

**FILED**

27 MAR 24 PM 12:50

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 6**

**1201 Elm Street, Suite 500**

**Dallas, Texas 75270**

**REGIONAL HEARING CLERK  
EPA REGION 6**

**In the Matter of**

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**Wonderful Citrus Packing LLC,  
D.B.A. Rio Grande Juice Company**

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**Respondent.**

**Docket No. CAA-06-2023-3319**

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**FIRST MODIFICATION OF THE CONSENT AGREEMENT AND FINAL ORDER**

The U.S. Environmental Protection Agency, Region 6 (“EPA” or “Complainant”), and Wonderful Citrus Packing LLC, D.B.A. Rio Grande Juice Company (“Respondent”) in the above-referenced proceeding, hereby agree to modify the original Consent Agreement and Final Order (CAFO) that was filed on May 18, 2023, consistent with the procedure described in Paragraph 63 of that document. This modification does not affect any provision of the original CAFO beyond that specified below.

By signing on to this modification, the EPA agrees to extend the deadline for Respondent to complete the Supplemental Environmental Project (SEP), described in Paragraphs 53-62 of the original CAFO, and the submittal of the SEP Completion Report to August 30, 2024.

**EXTENSION OF SEP COMPLETION DEADLINE AND SUBMITTAL OF SEP COMPLETION REPORT**

1. The original CAFO at Paragraph 63 states:

The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of all parties and approval of the Regional Judicial Officer. However, the

Regional Judicial Officer need not approve written agreements between the parties modifying the specified emergency response equipment in Attachment B and written agreements between the parties modifying for good cause the SEP completion date of April 30, 2024. The Director of Operations shall sign the written agreements that do not require Regional Judicial Officer approval and said written agreements shall be filed with the Regional Hearing Clerk.

2. The vendor of the items to be donated through the SEP explained to the Respondent that the remaining SEP items, ten Wildland Coats, continue to be on back order and are projected to arrive in April 2024. Therefore, the parties agree good cause exists to modify both the deadline for SEP completion and the submittal of the SEP Completion Report.
3. The parties agree to modify the terms of the SEP described in the original CAFO to extend the deadline for the completion of the SEP from twelve (12) months from the effective date of the original CAFO as referenced in Paragraph 56 of the original CAFO, to August 30, 2024. The parties also agree to extend the deadline for the Respondent to submit a SEP Completion Report from April 30, 2024, as described in Paragraph 61 of the original CAFO, to August 30, 2024.

**RESPONDENT:  
RIO GRANDE JUICE COMPANY**

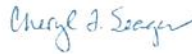
3/27/2024

Date: \_\_\_\_\_

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\_\_\_\_\_  
Craig Cooper, Esquire  
General Counsel  
Wonderful Citrus

**COMPLAINANT:  
U.S. ENVIRONMENTAL PROTECTION AGENCY**



Digitally signed by Cheryl  
T. Seager  
Date: 2024.03.27 10:23:55  
-05'00'

Date: \_\_\_\_\_

\_\_\_\_\_  
Cheryl T. Seager  
Director  
Enforcement and  
Compliance Assurance Division  
U.S. EPA, Region 6

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing First Modification of the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, U.S. EPA - Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that I sent a true and correct copy on this day in the following manner to the email addresses:

Copy via Email to Complainant, EPA:

*Henley.Hollis@epa.gov*

Copy via Email to Respondent:

*Justin.Simpson@wonderful.com*

*Melissa.Frank@wonderful.com*

*Robyn.Neely@akerman.com*

Rio Grande Juice Company  
702 E. Interstate HWY 2  
Mission, TX 78572

A handwritten signature in blue ink, appearing to read "Loren V. [unclear]", written over a horizontal line.

Signed  
Regional Hearing Clerk  
U.S. EPA, Region 6