



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION III**  
 1650 Arch Street  
 Philadelphia, Pennsylvania 19103-2029

**U.S. EPA-REGION 3-RHC**  
 FILED-27FEB2019PM2:22

**In the Matter of:**

)  
) **EPA Docket No.: CAA-03-2019-0021**  
)

**US Foods, Inc.**  
**9399 West Higgins Road, Suite 500**  
**Rosemont, Illinois 60018,**

)  
) **Proceedings Pursuant to Sections**  
) **112(r) and 113 of the Clean Air Act,**  
) **42 U.S.C. §§ 7412(r) and 7413**  
)

**Respondent.**

**US Foods of Allentown**  
**1200 Hoover Avenue**  
**Allentown, Pennsylvania 18109,**

)  
)  
)  
)

**Facility.**

)

**CONSENT AGREEMENT**

**STATUTORY AUTHORITY**

This Consent Agreement is proposed and entered into under the authority vested in the President of the United States by Section 113(d) of the Clean Air Act, as amended (the "CAA"), 42 U.S.C. § 7413(d). The President has delegated this authority to the Administrator of the U.S. Environmental Protection Agency ("EPA"), who has, in turn, delegated it to the Regional Administrator of EPA, Region III. The Regional Administrator has re-delegated these authorities to the Director of the Hazardous Site Cleanup Division, EPA Region III ("Complainant"). Further, this Consent Agreement is proposed and entered into under the authority provided by the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits" ("Consolidated Rules of Practice"), 40 C.F.R. Part 22.

The parties agree to the commencement and conclusion of this cause of action by issuance of this Consent Agreement and Final Order (referred to collectively herein as "CA/FO") as prescribed by the Consolidated Rules of Practice, pursuant to 40 C.F.R. § 22.13(b), 22.18(b)(2) and (3), and having consented to the entry of this CA/FO, agree to comply with the terms of this CA/FO.

**JURISDICTION**

1. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(2).
2. The Regional Judicial Officer has the authority to approve this settlement and conclude this proceeding pursuant to 40 C.F.R. § 22.4(b) and 22.18(b)(3).
3. For the purpose of this proceeding, Respondent US Foods, Inc. admits to the jurisdictional allegations in this Consent Agreement and agrees not to contest EPA's jurisdiction with respect to the execution or enforcement of this Consent Agreement.
4. For the purpose of this proceeding, and with the exception of Paragraph 3, above, Respondent neither admits nor denies the following factual allegations and conclusions of law, but expressly waives its rights to contest said allegations.
5. Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), among other things, limits the Administrator's authority to matters where the first alleged violation occurred no more than twelve (12) months prior to the initiation of any administrative action, except where the Administrator and the Attorney General of the United States jointly determined that a matter involving a longer period of violation is appropriate for an administrative penalty action. The Administrator and the Attorney General, each through their respective delegates, have jointly determined that an administrative penalty action is appropriate for the period of violations alleged in this Consent Agreement.

**FINDINGS OF FACT RELATED TO THE VIOLATIONS OF SECTION 112(r)(7) OF THE CLEAN AIR ACT**

6. Respondent is a corporation incorporated in the State of Pennsylvania in 1989.
7. Respondent is the owner and operator of a food service distribution facility located at 1200 Hoover Avenue in Allentown, Lehigh County, Pennsylvania ("the Facility").
8. On October 18, 2017, EPA conducted an inspection of the Facility pursuant to Section 114 of the CAA, 42 U.S.C. § 7414, to determine the Facility's compliance with Section 112(r)(1) and (7) of the CAA, 42 U.S.C. § 7412(r)(1) and (7), and the Chemical Accident Prevention Provisions of 40 C.F.R. Part 68 ("Inspection").
9. On May 24, 2018, EPA issued an Administrative Settlement Agreement and Order on Consent, EPA Docket No. CAA-03-2018-0096DA ("Order") to Respondent, in order to have Respondent address alleged violations of Section 112(r)(7) of the CAA, 42 U.S.C. § 7612(r)(7), regarding its storage of anhydrous ammonia at the Facility.

10. On November 15, 1990, the President signed into law the Clean Air Act Amendments of 1990. The Clean Air Act Amendments added Section 112(r) to the CAA, 42 U.S.C. § 7412(r).

