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U.S. EPA REGION IX
HEARING CLERK

Docket No. CAA {112r}-09-2025-0086

CONSENT AGREEMENT AND FINAL
ORDER PURSUANT TO
40 C.F.R. §§ 22.13 AND 22.18

Respondent.

The United States Environmental Protection Agency, Region 9 (“EPA”), and CALAMCO (“Respondent”) agree to settle this matter and consent to the entry of this Consent Agreement and Final Order (“CAFO”), which simultaneously commences and concludes this matter in accordance with 40 C.F.R. §§ 22.13 and 22.18.

1. This is an administrative proceeding instituted pursuant to Section 113(a)(3)(A) and (d) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(a)(3)(A) and (d), for the assessment of a civil administrative penalty against Respondent for violations of Section 112(r) of the CAA.
2. Complainant is the Director of the Enforcement and Compliance Assurance Division, EPA Region IX, who has been duly delegated the authority to bring this action and to sign a consent agreement settling this action.

3. Respondent is a California corporation whose principal offices are located at 1776 W March Lane, Suite 420, in Stockton, California.
4. Complainant and Respondent agree that settlement of this matter is in the public interest and that entry of this CAFO without further litigation is the most appropriate means of resolving this matter.

B. APPLICABLE STATUTORY AND REGULATORY SECTIONS

5. Pursuant to Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), and its implementing regulations, owners and operators of stationary sources producing, processing, handling or storing a chemical in 40 C.F.R. Part 68, or any other extremely hazardous substance, have a general duty to identify hazards that may result from releases using appropriate hazard assessment techniques, to design and maintain a safe facility taking such steps as are necessary to prevent releases, and to minimize the consequences of accidental releases which do occur.
6. 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 the CAA. For substances designated as "regulated toxic substances" or "regulated flammable substances," the TQs are specified at 40 C.F.R. § 68.130.
7. Anhydrous ammonia is a "regulated toxic substance" listed under CAA § 112(r)(3) with a TQ of 10,000 pounds. See 40 C.F.R. § 68.130, Table 1.
8. Aqueous ammonia (with a concentration of 20 percent or greater) is a "regulated toxic substance" listed under CAA § 112(r)(3) with a TQ of 20,000 pounds. See 40 C.F.R. § 68.130, Table 1.

9. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.12(a), the owner or operator of a covered stationary source must submit a Risk Management Plan ("RMP"), as provided in 40 C.F.R. §§ 68.150 - 68.185.
10. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.10(j), the owner or operator of a covered stationary source with a process which would not affect the public in the case of a worse-case release and with no accidents with offsite consequences within the past five years are eligible for "Program 1" requirements, which impose limited hazard assessment requirements and minimal prevention and emergency response requirements.
11. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.10(l), the owner or operator of a covered stationary source with a process which is not eligible Program 1 requirements and is in an NAICS code listed in 40 C.F.R. § 68.10(l)(1) or subject to the Occupational Health and Safety Act ("OSHA") process safety management standard set forth in 29 C.F.R. § 1910.119 is subject to the "Program 3" requirements set forth in 40 C.F.R. § 68.12(d).
12. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.12(d), facilities subject to the Program 3 requirements are required to comply with various RMP requirements, including the prevention requirements set forth in 40 C.F.R. §§ 68.65 through 68.87 and the emergency response program requirements set forth in 40 C.F.R. §§ 68.90 through 68.96.
13. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.10(k), the owner or operator of a covered stationary source with a process which is not eligible for Program 1

requirements or subject to Program 3 requirements must comply with "Program 2" requirements set forth in 40 C.F.R. § 68.12(c).

14. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.12(c), facilities subject to the Program 2 requirements are required to comply with various RMP requirements, including the streamlined prevention requirements set forth in 40 C.F.R. §§ 68.48 through 68.60.
15. Sections 111(a)(3) and 112(a)(3) of the CAA, 42 U.S.C. §§ 7411(a)(3) and 7412(a)(3), define "stationary source" as "any building, structure, facility, or installation which emits or may emit any air pollutant."
16. Section 302(g) of the CAA, 42 U.S.C. § 7602(g), defines "air pollutant" as "any air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the ambient air."
17. The Administrator of EPA may assess against any person who violates any provision of CAA § 112(r) a civil penalty of up to \$59,114 per day for each offense that occurred after November 2, 2015. See Section 113(d)(1) of CAA, 42 U.S.C. § 7413(d)(1); 40 C.F.R. Part 19; and Civil Monetary Penalty Inflation Adjustment Rule at 90 Fed. Reg. 1375 (Jan. 8, 2025).
18. EPA and the United States Department of Justice ("DOJ") jointly determined that this matter, although it involves alleged violations that occurred more than one year before

the initiation of this proceeding, is appropriate for an administrative penalty assessment. See 42 U.S.C. § 7413(d); 40 C.F.R. § 19.4.

