and Hazardous Materials Safety Administration ("PHMSA").

10. Plaintiff and Defendant have reviewed the work Defendant has completed to date and have agreed to enter into this Order to ensure ongoing and planned work will address the threat to the environment indicated by the Release and prevent further migration of crude oil in the vicinity of the Site.

II. GENERAL PROVISIONS

11. This Order is not a final resolution on the merits of Plaintiff's Verified Complaint, but rather addresses Plaintiff's most immediate concerns regarding the Release alleged in the Verified Complaint.

12. By entering into this Order and complying with its terms, Defendant does not admit the allegations of violation within the Verified Complaint referenced above, and this Order and compliance therewith shall not be interpreted as including such admission.

III. WORK TO BE PERFORMED

13. Defendant shall continue to monitor the seep identified on August 4, 2022, as well as any other seeps identified. Defendant shall have booms prepared to be deployed in the event of a significant rain event. For the purposes of this Order, a significant rain event is one inch of rainfall or more in a 24-hour period.

14. No later than thirty (30) days after entry of this Order, Defendant shall submit to Plaintiff for review a Free Product Removal Report detailing the actions taken by Defendant to remove and dispose of free product. The Report shall also detail the corrective actions taken and to be taken to address any seeps of free product into Cahokia Creek and the surrounding riparian and wetland habitat and to remove free product from the monitoring wells. The Report shall include all samples taken as part of free product response activities. The Report will also include documentation of completion of the Solid Waste Management Plan submitted to Illinois EPA on March 24, 2022.

15. No later than thirty (30) days after entry of this Order, Defendant shall submit to Plaintiff a wetland delineation and wetland functional assessment for the wetland impacted by the Release.

16. Defendant shall submit monthly reports to Plaintiff on the last Friday of each month before 5:00 p.m. Central time ("Monthly Reports"). Each Monthly Report shall describe the work performed pursuant to this Order during that month, the work anticipated to be performed during the following month, and any delays in work that may be anticipated. Monthly reports shall also include the name and contact information for the project lead for completing the work. The frequency of such progress reports may be changed by written agreement amongst the parties.

17. Within thirty business (30) days of the entry of this Order, Defendant shall submit

to Plaintiff a list of all contacts Defendant, or its contractors, have had with local government officials and citizens regarding the Release, including all available contact information.

18. Where any portion of the work required under this Order requires a federal or state permit, Defendant shall submit timely and complete applications and take all other actions necessary to obtain and to comply with all such permits. Defendants may seek relief under the provisions of Section X (Force Majeure) for any delay in the performance of the work resulting from a failure to obtain, or a delay in obtaining, any permit or approval required for the work, provided that it has submitted timely and complete applications and taken all necessary actions to obtain all such permits. This Order is not, and shall not be construed to be, a permit issued pursuant to any federal or state statute or regulation.

19. Within ninety (90) days of the entry of this Order, Defendant shall submit to Plaintiff for review and approval a Site Investigation Plan for determining the nature and extent of the contamination resulting from the Release, the potential risks from the Release, any actions taken thus far, and the activities necessary for its full remediation.

- a. The Site Investigation Plan shall identify the nature and extent of contamination due to the Release, the areas affected, and the human health and ecological risks associated with exposure to the Release, and shall include, but not be limited to: a description of the Release, detailed summary of response activities conducted to date, soil sampling and analysis plan, surface water and sediment sampling and analysis plan, private well survey and sampling and analysis plan, groundwater sampling and analysis plan, quality assurance project plan, plan for management of investigative-derived waste,

standard operating procedures, and schedule for implementation and reporting the site investigation activities, including the submission of a final report;

- i. The Site Investigation Plan shall include a methodology for a screening level risk assessment of human health pursuant to 35 Ill. Adm. Code Part 742, including a Tier 3 comparison of release concentrations to USEPA Regional Screening Levels, or the use of USEPA's Risk Assessment Guidance for Superfund under Tier 3; and
- ii. The Site Investigation Plan shall include a methodology for a screening level ecological risk assessment pursuant to 35 Ill. Adm. Code Part 742, including a Tier 3 comparison of release concentrations to USEPA Regional Screening Levels, or the use of USEPA's Risk Assessment Guidance for Superfund under Tier 3.