11. Section 112(r)(3), 42 U.S.C. § 7412(r)(3), mandates the Administrator to promulgate a list of regulated substances which, in the case of an accidental release, are known to cause or may reasonably be anticipated to cause death, injury, or serious adverse effects to human health or the environment, the threshold quantities, and define the stationary sources that will be subject to the accident prevention regulations mandated by Section 112(r)(7), 42 U.S.C. § 7412(r)(7). The list of regulated substances and threshold levels are codified at 40 C.F.R. § 68.130.

12. On June 20, 1996, EPA promulgated a final rule known as the Chemical Accident Prevention Provisions, 40 C.F.R. Part 68 (referred to as the “RMP Regulations”), which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA. The RMP Regulations require owners and operators of stationary sources to develop and implement a risk management program that includes a hazard assessment, a prevention program, and an emergency response program. The risk management program must be described in a risk management plan that must be submitted to EPA. The risk management plan must include a hazard assessment to assess the potential effects of an accidental release of any regulated substance, a program for preventing accidental releases of hazardous substances, and a response program providing for specific actions to be taken in response to an accidental release of a regulated substance, so as to protect human health and the environment.

13. Pursuant to Section 112(r)(7)(B)(iii) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(iii), and its regulations at 40 C.F.R. §§ 68.10(a) and 68.150(a), the owner or operator of a stationary source at which a regulated substance is present in more than a threshold quantity must submit a risk management plan to EPA no later than the latter of June 21, 1999, three years after the date on which a regulated substance is first listed under 40 C.F.R. § 68.130, or the date on which a regulated substance is first present above the threshold quantity in a process.

14. Section 113(d)(1)(B) of the CAA, 42 U.S.C. § 7413(d)(1)(B), authorizes EPA to commence an administrative action to assess civil penalties of not more than \$25,000 per day for each violation of Section 112(r) of the CAA that occurs before January 30, 1997. Section 113(d)(1)(B), as amended by the Debt Collection Improvement Act of 1996 and the subsequent Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. Part 19, authorizes EPA to commence an administrative action to assess civil penalties of not more than \$46,192 per day for each violation of Section 112(r) of the CAA that occurs after November 2, 2015.

15. Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), defines “stationary source,” as “any buildings, structures, equipment, installations, or substance emitting stationary activities (i) which belong to the same industrial group, (ii) which are located on one or more contiguous properties, (iii) which are under the control of the same person (or persons under common control), and (iv) from which an accidental release may occur.”



16. The regulations at 40 C.F.R. § 68.3 define “threshold quantity” as the quantity specified for regulated substances pursuant to Section 112(r)(5) of the CAA, 42 U.S.C. § 7412(r)(5), listed in 40 C.F.R. § 68.130, Table 1, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

17. The regulations at 40 C.F.R. § 68.3 define “regulated substance” as any substance listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), in 40 C.F.R. § 68.130.

18. The regulations at 40 C.F.R. § 68.3 define “process” as any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

19. Respondent submitted an initial risk management plan for the Facility in 2003. Several resubmissions and corrections have been made since the original submission, with the latest update submitted to EPA in 2016.

20. According to Respondent’s risk management plan, anhydrous ammonia has been present in its ammonia refrigeration system at the Facility since at least 2003.

21. At all times relevant to this Consent Agreement, as stated in Respondent’s risk management plan for the Facility, Respondent has handled and handles approximately 12,000 pounds of anhydrous ammonia at the Facility.

22. Anhydrous ammonia, Chemical Abstracts Service (“CAS”) Number 7664-41-7, is an irritant and is corrosive to the skin, eyes, respiratory tract and mucous membranes. Exposure to liquid ammonia or rapidly expanding gases may cause severe chemical burns and frostbite to the eyes, lungs and skin. Skin and respiratory diseases could be aggravated by exposure.

### **Count 1 – Failure to Comply with Process Safety Information Requirements**

23. The RMP Regulations require an owner or operator to comply with process safety information requirements at 40 C.F.R. § 68.65(d)(1)(vi) and (d)(2), *i.e.*, to compile process safety information pertaining to design codes and standards relevant to the equipment and to document that the equipment in the process complies with recognized and generally accepted good engineering practices.

