



Docket No: CAA-05-2025-0037

This ESA is issued to: South Central FS Humboldt

at: 50 N Broadway St, Humboldt, IL 61931

for violations of Section 112(r)(7) of the Clean Air Act.

EXPEDITED SETTLEMENT AGREEMENT

The United States Environmental Protection Agency, Region 5, and South Central FS Humboldt ("Respondent"), have agreed to the settlement of this action before the filing of a Complaint. The EPA and Respondent (jointly "the Parties") have agreed that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest. This action is thus simultaneously commenced and concluded by this Expedited Settlement Agreement ("ESA") and Final Order. See 40 C.F.R. §§ 22.13(b) and 22.18(b)(2)-(3).

This is an administrative action for the assessment of civil penalties instituted pursuant to the EPA's authority under Sections 113(a)(3) and (d) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(a)(3) and (d). The Director of the Enforcement & Compliance Assurance Division, Region 5, EPA ("Complainant") has been delegated the authority to issue an administrative complaint seeking the assessment of civil penalties for violations of Section 112(r) of the CAA, 42 U.S.C. § 7412(r). The Regional Administrator for Region 5 of EPA is authorized by Sections 113(a)(3) and (d)(1) of the CAA, 42 U.S.C. §§ 7413(a)(3), and (d)(1), to issue a Final Order ratifying this ESA. The Regional Administrator has delegated the authority to issue Final Orders ratifying settlements pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)(3) to the Regional Judicial Officer, Office of Regional Counsel, EPA Region 5.

ALLEGED VIOLATIONS

On October 29, 2024, authorized EPA representatives conducted a compliance inspection of South Central FS Humboldt at 50 N Broadway St, Humboldt, IL 61931 ("Facility") to determine the Facility's compliance with the Chemical Accident Prevention Provisions promulgated pursuant to Section 112(r) of the CAA, and set forth at 40 C.F.R. Part 68. Based on the October 29, 2024 inspection, EPA has determined that Respondent violated the following provisions:

1. 40 C.F.R. § 68.36(a): Respondent failed to review and update the Off-Site Consequence Analyses at least once every five years.

At the time of the October 29, 2024 inspection, Respondent had not updated the Off-Site Consequence Analyses within the last five years.

2. 40 C.F.R. § 68. 56(d): Respondent failed to perform inspections and tests on process equipment that follow recognized and generally accepted engineering practices.

During the October 2024 inspection, it was found that the Respondent does not have any records regarding inspections and tests of the bulk storage tank. Furthermore, the May 2024 Hazard Review indicated that the Respondent had not evaluated all underground piping at least once every five years to ensure leak-tightness, as required by CGA G-2.1-2014 section 5.6.8.

3. 40 C.F.R. § 68.58(e): Respondent failed to retain the two most recent compliance audit reports.

The most recent Compliance Audit was conducted on November 4, 2024, while the report of the previous one was not retained.

4. 40 C.F.R. § 68.195(b): Respondent failed to update the emergency contact information required at 68.160(b)(6) within one month of the change, after it was changed in February 2021.

The emergency contact information was updated on November 7, 2024.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith efforts to comply, other factors as justice may require, and upon consideration of the entire record, the parties enter into this ESA in order to resolve any civil penalties for these alleged violations for the total penalty amount of **\$3,100**.

This settlement is subject to the following terms and conditions:

By signing below, Respondent consents to, and is bound by, the terms and conditions of this ESA, including the assessment of the civil penalty set forth above. Respondent admits the jurisdictional allegations in the ESA, and waives any objections that it may have regarding jurisdiction. Respondent waives its right to contest the specific factual allegations contained herein, and neither admits nor denies these specific factual allegations. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this Expedited Settlement Agreement and Final Order and its right to appeal this Expedited Settlement Agreement and Final Order.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent has corrected the violations set forth in this ESA, and has made payment in the amount of **\$3,100** by either of the two following methods:

Payment method 1 – Preferred (electronic): Pay online through the Department of the Treasury using WWW.PAY.GOV. In the Search Public Form field, enter “SFO 1.1”, click “EPA Miscellaneous Payments - Cincinnati Finance Center” and complete the SFO Form Number 1.1. The payment shall be identified in the online system with the ESA Number listed below.

On the same day, after submitting your payment, send an email to cinwd_acctsreceivable@epa.gov and the EPA contact email address noted below. Include in the subject line: “Payment Confirmation for South Central FS Humboldt ESA Number CAA-05-2025-0037.” Attach a copy of the ESA and your payment receipt to the email.

Payment method 2 (check): Mail, via CERTIFIED MAIL or private carrier, a certified check payable to the United States of America marked with “South Central FS Humboldt”, and the ESA Number listed below, with a copy of the ESA to:

U. S. Environmental Protection Agency
Government Lockbox 970978
3180 Rider Trail S.
Earth City, MO 63045
Attn: ESA Number CAA-05-2025-0037

On the same day, notice of payment must be sent by email to:

Sasa Dunovic
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Dunovic.Sasa@epa.gov

Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
r5airenforcement@epa.gov

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5
r5hearingclerk@epa.gov

Upon Respondent’s submission of the signed original ESA, and the issuance of the Final Order, Respondent’s liability is resolved only for any federal civil penalties due as a result of the facts and violations alleged in this ESA. This ESA, the Final Order, and Respondent’s full payment of the civil penalty set forth herein, do not affect the right of EPA to pursue appropriate injunctive, other equitable relief, or criminal sanctions for any violations of law. EPA also does not waive any enforcement authority for any other violation of the CAA or any other statute. The issuance of the Final Order does not waive, extinguish, or otherwise affect Respondent’s duty to comply with the CAA, the regulations promulgated thereunder, or any other applicable law or requirement.

If the signed original ESA with proof of payment is not returned to the EPA Region 5 office at the above emails in correct form by Respondent within 30 days of the date of Respondent's receipt of this ESA (60 days if an extension is granted), the proposed ESA is withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified in this ESA.

This ESA is binding on the Parties signing below.

Each Party to this action shall bear its own costs and fees, if any.

This ESA is effective upon filing with the Regional Hearing Clerk.

**Expedited Settlement Agreement
In the Matter of: South Central FS Humboldt
Docket No. CAA-05-2025-0037**

FOR RESPONDENT:

Signature:  Date: 22 May 25

Name (print): Joseph L. Meinhardt

Title (print): CEO

Respondent

Expedited Settlement Agreement
In the Matter of: South Central FS Humboldt Docket No.
CAA-05-2025-0037

FOR COMPLAINANT:

Michael D. Harris
Division Director
U.S. EPA Region 5 Enforcement and Compliance Assurance Division

**Expedited Settlement Agreement
In the Matter of: South Central FS Humboldt
Docket No. CAA-05-2025-0037**

FINAL ORDER

The foregoing Expedited Settlement Agreement is hereby ratified and incorporated by reference into this Final Order. Respondent is hereby ORDERED to comply with all of the terms of the foregoing Expedited Settlement Agreement, which upon its filing with the Regional Hearing Clerk shall become immediately effective. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED.

Ann L. Coyle
Regional Judicial Officer