20. Upon Plaintiff's approval of the Site Investigation Plan, as described in paragraph 19, Defendant shall implement the Site Investigation Plan according to the approved schedule. Pursuant to that schedule, Defendant shall submit to Plaintiff for its review and approval a Site Investigation Report detailing the results of the Site Investigation and the results of the human health and ecological risk assessments, and recommending an approach for remedial action.

21. Within ninety (90) days of Plaintiff's approval of the Site Investigation Report, Defendant shall submit to Plaintiff for review and approval a Remedial Action Plan proposing a plan for addressing any Site risks, including potential risks to human health and the environment

from residual contamination, and for remediating affected areas, including a description of all proposed actions, and a schedule for implementation. The Remedial Action Plan shall include remedial design plans and remedial action plans; sampling and analysis plans; quality assurance project plans, including any environmental monitoring and/or institutional controls; and other conditions necessary for protection of human health and the environment. If needed, institutional controls will take the form of an environmental covenant pursuant to the Illinois Uniform Environmental Covenant Act, 765 ILCS 122/1 *et seq.* (2020).

22. Upon Plaintiff's approval of the Remedial Action Plan, as described in paragraph 21, Defendant shall implement the Remedial Action Plan according to the approved schedule. Within ninety (90) days of completion of all activities required by the Remedial Action Plan, Defendant shall submit to Plaintiff for review and approval a Remedial Action Completion Report, which shall include:

- a. A description of the scope of problems corrected or mitigated by the remedial action;
- b. Documentation of the corrective measures undertaken to achieve remedial action objectives and goals;
- c. All supporting sampling and analysis results, including Quality Assurance/Quality Control documentation and boring and well logs;
- d. All disposal receipts for any waste generated during the remedial action;
- e. An identification of remedial components relying on engineered barriers or institutional controls to be protective;
- f. A Licensed Professional Engineer ("LPE") sealed affirmation. The LPE shall affirm with their registration name, number, and licensure expiration

date that all investigation and remedial activities subject to this Order, including qualified laboratory data, were performed under the LPE's direction or reviewed by their certifying the work was accurate, complete, and performed in accordance with site planning documents and generally accepted engineering practices.

23. Upon Defendant's completion of all activities required by the Remedial Action Plan, Illinois EPA will conduct an inspection of the Site. If Illinois EPA determines based on the inspection, the approved Remedial Action Completion Report, and other information provided by Defendant pursuant to this Order that remedial action has been fully performed, then Illinois EPA will certify completion of remedial action in writing.

24. Defendant has submitted to Plaintiff a copy of the Clean Water Act Section 404 permit application for wetland and shoreline restoration submitted to the U.S. Army Corps of Engineers. Defendant shall submit to Plaintiff the subsequent Wetland Mitigation Plan within thirty (30) days of the entry of this Order. Plaintiff may provide to the Army Corps and Defendant comments on the proposed restoration activities and schedules as part of the normal consultation process.

25. Upon receipt of Plaintiff's written approval of any Plan submitted by Defendant under paragraphs 19 or 21, above, Defendant shall implement the Plan in accordance with the approved schedule. If Plaintiff disapproves of any Plan submitted by Defendant under paragraphs 19 or 21, above, or any Report submitted by Defendant under paragraphs 20 or 22, above, then Defendant shall, within fourteen (14) days of receiving written notice of disapproval, or such other time as Plaintiff agrees in writing, submit to Plaintiff for review and approval a revised Plan or Report that corrects all deficiencies identified by Plaintiff in its disapproval letter. This process

shall continue until Plaintiff approves the document or any party invokes the Dispute Resolution procedure in Section IX of this Order.

IV. RIGHTS OF ACCESS TO THIRD-PARTY PROPERTY

26. Where any action under this Order is to be performed in areas owned by or in possession of someone other than Defendant, Defendant shall use reasonable efforts to obtain the necessary permission and access from the third-party landowner to undertake such actions. If necessary, such reasonable efforts shall include, but are not limited to, offering payment of reasonable compensation for access to the third-party landowner's property. If Defendant is unable to obtain the necessary access after reasonable efforts, including those as just described, Defendant shall notify Plaintiff of such refusal by the third party. Upon receipt of such notice, Plaintiff will determine, in its discretion, whether it will take affirmative actions to assist Defendant in obtaining access to the third-party property.