C. GENERAL ALLEGATIONS

19. At all times relevant to this CAFO, Respondent was a corporation and therefore a "person" as defined in Section 302(e) of CAA, 42 U.S.C. § 7602(e).
20. At all times relevant to this CAFO, Respondent operated a facility (the "Facility") located at 2323 Port Road G in Stockton, California.
21. Respondent stores and distributes anhydrous ammonia at the Facility. The Facility receives anhydrous ammonia from oceangoing vessels and stores it in two interconnected insulated tanks. The Facility includes three pressure tanks storing fertilizer grade ammonia (F1 through F3) and four pressure tanks storing refrigeration grade ammonia (R1 through R4).
22. Respondent produces, stores, and distributes aqueous ammonia (with a concentration of 20 percent or greater) at the Facility, which is stored in a single aboveground storage tank.
23. 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).
24. At all times relevant to this CAFO, Respondent produced, used, or stored more than 10,000 pounds of anhydrous ammonia at the Facility and was subject to the requirements of CAA § 112(r)(7).

25. At all times relevant to this CAFO, Respondent produced, used, or stored more than 20,000 pounds of aqueous ammonia (with a concentration of 20 percent or greater) at the Facility and was subject to the requirements of CAA § 112(r)(7).
26. At all times relevant to this CAFO, the anhydrous ammonia process at the Facility was subject to Program 3 requirements because it was subject to the OSHA process safety management standard set forth in 29 C.F.R. § 1910.119.
27. At all times relevant to this CAFO, the aqueous ammonia process at the Facility was subject to Program 2 requirements.
28. During March 14-18, 2022, EPA's National Enforcement Investigation Center performed an inspection at the Facility to assess Respondent's compliance with Section 112(r) of CAA, 42 U.S.C. § 7412(r), and Part 68 requirements (the "Inspection") and documented its observations in an inspection report dated May 13, 2022.
29. Based upon the information gathered during the Inspection and follow-up investigation (collectively the "Investigation"), EPA determined that Respondent violated certain provisions of the CAA.

D. ALLEGED VIOLATIONS

Count 1

(Failure to Comply with the Public Meeting Requirement; 40 C.F.R. § 68.10(e))

30. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
31. Under 40 C.F.R. § 68.10(e), an owner or operator of a facility subject to the requirements of CAA § 112(r)(7) must comply with the public meeting requirement in 40

C.F.R. § 68.210(b) within 90 days of any RMP reportable accident at the stationary source with “known offsite impacts” specified in 40 C.F.R. § 68.42(a) that occurs after March 15, 2021.

32. Under 40 C.F.R. § 68.42(a), known offsite impacts include deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage.
33. Based upon the Investigation, EPA determined that Respondent failed to comply with the public meeting requirement in 40 C.F.R. § 68.210(b) within 90 days of the RMP reportable accident at the Facility that occurred on December 16, 2023, when an accidental release of anhydrous ammonia resulted in the sheltering in place of five people offsite.
34. Accordingly, EPA alleges that Respondent violated the public meeting requirement set forth at CAA § 112(r) and 40 C.F.R. § 68.10(e) in or about March 2024.

Count 2

(Failure to Comply with the Management System Requirements; 40 C.F.R. § 68.15(a), (c))

35. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
36. Under 40 C.F.R. § 68.15(a), an owner or operator of a facility subject to the requirements of CAA § 112(r)(7) must develop a management system to oversee the implementation of the risk management plan elements. Specifically, the owner or operator shall assign a qualified person with an overall responsibility for the development, implementation, and integration of the risk management program elements under 40 C.F.R. § 68.15(b) or document the names or positions of multiple

persons responsible for the development, implementation, and integration of the risk management program elements and the lines of authority defined through an organization chart or similar document under 40 C.F.R. § 68.15(c).

37. Based upon the Investigation, EPA determined that Respondent failed to develop a management system to oversee the implementation of the risk management program elements and to document the names of multiple persons responsible for the development, implementation, and integration of the risk management program elements at the Facility and appropriately define the lines of authority in an organization chart or similar document from March 2022 to September 2022.
38. Accordingly, EPA alleges that Respondent violated the management system requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.15(a) and (c) from March 2022 to September 2022.

Count 3

(Failure to Comply with the Worst-Case Release Scenario Analysis Requirements;

40 C.F.R. § 68.25(b))

39. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
40. Under 40 C.F.R. § 68.25(a)(2), an owner or operator of a facility subject to the Program 2 and 3 requirements of CAA § 112(r)(7) must analyze and report in the RMP one or more applicable worst-case release scenario.
41. Under 40 C.F.R. § 68.25(b), the worst-case release quantity must be the greater of: (1) for substances in a vessel, the greatest amount held in a single vessel, taking into

account administrative controls that limit the maximum quantity or (2) for substances in pipes, the greatest amount in a pipe, taking into account administrative controls that limit the maximum quantity.

42. Based upon the Investigation, EPA determined that Respondent used an inaccurate worst-release quantity in analyzing and reporting the worst-case release scenario in the RMP for the Facility during 2022-2023.
43. Accordingly, EPA alleges that Respondent violated the worst-case release scenario analysis requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.25(b) by using an inaccurate worst-release quantity in analyzing and reporting the worst-case release scenario in the RMP during 2022-2023.