24. One recognized and generally accepted good engineering practices applicable to the anhydrous ammonia is the International Institute of Ammonia Refrigeration 2, *Standard for the Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration Components* (2014) (“IIAR 2”).

25. Section 5.17.1 of IIAR 2 states that “where ammonia-containing equipment is installed in a location subject to physical damage, guarding or barricading shall be provided.”

26. At the time of the Inspection, EPA determined that Respondent had numerous pieces of ammonia-containing equipment, namely evaporators, at the Facility in locations subject to forklift hazards.

27. Pursuant to the Order, Respondent installed barricades to protect evaporators at the Facility.

28. Section 6.7.1 of IIAR 2 states that, “Each machinery room shall have access to a minimum of two eyewash/safety shower units, one located inside the machinery room and one located outside of the machinery room”.

29. At the time of the Inspection, EPA determined that Respondent did not have an eyewash/safety shower unit located outside of the machinery room.

30. Pursuant to the Order, Respondent has installed an eyewash station outside the machinery room at the Facility.

### **Count 2 – Failure to Comply with Mechanical Integrity Requirements**

31. Section 68.73(e) of the RMP Regulations requires that owners or operators correct deficiencies in equipment that are outside acceptable limits as defined by the process safety information in 40 C.F.R. § 68.65 before further use or in a safe and timely manner when necessary means are taken to assure safe operation. 40 C.F.R. § 68.73(e).

32. During the Inspection, EPA identified several mechanical integrity deficiencies documented in the Facility’s 2013 System Mechanical Integrity Evaluation that had not been corrected, including the needed repair of rusted piping under condensers, and the cleaning and repair of ammonia piping.

33. Pursuant to the Order, Respondent developed and implemented a corrective action plan to address the uncorrected mechanical integrity items. Respondent completed the compliance tasks under the Order on or about October 10, 2018.

### **CONCLUSIONS OF LAW RELATED TO THE VIOLATIONS OF SECTION 112(r)(7) OF THE CLEAN AIR ACT**

34. The findings of fact and conclusions of law contained in Paragraphs 5 through 33 of this CA/FO are incorporated by reference herein as though fully set forth at length.

35. As a corporation, Respondent is, and at times referred to herein was, a “person” as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and the owner and operator of the Facility.

36. Respondent is, and at times referred to herein was, the owner and operator of a “stationary source,” as the term is defined in Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3.

37. The threshold quantity for anhydrous ammonia is 10,000 pounds, pursuant to 40 C.F.R. § 68.130, Table 1.

38. EPA has determined that more than a threshold quantity of a regulated substance, anhydrous ammonia, was present in a process at the Facility from the date of the Inspection, October 18, 2017, to the present.

39. Respondent violated Section 68.65(d)(2) of the RMP Regulations because Respondent failed to ensure that its anhydrous ammonia equipment complied with recognized and generally accepted good engineering practices when it did not protect its evaporators and it did not have an eyewash station outside of its machinery room. 40 C.F.R. § 68.65(d)(2).

40. Respondent violated Section 68.73(e) of the RMP Regulations because Respondent failed to correct deficiencies in anhydrous ammonia equipment, including the repair of rusted piping under condensers, and the cleaning and repair of ammonia piping, that were outside acceptable limits as defined by the process safety information in 40 C.F.R. § 68.65 before further use or in a safe and timely manner when necessary means are taken to assure safe operation. 40 C.F.R. § 68.73(e).

41. The duration of these two violations is from the date of the Inspection, October 18, 2017 to October 10, 2018, the date on which Respondent completed the work under the Order.

42. Respondent is, therefore, subject to the assessment of penalties under Section 113 of the CAA, 42 U.S.C. § 7413.

### **SETTLEMENT**

43. In accordance with 40 C.F.R. § 22.18(c), and in full and final settlement and resolution of all allegations referenced in the foregoing Findings of Fact and Conclusions of Law, and in full satisfaction of all civil penalty claims pursuant thereto, for the purpose of this proceeding, the Respondent consents to the assessment of a civil penalty the violations of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. Part 68, in the amount of **\$59,857**, set forth above, (referred to as “Civil Penalty”).



44. Respondent consents to the issuance of this Consent Agreement, and consents for purposes of settlement to the payment of the civil penalty cited in the foregoing paragraph.