V. COST RECOVERY

27. Defendant shall reimburse the Illinois EPA for the costs incurred by it in response to the Release ("Response Costs"), pursuant to 415 ILCS 5/25c-1(d) (2020). Defendant shall reimburse the Illinois Department of Natural Resources ("Illinois DNR") for costs incurred by it in response to the Release ("DNR Response Costs"), pursuant to 515 ILCS 5/5-5 (2020).

28. Defendant shall reimburse the Illinois EPA, pursuant to 415 ILCS 5/22.2 (2020), for all reasonable and necessary oversight and review costs incurred by the Illinois EPA and Illinois DNR related to completion of the requirements of this Order, including, but not limited to, oversight of site investigation and remedial action and review and evaluation of documents and reports submitted by Defendant pursuant to this Order by Illinois EPA and Illinois DNR, indirect costs, and allocated costs ("Oversight and Review Costs").

29. Within forty-five (45) days of entry of this Order, Illinois EPA and Illinois DNR will submit to Defendant invoices for Response Costs and DNR Response Costs incurred as of the date of the entry of this Order with supporting documentation. The supporting documentation shall include, at a minimum: (a) hours billed by each biller per pay period; and (b) copies of invoices for all outside services and equipment. Thereafter, Illinois EPA will submit to Defendant, on a quarterly basis, invoices for Oversight and Review Costs incurred by Illinois EPA and Illinois DNR during the billing period with supporting documentation. Within forty-five (45) days of the receipt of each Illinois EPA invoice, Defendant shall pay (unless contested pursuant to the terms of this Order) the Response Costs or Oversight and Review Costs detailed therein by means of a check made payable to the Illinois Environmental Protection Agency for deposit into the Oil Spill Response Fund. The case name, People v. Marathon Pipe Line LLC, Madison County Case No. 22-CH-20, shall appear on the face of the check. Defendant shall send each check and a copy of the Illinois EPA invoice to:

Division of Administration
Fiscal Services Section
Illinois EPA
1021 North Grand Avenue East
P. O. Box 19276
Springfield, Illinois 62794-9276

Within forty-five (45) days of the receipt of each Illinois DNR invoice, Defendant shall pay (unless contested pursuant to the terms of this Order) the DNR Response Costs detailed therein by means of a check made payable to the Illinois Department of Natural Resources for deposit into the Wildlife and Fish Fund. The case name, People v. Marathon Pipe Line LLC, Madison County Case No. 22-CH-20, shall appear on the face of the check. Defendant shall send each check and a copy of the Illinois DNR invoice to:

Illinois Department of Natural Resources
Office of Legal Counsel
One Natural Resources Way
Springfield, Illinois 62702

A copy of the check(s) and the transmittal letter shall be sent to:

Emma Hudspath
Kevin Barnai
Assistant Attorneys General
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

If Defendant does not receive an invoice in the time frame indicated above, this does not waive the Illinois EPA's or the Illinois DNR's right to submit an invoice or receive cost reimbursement for Response Costs, DNR Response Costs, or Oversight and Review Costs.

30. Any disputes relating to Response Costs or Oversight and Review Costs and/or their reimbursement shall be subject to Section IX of this Order (Dispute Resolution).

VI. NOTICES

31. All submittals and correspondence relating to the requirements of this Order shall be directed to the following persons:

FOR PLAINTIFF

Emma Hudspath
Kevin Barnai
Assistant Attorneys General
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62701
(217) 782-9031
emma.hudspath@ilag.gov
kevin.barnai@ilag.gov

Joshua Leopold
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794
Joshua.Leopold@illinois.gov

Melanie Jarvis
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794
Melanie.Jarvis@illinois.gov

Bruce Rodely
Bureau of Water
Illinois Environmental Protection Agency
2309 West Main Street, Suite 116
Marion, Illinois 62959
Bruce.Rodely@illinois.gov

Charlene Falco
Federal Site Remediation Section
Bureau of Land
Illinois Environmental Protection Agency
1021 North Grand Ave. East
PO Box 19276
Springfield, IL 62794-9276
Charlene.Falco@illinois.gov