Count 4

(Failure to Adequately Document the Off-Site Consequence Analyses; 40 C.F.R. § 68.39)

44. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
45. Under 40 C.F.R. § 68.39, an owner or operator of a facility subject to the requirements of CAA § 112(r)(7) must maintain adequate records on the off-site consequence analyses, including: for worst-case scenarios, a description of the vessel or pipeline and substance selected as worst case, assumptions and parameters used, and the rationale for selection; for alternative release scenarios, a description of the scenarios identified, assumptions and parameters used, and the rationale for the selection of specific scenarios; and data used to estimate population and environmental receptors potentially affected.

46. Based upon the Investigation, EPA determined that Respondent failed to maintain documentation for the worst-case and alternative release scenarios and data used to estimate population and environmental receptors potentially affected at the Facility in 2022.

47. Accordingly, EPA alleges that Respondent violated the documentation requirements for the off-site consequence analyses set forth at CAA § 112(r) and 40 C.F.R. § 68.39 in or about 2022.

VIOLATIONS OF PROGRAM 2 REQUIREMENTS (AQUEOUS AMMONIA):

Count 5

(Failure to Comply with the Safety Information Requirements; 40 C.F.R. § 68.48(a))

48. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.

49. Under 40 C.F.R. § 68.48(a), an owner or operator of a facility subject to the Program 2 requirements of CAA § 112(r)(7) must compile and maintain up-to-date safety information related to the regulated substances, processes, and equipment including safe upper and lower temperatures, pressures, flows, and compositions; and codes and standards used to design, build, and operate the process.

50. Based upon the Investigation, EPA determined that Respondent failed to compile and maintain up-to-date safety information related to the aqueous ammonia process at the Facility including safe upper and lower temperatures, pressures, flows, and compositions; and codes and standards used to design, build, and operate the aqueous ammonia process from or about 2020 to 2023.

51. Accordingly, EPA alleges that Respondent violated the safety information requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.48(a) from 2020 to 2023.

Count 6

(Failure to Comply with the Hazard Review Requirements; 40 C.F.R. § 68.50(a))

52. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
53. Under 40 C.F.R. § 68.50(a), an owner or operator of a facility subject to the Program 2 requirements of CAA § 112(r)(7) must conduct a review of the hazards associated with the regulated substances, process, and procedures that identify the hazards associated with the process and regulated substances; opportunities for equipment malfunctions or human errors that could cause an accidental release; and the safeguards used or needed to control the hazards or prevent equipment malfunction or human error.
54. Based upon the Investigation, EPA determined that Respondent failed to conduct a review of the aqueous ammonia process at the Facility that identified the hazards associated with the process; opportunities for equipment malfunctions or human errors that could cause an accidental release; and the safeguards used or needed to control the hazards or prevent equipment malfunction or human error from 2020 to 2023.
55. Accordingly, EPA alleges that Respondent violated the hazard review requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.50(a) from 2020 to 2023.

Count 7

(Failure to Comply with the Refresher Training Requirements; 40 C.F.R. § 68.54(b))

56. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
57. Under 40 C.F.R. § 68.54(b), an owner or operator of a facility subject to the Program 2 requirements of CAA § 112(r)(7) must provide refresher training at least every three years, and more often if necessary, to each employee operating a process to ensure that the employee understands and adheres to the current operating procedures of the process.
58. Based upon the Investigation, EPA determined that Respondent failed to provide refresher training at least every three years to each employee operating the aqueous ammonia process at the Facility from 2020 to 2023.
59. Accordingly, EPA alleges that Respondent violated the refresher training requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.54(b) from 2020 to 2023.

Count 8

(Failure to Comply with the Maintenance Requirements; 40 C.F.R. § 68.56(a), (d))

60. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
61. Under 40 C.F.R. § 68.56(a), an owner or operator of a facility subject to the Program 2 requirements of CAA § 112(r)(7) must prepare and implement procedures to maintain the ongoing mechanical integrity of the process equipment. Under 40 C.F.R. § 68.56(d), the owner or operator must perform or cause to be performed inspections and tests on

process equipment that comply with recognized and generally accepted good engineering practices ("RAGAGEP").

62. Based upon the Investigation, EPA determined that Respondent failed to prepare and implement procedures to maintain the ongoing mechanical integrity of the aqueous ammonia process equipment and also failed to perform or cause to be performed inspections and tests on the aqueous ammonia process equipment that followed RAGAGEP from 2020 to 2023.
63. Accordingly, EPA alleges that Respondent violated the mechanical integrity requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.56 from 2020 to 2023.

VIOLATIONS OF PROGRAM 3 REQUIREMENTS (ANHYDROUS AMMONIA):

Count 9

(Failure to Comply with the Process Safety Information ("PSI") Requirements;

40 C.F.R. § 68.65(a), (c), (d))

64. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
65. Under 40 C.F.R. § 68.65(a), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must complete a compilation of written process safety information before conducting any Process Hazard Analysis ("PHA") which will enable the owner or operator and the employees involved in operating the covered process to identify and understand the hazards posed by those processes involving regulated substances.