**PAYMENT TERMS**

45. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with the civil penalties described in this CA/FO, Respondent shall pay the Civil Penalty of \$59,857 no later than thirty (30) days after the date on which a copy of the CAFO is mailed or hand-delivered to Respondent, by either cashier's check, certified check, or electronic wire transfer, as set forth in the following paragraphs.

46. Payment of the \$59,857 Civil Penalty shall be made in the following manner:

- a. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, **CAA-03-2019-0021**;
- b. All checks shall be made payable to **United States Treasury**;
- c. All payments made by check and sent by regular mail shall be addressed to:

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000  
Contact: Craig Steffen (513-487-2091)

- d. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. EPA  
Government Lockbox 979077  
1005 Convention Plaza  
SL-MO-C2GL  
St. Louis, MO 63101  
Contact: 314-418-1028

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance  
U.S. EPA, MS-NWD  
26 W. M.L. King Drive  
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York  
ABA = 021030004  
Account No. = 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

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver  
ABA = 051036706  
Account No.: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:  
5700 Rivertech Court  
Riverdale, MD 20737  
Contact: Randolph Maxwell 202-874-3720  
or REX, 1-866-234-5681

- h. Online Payment Option:

[WWW.PAY.GOV/PAYGOV](http://WWW.PAY.GOV/PAYGOV)

Enter sfo 1.1 in the search field. Open and complete the form.



- i. Additional payment guidance is available at:

<https://www.epa.gov/financial/makepayment>

47. Respondent shall submit proof of the penalty payment, noting the title and docket numbers of this case, to the following persons:

Regional Hearing Clerk  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
R3\_Hearing\_Clerk@epa.gov

and

Cynthia T. Weiss (3RC42)  
Assistant Regional Counsel  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
weiss.cynthia@epa.gov

48. The Civil Penalty stated herein is based upon Complainant's consideration of a number of factors, including, but not limited to, the penalty criteria set forth in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), and is consistent with 40 C.F.R. Part 19 and the *Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7) and 40 C.F.R. Part 68* (June 2012).

49. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment or to comply with the conditions in this CA/FO shall result in the assessment of late payment charges, including interest, penalties, and/or administrative costs of handling delinquent debts.

50. Interest on the Civil Penalty assessed in this CA/FO will begin to accrue on the date that a copy of this fully executed CA/FO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

51. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue in accordance with 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of Resources Management Directives - Cash Management, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period and an additional \$15.00 for each subsequent thirty (30) day period the penalties remain unpaid.

52. A penalty charge of six (6) percent per year will be assessed monthly on any portion of the Civil Penalty which remain delinquent more than ninety (90) calendar days in accordance with 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be

required, it shall accrue from the first day payment is delinquent, in accordance with 31 C.F.R. § 901.9(d).

53. Failure by Respondent to pay the Civil Penalty assessed by the Final Order in full accordance with this CA/FO may subject Respondent to a civil action to collect the assessed penalties, plus interest, pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In any such collection action, the validity, amount and appropriateness of the penalty shall not be subject to review.

### **GENERAL PROVISIONS**

54. For the purpose of this proceeding, Respondent expressly waives its right to a hearing and to appeal the Final Order under Section 113(d)(2) of the CAA, 42 U.S.C. § 7413(d)(2).

55. The provisions of the CA/FO shall be binding upon Respondent, its officers, directors, agents, servants, employees, and successors or assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the party represented to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of the Consent Agreement and accompanying Final Order.

56. This CA/FO resolves only the civil penalty claims for the specific violations alleged in this Consent Agreement. Complainant reserves the right to commence action against any person, including Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. Nothing in this CA/FO shall be construed to limit the United States authority to pursue criminal sanctions. In addition, this settlement is subject to all limitations on the scope of resolution and the reservation of rights set forth in 40 C.F.R. § 22.18(c). Further, Complainant reserves any rights and remedies available to it under the CAA and the regulations promulgated thereunder, and any other federal laws or regulations for which Complainant has jurisdiction, to enforce the provisions of this Consent Agreement and accompanying Final Order following its filing with the Regional Hearing Clerk.

57. By signing this Consent Agreement, Respondent acknowledges that this CA/FO will be available to the public and agrees that this CA/FO does not contain any confidential business information or personally identifiable information.