James Jennings
Materials Management & Compliance Section
Bureau of Land
Illinois Environmental Protection Agency
1021 North Grand Ave. East
PO Box 19276
Springfield, IL 62794-9276
James.M.Jennings@illinois.gov

Nicole K. Thomas
Office of Legal Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702
Nicole.Thomas@illinois.gov

Beth Whetsell
Contaminants Section
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702
Beth.Whetsell@illinois.gov

FOR DEFENDANT

Alec Messina
Michael P. Murphy
HeplerBroom LLC
4340 Acer Grove Drive
Springfield, IL 62711
Michael.Murphy@heplerbroom.com

J. Gregory Smith
Chief Counsel
Marathon Petroleum Company LP
539 South Main Street
Findlay, OH 45840
jgsmith@marathonpetroleum.com

Kyle Strobel
HES Professional
Marathon Petroleum Company LP
400 S. Marathon Ave.
Robinson, IL 62451
kastrobel@marathonpetroleum.com

Heather McBurney
Environmental Manager
Marathon Pipe Line LLC
4600 J Barry Ct
Suite 500
Canonsburg, PA 15317
HMMcBurney@marathonpetroleum.com

At least two hard copies of all submittals (e.g., plans, reports, letters, or other that include text, tables, figures, data, etc., with the primary purpose of providing technical information about the Site, its investigation or evaluation) or other document as specified by this order (i.e., notice of dispute) shall be provided to Charlene Falco.

VII. COMPLIANCE WITH OTHER LAWS AND REGULATIONS

32. This Order in no way affects the responsibilities of Defendant to comply with any other federal, state, or local laws or regulations, including but not limited to the Act, the Board Regulations, any directives of USEPA or PHMSA, or any other lawful order by any other federal, state, or local agency.

VIII. STIPULATED PENALTIES

33. If Defendant fails to comply with any of the requirements of this Order without an agreed modification pursuant to Section XII of this Order (Modification of Order), Defendant shall pay to Plaintiff the following stipulated penalties for each violation from the date of the violation occurred until such time as compliance is achieved:

<u>Period of Noncompliance</u>	<u>Stipulated Penalty</u>
1st to 30th Calendar Days	\$1,250.00/day per violation
31st to 60th Calendar Days	\$1,500.00/day per violation
After 60th Calendar Day	\$1,750.00/day per violation

34. If written notice of any violation of this Order is given it shall be served upon Defendant via certified or overnight U.S. Mail, to the persons identified in Section VI (Notices) of this Order. However, the failure of Plaintiff to give Defendant notice of the violation(s) does not in any way relieve Defendant of its obligation to pay stipulated penalties hereunder.

35. All penalties owed shall be payable within thirty (30) calendar days after occurrence of the violation(s), unless such penalties, or any portion thereof, are disputed by Defendant pursuant to Section IX of this Order (Dispute Resolution). All penalties shall be paid by certified check or money order payable to the Illinois EPA for deposit in the Environmental Protection Trust Fund and delivered to:

Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

The case name and number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Emma Hudspath
Kevin Barnai
Assistant Attorneys General
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

36. Stipulated penalties shall be in addition to, and not a substitute for, any other remedy or sanction available to Plaintiff.

IX. DISPUTE RESOLUTION

37. The parties shall use their best efforts to resolve any and all disputes or differences of opinion arising with regard to this Order, informally and in good faith. If, however, a dispute arises concerning this Order that the parties are unable to resolve informally, either party may, by written motion, request that an evidentiary hearing be held before the Circuit Court for the Third Judicial Circuit, Madison County, Illinois, to resolve the dispute between the parties. The Court shall not draw any inferences nor establish any presumptions adverse to any party as a result of the parties' inability to reach agreement on disputed issues.

X. FORCE MAJEURE

38. For the purposes of this Order, *force majeure* event is an event arising solely beyond the control of Defendant, which prevents the timely performance of any of the requirements of this Order. For the purposes of this Order, *force majeure* shall include, but is not limited to, events

such as floods, tornadoes, other natural disasters, availability of materials, supplies or services, and labor disputes beyond the reasonable control of Defendant.