66. Under 40 C.F.R. § 68.65(c), the owner or operator of the facility subject to the PSI requirements must compile information pertaining to the technology of the covered process including process chemistry and safe upper and lower limits for such items as temperatures, pressures, flows or compositions.
67. Under 40 C.F.R. § 68.65(d), the owner or operator of the facility subject to the PSI requirements must compile information pertaining to the equipment in the covered process including materials of construction, piping and instrument diagrams ("P&IDs"), relief system design and design basis, and safety systems, and ensure and document that the process is designed and maintained in compliance with RAGAGEP.
68. Based upon the Investigation, EPA determined that Respondent failed to update its PSI prior to conducting a PHA; failed to compile adequate information pertaining to process chemistry, safe upper and lower limits, materials of construction, P&IDs, relief system design and design basis, and safety systems for the anhydrous ammonia process at the Facility; and failed to document that the process was designed and maintained in compliance with RAGAGEP from 2020 to 2023.
69. Accordingly, EPA alleges that Respondent violated the PSI requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.65(a), (c), and (d) from 2020 to 2023.

Count 10

(Failure to Comply with the Process Hazard Analysis Requirements; 40 C.F.R. § 68.67(b), (c))

70. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.

71. Under 40 C.F.R. § 68.67, an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must perform a PHA on processes covered by the CAA § 112(r) requirements to identify, evaluate, and control the hazards involved in the process. Under 40 C.F.R. § 68.67(b), the owner or operator shall use an appropriate methodology to determine and evaluate the hazards of the process. Under 40 C.F.R. § 68.67(c), the PHA must address various elements including but not limited to the hazards of the process, engineering and administrative controls applicable to the hazards, stationary source siting, human factors, and a qualitative evaluation of a range of the possible safety and health effects of failure of controls.
72. Based upon the Investigation, EPA determined that Respondent failed to select an appropriate PHA methodology and failed to perform a PHA for the anhydrous ammonia process at the Facility that adequately addressed the hazards of the process, engineering and administrative controls applicable to the hazards, stationary source siting, human factors, and rankings of potential risks from 2020 to 2023.
73. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.67(b) and (c) by failing to perform a PHA for the anhydrous ammonia process at the Facility that adequately addressed the hazards of the process, engineering and administrative controls applicable to the hazards, stationary source siting, and rankings of potential risks from 2020 to 2023.

Count 11

(Failure to Develop and Implement Adequate Operating Procedures; 40 C.F.R. § 68.69)

74. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
75. Under 40 C.F.R. § 68.69(a), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information, including but not limited to steps for each operating phase (e.g., normal and temporary operations and emergency shutdowns); operating limits; safety and health considerations; and safety systems and their functions.
76. Under 40 C.F.R. § 68.69(b), an owner or operating of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must make operating procedures readily available to employees who work in or maintain a covered process.
77. Based upon the Investigation, EPA determined that the written operating procedures for the Facility failed to adequately address temporary operations, shutdowns, operating limits, safety and health considerations, and safety systems and was not readily accessible to the employees in the control room from 2022 to 2023.
78. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.69(a)-(b), by failing to adequately develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered

process consistent with the process safety information and making such procedures available to employees who work in or maintain a covered process from 2022 to 2023.

Count 12

(Failure to Document Refresher Training; 40 C.F.R. § 68.71(b))

79. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
80. Under 40 C.F.R. § 68.71, an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must train employees involved in operating a covered process in an overview of the process and in the appropriate operating procedures. Under 40 C.F.R. § 68.71(b), the owner or operator must provide refresher training to each employee involved in operating a covered process at least every three years to assure that the employee understands and adheres to the current operating procedures of the process. Under 40 C.F.R. § 68.71(c), the owner or operator must also document the identity of the employee provided the required training, the date of training, and the means used to verify that the employee understood the training.
81. Based upon the Investigation, EPA determined that Respondent failed to adequately document refresher training of employees who work on or near covered processes at the Facility at least every three years from 2020 to 2023.
82. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.71(b), by failing to adequately document refresher training of employees who work on or near covered processes at least every three years from 2020 to 2023.

Count 13

(Failure to Comply with the Mechanical Integrity Requirements; 40 C.F.R. § 68.73)

83. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
84. Under 40 C.F.R. § 68.73(d), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must perform inspections and tests consistent with RAGAGEP on process equipment.
85. Under 40 C.F.R. § 68.73(e), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must correct deficiencies in covered equipment that are outside acceptable limits before further use or in a safe and timely manner when necessary means are taken to assure safe operation.
86. Based upon the Investigation, EPA determined that Respondent failed to conduct adequate inspection and tests consistent with RAGAGEP related to pressure vessels and storage tanks, piping systems, relief and vent systems, emergency shutdown systems, controls, and pumps and correct deficiencies in such equipment at the Facility from 2020 to 2023.
87. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.73(d) and (e), by failing to perform inspections and tests on process equipment consistent with RAGAGEP and correct deficiencies in such equipment from 2020 to 2023.

Count 14

(Failure to Comply with the Management of Change Requirements;

40 C.F.R. § 68.75(a), (b), (d))

88. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
89. Under 40 C.F.R. § 68.75(a) and (b), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must establish and implement written procedures to manage changes to process equipment and ensure that such procedures address the technical basis for the change and impact of change on safety and health. Under 40 C.F.R. § 68.75(d), if a change alters the process safety information, such information shall be updated accordingly.
90. Based upon the Investigation, EPA determined that Respondent failed to document the technical basis for and impact on safety and health associated with changes to certain process equipment at the Facility during 2020-2022, including upgrading of the electrical system and installation of a new compressor, and failed to update its PSI.
91. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.75(a), (b), and (d) by failing to document the technical basis for and impact on safety and health associated with changes to certain process equipment during 2020-2022.