58. By signing this Consent Agreement, both parties agree that each party's obligations under this Consent Agreement and attached Final Order constitute sufficient consideration for the other party's obligations.

59. Penalties paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.

60. By signing this Consent Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

61. This Consent Agreement constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.


62. Each party to this action shall bear its own costs and attorney's fees.



In the Matter of US Foods, Inc.

EPA Docket Nos.: CAA-03-2019-0021

FOR US FOODS, INC.

  
Tim O'Donnell  
Vice President, Operations

15 JANUARY 2019  
Date

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY



\_\_\_\_\_  
Paul Leonard, Acting Director  
Hazardous Site Cleanup Division

02-26-19

\_\_\_\_\_  
DATE

**BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

<b>In the Matter of:</b>	)	<b>EPA Docket No.: CAA-03-2019-0021</b>
	)	
<b>US Foods, Inc.</b>	)	<b>U.S. EPA-REGION 3-RHC</b>
<b>9399 West Higgins Road, Suite 500</b>	)	<b>FILED-27FEB2019pm2:22</b>
<b>Rosemont, Illinois 60018,</b>	)	<b>Proceedings Pursuant to Sections</b>
	)	<b>112(r) and 113 of the Clean Air Act,</b>
<b>Respondent.</b>	)	<b>42 U.S.C. §§ 7412(r) and 7413</b>
	)	
<b>US Foods of Allentown</b>	)	
<b>1200 Hoover Avenue</b>	)	
<b>Allentown, PA 18109,</b>	)	
	)	
<b>Facility.</b>	)	

**FINAL ORDER**

Complainant, the Director of the Hazardous Site Cleanup Division, U.S. Environmental Protection Agency, Region III, and Respondent, US Foods, Inc., have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

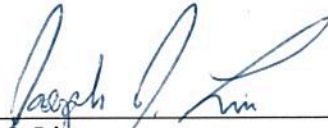
Based on the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, the statutory factors set forth in Section 113(e) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(e), and EPA's *Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7), and 40 C.F.R. Part 68* (June 2012).

**NOW, THEREFORE, PURSUANT TO** Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of **FIFTY-NINE THOUSAND EIGHT HUNDRED FIFTY-SEVEN DOLLARS (\$59,857)**, in accordance with the payment provisions set forth in the Consent Agreement and comply with the terms and conditions of the Consent Agreement.



The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

2-27-2019  
Date

  
\_\_\_\_\_  
Joseph J. Lisa  
Regional Judicial and Presiding Officer  
U.S. EPA Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

In the Matter of: ) EPA Docket No.: CAA-03-2019-0021  
)  
) U.S. EPA-REGION 3-RHC  
US Foods, Inc. ) FILED-27FEB2019PM2:23  
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9399 West Higgins Road, Suite 500 ) Proceedings Pursuant to Sections  
Rosemont, Illinois 60018, ) 112(r) and 113 of the Clean Air Act,  
) 42 U.S.C. §§ 7412(r) and 7413  
)  
Respondent. )  
)  
)  
US Foods of Allentown )  
1200 Hoover Avenue )  
Allentown, PA 18109, )  
)  
Facility. )

CERTIFICATE OF SERVICE

I certify that on FEB 27 2019, the original and one (1) copy of the foregoing *Consent Agreement and Final Order*, were filed with the EPA Region III Regional Hearing Clerk. I further certify that on the date set forth below, I served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copy served via Overnight Mail, to:

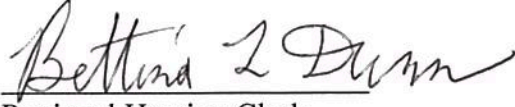
Theresa V. Brown-Edwards, Esq.  
Region Legal Counsel - Northeast  
US Foods, Inc.  
300 Berkeley Drive  
Swedesboro, NJ 08085

Copies served via Hand Delivery or Inter-Office Mail to:

Cynthia T. Weiss, Esquire  
Senior Assistant Regional Counsel  
ORC - 3RC42  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103

Mary Hunt  
RMP Coordinator  
Oil and Prevention Branch - 3HS61  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103

Dated FEB 27 2019

  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region III

TRACKING NUMBERS: 7008 0500 0001 5752 9375