39. When, in the opinion of Defendant, circumstances have occurred that cause or may cause a delay in the performance of any of the requirements of this Order due to *force majeure*, Defendant shall notify Plaintiff in writing in accordance with Section VI (Notices) as soon as practicable, but oral notice shall be given to Plaintiff within 48 hours of the occurrence and written notice shall be given to Plaintiff no later than fourteen (14) calendar days after the claimed occurrence. Failure to so notify Plaintiff shall constitute a waiver of any defense under this Section of the Order arising from said circumstances. Defendant shall provide a detailed written description of the precise cause or causes of the claimed occurrence which resulted or will result in the delay, the nature of the delay and its expected duration, the measures taken or to be taken to prevent or mitigate the delay, and the timetable under which such measures will be taken. Defendant shall adopt all necessary measures to avoid or minimize such delay.

40. If the parties agree that the delay has been or will be caused by circumstances beyond the control of Defendant, the time for performance may be extended for a period not to exceed the length of the delay as determined by the parties.

41. In the event that the parties cannot agree that a *force majeure* event has occurred or the extent thereof, the dispute shall be resolved in accordance with Section IX (Dispute Resolution) of this Order. Provided however, that the invocation of the Dispute Resolution provisions of Section IX of this Order is not in and of itself a *force majeure* event. Defendant shall have the burden of proving *force majeure* by a preponderance of the evidence as a defense to compliance with this Order.

42. An increase in costs associated with implementing any requirement of this Order or a failure to obtain access to third-party property shall not, by itself, excuse Defendant under the provisions of this Section of the Order from a failure to comply with the Order.

XI. RIGHT OF ENTRY

43. In addition to any other authority the Illinois EPA, the Illinois DNR, their employees and representatives and the Attorney General, his agents and representatives, shall have the right of entry into and upon the portions of the Site owned by Defendant and which are the subject of this Order, at all reasonable times for the purposes of carrying out inspections. In conducting such inspections, the Illinois EPA, the Illinois DNR, their employees and representatives, and the Attorney General, his employees and representatives may take photographs, samples, and collect information, as they deem necessary.

XII. MODIFICATION OF ORDER

44. The parties may, by mutual consent, extend any compliance dates or modify the terms of this Order without leave of Court. Any such agreed modification shall be in writing, signed by authorized representatives of each party, and incorporated into this Order by reference. Any request for modification shall be made by Defendant in writing and shall be independent of any other submittal made pursuant to this Order. Moreover, notice of a request for any proposed modification shall be provided to Plaintiff's representatives listed in Section VI of this Order (Notices).

XIII. RESERVATION OF RIGHTS

45. Nothing contained herein shall be deemed a finding of fact or adjudication by this Court of any of the facts or claims contained in the Verified Complaint. Plaintiff reserves the right

to seek additional relief in this matter, including but not limited to technical relief, civil penalties and cost recovery.

XIV. CASE MANAGEMENT CONFERENCE WITH THE COURT

46. This matter remains scheduled for a Case Management Conference on February 8, 2023, at 3:30 p.m.

XV. SIGNATURE

47. This Order may be signed in counterparts, all of which shall be considered one agreement.

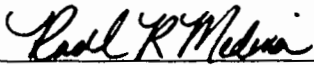
WHEREFORE, the parties, by their representatives, enter into this Agreed Interim Order and submit it to the Court that it may be approved and entered.

AGREED:

FOR THE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. KWAME RAOUL,
Attorney General of the State of Illinois

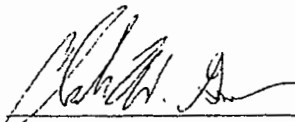
MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

BY: 
RACHEL R. MEDINA,
Deputy Bureau Chief
Assistant Attorney General
Environmental Bureau

DATE: 2/13/23

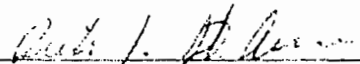
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

JOHN J. KIM, Director
Illinois Environmental Protection Agency

BY: 
CHARLES W. GUNNARSON
Chief Legal Counsel

DATE: 02/22/23

FOR THE DEFENDANT:
MARATHON PIPE LINE LLC

BY: 
Rich J. St. Amour, President Approved as to Form

DATE: 2/15/2023 JGS
JGS

ENTERED: 
JUDGE

DATE: 3/9/23