Count 15

(Failure to Comply with the Pre-Startup Safety Review Requirements;

40 C.F.R. § 68.77(a))

92. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
93. Under 40 C.F.R. § 68.77(a), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must complete a pre-startup safety review ("PSSR") for new stationary sources and for modified stationary sources when the modification is significant enough to require a change in the process safety information.
94. Based upon the Investigation, EPA determined that Respondent failed to complete the PSSR for the installation of a new compressor and upgrades to control and electrical system at the Facility in 2022.
95. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.77(a), by failing to complete the PSSR for the installation of a new compressor and upgrades to control and electrical system at the Facility in 2022.

Count 16

(Failure to Comply with the Compliance Audit Requirements; 40 C.F.R. § 68.79(d))

96. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
97. Under 40 C.F.R. § 68.79(a), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must perform a compliance audit at least every three years to verify that procedures and practices developed under the RMP requirements

are adequate and are being followed. Under 40 C.F.R. § 68.79(d), the owner or operator must promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.

98. Based upon the Investigation, EPA determined that Respondent failed to determine and document responses to each finding of the 2017 and 2020 compliance audits of the Facility and document that deficiencies identified in the 2017 and 2020 compliance audits were corrected.
99. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.79(d), by failing to determine and document responses to the findings of the 2017 and 2020 compliance audits of the Facility and document that deficiencies identified in the 2017 and 2020 compliance audits were corrected.

Count 17

(Failure to Comply with the Employee Participation Requirements; 40 C.F.R. § 68.83(a))

100. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
101. Under 40 C.F.R. § 68.83(a), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must develop a written plan regarding employee participation in various elements of the RMP program, including the PHA, compliance audit, and incident investigation.
102. Based upon the Investigation, EPA determined that Respondent failed to develop a written plan regarding employee participation in the RMP process at the Facility from 2020 to 2023.

103. Accordingly, EPA alleges that Respondent violated the employee participation requirements set forth at CAA § 112(r) and 40 C.F.R. § 68.83(a) from 2020 to 2023.

Count 18

(Failure to Comply with the Contractor Requirements; 40 C.F.R. § 68.87(b))

104. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
105. Under 40 C.F.R. § 68.87(b), an owner or operator of a facility subject to the Program 3 requirements of CAA § 112(r)(7) must fulfill various responsibilities regarding contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process, including evaluation of contractors' safety performance during their selection and periodic performance review.
106. Based upon the Investigation, EPA determined that Respondent failed to fulfill owner or operator responsibilities related to safety performance evaluation and periodic performance review for two contractors working on or around the covered processes at the Facility in 2022 and 2023.
107. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.87(b), by failing to fulfill owner or operator responsibilities regarding contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process in 2022 and 2023.

Count 19

(Failure to Correct the RMP; 40 C.F.R. § 68.195(a))

108. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
109. Under 40 C.F.R. § 68.195(a), an owner or operator of a facility subject to the requirements of CAA § 112(r)(7) must submit information regarding any accidental release that triggers the five-year accident history reporting criteria of 40 C.F.R. § 68.42 within six months of the release or by the time the RMP is updated, whichever is earlier.
110. Based upon the Investigation, EPA determined that Respondent failed to submit until June 21, 2024, information regarding an accidental release at the Facility on December 16, 2023, that triggered the five-year accident history reporting criteria of 40 C.F.R. § 68.42.
111. Accordingly, EPA alleges that Respondent violated CAA § 112(r) and 40 C.F.R. § 68.195(a), by failing to timely submit information regarding an accidental release triggering the five-year accident history reporting criteria of 40 C.F.R. § 68.42 within six months of the release or by the time the RMP is updated, whichever is earlier.

E. RESPONDENT'S ADMISSIONS

112. In accordance with 40 C.F.R. § 22.18(b)(2) and for the purpose of this proceeding, Respondent: (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in the CAFO; (iii) consents to any and all conditions specified in this CAFO, including the assessment of the civil administrative penalty under Section I.F of this

CAFO and Conditions specified in Section I.G of this CAFO; (iv) waives, for the purpose of this proceeding, any right to contest the allegations contained in Section I.D of the CAFO; and (v) waives the right to appeal the proposed final order contained in this CAFO. By signing this consent agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying this consent agreement.

F. CIVIL ADMINISTRATIVE PENALTY

113. Respondent agrees to the assessment of a civil penalty of FOUR HUNDRED SIXTY THOUSAND FOUR HUNDRED SIXTY-FIVE DOLLARS (\$460,465) for the claims set forth herein as final settlement of the civil claims against Respondent as alleged in Section I.D of the CAFO.
114. Respondent shall pay the assessed penalty according to the terms of this CAFO within thirty (30) days of the Effective Date of the CAFO. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website:
<https://www.epa.gov/financial/makepayment>. For additional instructions see:
<https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
115. When making a payment, Respondent shall:
 - a. Identify every payment with Respondent's name and the docket number of this Agreement, CAA 112(r)-09-2025-0086.

- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following person(s):

Regional Hearing Clerk
Office of Regional Counsel (ORC-1)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
R9hearingclerk@epa.gov

Bridget Johnson (ENF-2-1)
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
Johnson.bridget@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@epa.gov

“Proof of payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

116. In addition, failure to pay the civil administrative penalty in accordance with the deadline specified in Paragraph 113 may lead to any or all of the following actions:
- a. The debt being referred to a credit reporting agency, a collection agency, or to the Department of Justice for filing of a collection action in the appropriate United States District Court. 40 C.F.R. §§ 13.13, 13.14, and 13.33. In any such

collection action, the validity, amount, and appropriateness of the assessed penalty and of this CAFO shall not be subject to review.

- b. The debt being collected by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds. 40 C.F.R. Part 13, Subparts C and H.
- c. EPA may (i) suspend or revoke Respondent's licenses or other privileges; or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds. 40 C.F.R. § 13.17.
- d. In accordance with the Debt Collection Act of 1982 and 40 C.F.R. Part 13 interest, penalties charges, and administrative costs will be assessed against the outstanding amount that Respondent owes to EPA for Respondent's failure to pay the civil administrative penalty by the deadline specified in Paragraph 114. Interest will be assessed at an annual rate that is equal to the rate of current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate) as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. 40 C.F.R. § 13.11(a)(1). Penalty charges will be assessed monthly at a rate of 6% per annum. 40 C.F.R. § 13.11(c). Administrative costs for handling and collecting Respondent's overdue debt will be based on either actual or average cost incurred, and will include both direct and indirect costs. 40 C.F.R. § 13.11(b). In

addition, if this matter is referred to another department or agency (e.g., the Department of Justice, the Internal Revenue Service), that department or agency may assess its own administrative costs, in addition to EPA's administrative costs, for handling and collecting Respondent's overdue debt.

117. Payment of the above civil administrative penalty shall not be used by Respondent or any other person as a tax deduction from Respondent's federal, state, or local taxes.
118. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. In order to provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

- a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;
- b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;
- c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Center at henderson.jessica@epa.gov, within 30 days after the Final Order ratifying this Agreement is filed (EPA recommends encrypting IRS Form W-9 email correspondence); and
- d. In the event that Respondent has certified in its completed IRS Form W-9 that it has applied for a TIN and that TIN has not been issued to Respondent within 30 days after the Effective Date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall further:
 - i. notify EPA's Cincinnati Finance Center of this fact, via email, within 30 days after the 30 days after the Effective Date of this CAFO; and
 - ii. provide EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's issuance and receipt of the TIN.

G. CONDITIONS

119. All submissions to EPA required in this section shall be in writing and sent to Bridget Johnson, electronically at johnson.bridget@epa.gov.

120. All certifications shall be signed by an authorized representative of Respondent. If a condition directs Respondent to certify facts to EPA, Respondent shall submit a written statement containing the following language: "The undersigned hereby certifies under penalty of law, and based on information and belief formed after reasonable inquiry, that the statements and information herein and all supporting documentation are true, accurate, and complete."
121. If Respondent is unable to complete any of the conditions required in this Section within the associated schedule, Respondent shall submit a written request for a modification, including the basis for the request, to EPA. Respondent shall submit this request within seven (7) days of identifying a need for a modification. Based on this request, EPA may in its sole discretion grant or deny, in full or in part, the request for modification.
122. Respondent is responsible for the satisfactory completion of the conditions described in Paragraphs 124 - 126.
123. Within thirty (30) days after receipt of documentation supporting conditions completion, EPA will notify the Respondent, in writing, regarding: (a) any deficiencies in the conditions along with a grant of fourteen (14) days for Respondent to correct any deficiencies; or (b) indicate that EPA concludes that the conditions have been completed satisfactorily. If a dispute exists as to the satisfactory completion of these conditions, they will be addressed in accordance with Section I.J of this CAFO.
124. No later than June 30, 2026, Respondent shall provide certified documentation to EPA of the completion of installation of or upgrades to the pressure relief valves at the Facility identified in Appendix A.

125. No later than June 30, 2026, Respondent shall provide certified documentation to EPA of the completion of all outstanding compliance items associated with the 2023 PHA identified in Appendix B.
126. No later than June 30, 2026, Respondent shall provide certified documentation to EPA of the completion of inspections and testing of the following piping used to convey anhydrous ammonia and critical utilities at the Facility: System 4: Critical Water Systems; System 5: Purge; System 7: C-Grade Load Out (Uninsulated); System 8: R-Grade System; System 9: #1 System; System 10: Compressor Suction Piping; System 14: Instrument Air; System 15: Truck and Rail Offload.

H. STIPULATED PENALTIES

127. In the event that Respondent fails to submit a payment of the civil penalty to EPA by the deadline specified in Paragraph 114 of this CAFO, Respondent shall pay stipulated penalties up to: FIVE HUNDRED DOLLARS (\$500) per day for first to fifteenth day of delay; ONE THOUSAND DOLLARS (\$1,000) per day for sixteenth to thirtieth day of delay; and ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500) per day for each day of delay thereafter.
128. In the event that Respondent fails to complete any activity required under Section I.G of this CAFO, Respondent shall pay stipulated penalties up to: FIVE HUNDRED DOLLARS (\$500) per day for first to fifteenth day of delay; ONE THOUSAND DOLLARS (\$1,000) per day for sixteenth to thirtieth day of delay; and FIFTEEN HUNDRED DOLLARS (\$1,500) per day for each day of delay thereafter.

129. After giving effect to any extensions of time granted by EPA, Respondent shall pay a stipulated penalty in the amount of Two Hundred Dollars (\$200) for each day that each notice required by this CAFO is submitted late.
130. 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 thirty (30) 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 I.F of this CAFO.
131. If a stipulated penalty is not paid in full, interest shall begin to accrue on the unpaid balance at the end of the thirty-day period at the current rate published by the United States Treasury, as described at 40 C.F.R. §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 CAFO or with the CAA and the implementing regulations.
132. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this CAFO.

I. FORCE MAJEURE

133. “*Force majeure*,” for purposes of this CAFO, is defined as any event arising from causes beyond the control of Respondent, of any entity controlled by Respondent, or of Respondent’s contractors, that delays or prevents the performance of any obligation under this CAFO despite Respondent’s best efforts to fulfill the obligation. The

requirement that Respondent exercise “best efforts to fulfill the obligation” includes using best efforts to anticipate any potential *force majeure* event and best efforts to address the effects of any potential *force majeure* event (a) as it is occurring and (b) following the potential *force majeure*, such that the delay and any adverse effects of the delay are minimized. “*Force Majeure*” does not include Respondent’s financial inability to perform any obligation under this CAFO.

134. If any event occurs or has occurred that may delay the performance of any obligation under this CAFO, as to which Respondent intends to assert a claim of *force majeure*, Respondent will provide notice orally or by electronic transmission to EPA within seven (7) days of when Respondent first knew, or by the exercise of due diligence should have known, that the event would cause a delay. Within fifteen (15) days after initial notice is provided to EPA by Respondent, Respondent will provide in writing to EPA an explanation and description of the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; Respondent’s rationale for attributing such delay to *force majeure*; and a statement as to whether, in the opinion of Respondent, the delay in performance of an obligation under this CAFO resulting from such event may cause or contribute to an endangerment to public health, welfare, or the environment (“15-Day *Force Majeure* Written Notice”). Respondent will include with any 15-Day *Force Majeure* Written Notice documentation supporting the claim that the delay was attributable to *force majeure*. Failure to substantially comply with the above requirements will preclude

Respondent from asserting any claim of *force majeure* for that event for the period of time in which Respondent has failed to comply with the notice requirements, and for any additional delay caused by such failure. Respondent will be deemed to know of any circumstances of which Respondent, any entity controlled by Respondent, or Respondent's contractors knew or should have known. If EPA agrees that the delay or anticipated delay is attributable to *force majeure*, it will notify Respondent in writing, within 15 days of receipt of Respondent's 15-Day *Force Majeure* Written Notice, and the time for performance of the obligations under this CAFO that are affected by *force majeure* will be extended by EPA, for such time as is necessary to complete those obligations. An extension of the time for performance of the obligations affected by *force majeure* will not, of itself, extend the time for performance of any other obligation. EPA will notify Respondent in writing of the length of the extension, if any, for performance of the obligations affected by *force majeure*. If EPA does not agree that the delay or anticipated delay has been or will be caused by *force majeure*, EPA will notify Respondent in writing of its decision within 15 days of receipt of Respondent's 15-Day *Force Majeure* Written Notice.

135. If EPA does not respond within the timeframe above or if EPA does not agree that the delay or anticipated delay has been or will be caused by *force majeure*, Respondent may elect to invoke the dispute resolution process set forth in Section J. Respondent must do so no later than 30 days after: (a) receipt of EPA's notice of decision regarding Respondent's *force majeure* claim; or (b) EPA fails to provide a written response within 30 days after receipt of Respondent's 15-Day *Force Majeure* Written Notice.

J. DISPUTE RESOLUTION

136. Unless otherwise expressly provided for in this CAFO, the dispute resolution procedures of this Section shall be the exclusive mechanism for resolving disputes under this CAFO. The Parties shall attempt to resolve any disagreements concerning this CAFO expeditiously and informally.
137. If Respondent objects to any EPA action taken pursuant to this CAFO, including EPA finding that Respondent has not met its obligations under Section I.G (Conditions) of this CAFO, it shall notify EPA in writing of its objection(s) within seven (7) days. EPA may, in its discretion, submit a response to the objection to Respondent no later than seven (7) days after receipt of Respondent's objection. EPA and Respondent shall have 21 days from EPA's receipt of Respondent's written objection(s) to resolve the dispute (the "Negotiation Period"). The Negotiation Period may be extended at the sole discretion of EPA.
138. Any agreement reached by the Parties pursuant to this Section shall be in writing and shall, upon signature by the Parties, be incorporated into and become an enforceable part of this CAFO.
139. If agreement is reached by the Parties pursuant to this Section, it shall be in writing and shall, upon signature by the Parties, be incorporated into and become an enforceable part of this CAFO.
140. Respondent's obligations under Section I.G of this CAFO shall not be tolled by submission of any objection.

141. Following resolution of the dispute, as provided by this Section, Respondent shall fulfill the requirement that was the subject of dispute in accordance with the agreement reached or with EPA's decision, regardless of whether Respondent agrees with the decision.

K. CERTIFICATION OF COMPLIANCE

142. In executing this CAFO, Respondent certifies that, to its knowledge, other than the work to be performed under Section I.G of this CAFO, it has taken all steps necessary to return to full compliance with CAA § 112(r) and its implementing regulations.

L. RETENTION OF RIGHTS

143. In accordance with 40 C.F.R. § 22.18(c), Respondents' full compliance with this Consent Agreement shall only resolve Respondent's liability for federal civil penalties. Nothing in this CAFO is intended to or shall be construed to resolve (i) any civil liability for violations of any provision of any federal, state, or local law, statute, regulation, rule, ordinance, or permit not specifically alleged in Section I.D of the CAFO; or (ii) any criminal liability. EPA specifically reserves any and all authorities, rights, and remedies available to it (including, but not limited to, injunctive or other equitable relief or criminal sanctions) to address any violation of this CAFO or any violation not specifically alleged in Section I.D of the CAFO.
144. This CAFO does not exempt, relieve, modify, or affect in any way Respondent's duty to comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and permits.

M. MISCELLANEOUS

- 145. This CAFO may be amended or modified only by written agreement executed by both EPA and Respondent.
- 146. The headings in this CAFO are for convenience of reference only and shall not affect interpretation of this CAFO.
- 147. Each party to this action shall bear its own costs and attorneys' fees.
- 148. Respondent consents to entry of this CAFO without further notice.

N. EFFECTIVE DATE

- 149. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CAFO shall be effective on the date that the final order contained in this CAFO, having been approved and issued by either the Regional Judicial Officer or Regional Administrator, is filed with the Regional Hearing Clerk.

O. BINDING EFFECT

- 150. The undersigned representative of Complainant and the undersigned representative of Respondent each certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind the party he or she represents to this CAFO.
- 151. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

P. NOTICE

152. Except as otherwise provided in Section I.G, any notices, documents, information, reports, plans, approvals, disapprovals, or other correspondence submitted from one party to another under this CAFO shall be addressed as follows:

To EPA:

Bridget Johnson
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Johnson.Bridget@epa.gov

With a copy to:

David Kim
Office of Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Kim.David@epa.gov

To Respondent:

David Croce
CALAMCO
1776 W. March Lane, Suite 420
Stockton, CA 95207
David.croce@calamco.com

With a copy to:

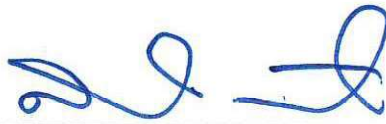
Steven H. Goldberg, Esq.
Stoel Rives LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814
Steven.goldberg@stoel.com

Robert P. Soran, Esq.
Downey Brand LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
rsoran@downeybrand.com

FOR RESPONDENT, CALAMCO:

17 Jun 25

DATE



NAME: Dan Stone

TITLE: President

CALAMCO

1776 W. March Lane, Suite 420

Stockton, CA 95207

FOR COMPLAINANT, EPA REGION 9:

AMY MILLER-
BOWEN

Digitally signed by AMY
MILLER-BOWEN
Date: 2025.07.10 11:21:10
-07'00'

DATE

Amy C. Miller-Bowen

Director

Enforcement and Compliance Assurance Division

U.S. Environmental Protection Agency, Region 9

II. FINAL ORDER

Complainant and Respondent, CALAMCO, having entered into the foregoing Consent Agreement,

IT IS HEREBY ORDERED that this CAFO (Docket No. CAA (112r)-09-2025-0086) be entered, and that Respondent shall pay a civil administrative penalty in the amount of FOUR HUNDRED SIXTY THOUSAND FOUR HUNDRED SIXTY-FIVE DOLLARS (\$460,465), and otherwise comply with the terms and conditions set forth in the Consent Agreement.

STEVEN
JAWGIEL

Digitally signed by
STEVEN JAWGIEL
Date: 2025.07.11
11:38:13 -07'00'

DATE

Steven Jawgiel
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 9

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order in the matter of CALAMCO (Docket No. CAA(112r)-09-2025-0086) was filed with Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was served on the parties, via electronic mail, as indicated below:

RESPONDENT: Dan Stone
President
CALAMCO
1776 West March Lane, Suite 420
Stockton, CA 95207
Dan.stone@calamco.com

COMPLAINANT: David Kim
Assistant Regional Counsel
U.S. EPA – Region IX
Hazardous Waste Section I (ORC-3-1)
75 Hawthorne Street
San Francisco, CA 94105
Kim.David@epa.gov

Tu, Ponly

Digitally signed by Tu,
Ponly
Date: 2025.07.11
13:18:40 -07'00'

Ponly Tu
Regional Hearing Clerk
U.S. EPA – Region IX