

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

UNITED STATES  
ENVIRONMENTAL PROTECTION  
AGENCY-REGION 7  
2014 OCT -3 AM 9:14

IN THE MATTER OF )  
)  
)  
LOGANBILL AG. SERVICES, LLC )  
600 Hwy 5 )  
Syracuse, Missouri 65354 )  
)  
)  
Respondent )  
\_\_\_\_\_ )

Docket No. CAA-07-2014-0027

### ADMINISTRATIVE ORDER FOR COMPLIANCE

Pursuant to Section 113(a)(3)(B) of the Clean Air Act (“CAA”), 42 U.S.C. § 7413(a)(3)(B), as amended, Loganbill Ag Services, LLC (“Respondent” or “Loganbill Ag Services” or “Loganbill”) is hereby ordered by the United States Environmental Protection Agency (“EPA”) to comply with the requirements of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and the regulations promulgated thereunder and codified at 40 C.F.R. Part 68, and to take the specific compliance actions set forth below.

#### Statutory and Regulatory Background

1. On November 15, 1990, the President signed into law the CAA Amendments of 1990. The Amendments added Section 112(r) to the CAA, 42 U.S.C. § 7412(r), which requires the Administrator of EPA to, among other things, promulgate regulations in order to prevent accidental releases of certain regulated substances. Section 112(r)(3), 42 U.S.C. § 7412(r)(3), mandates the Administrator to promulgate a list of regulated substances, with threshold quantities, and defines 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). Specifically, Section 112(r)(7) requires the Administrator to promulgate regulations that address release prevention, detection, and correction requirements for these listed regulated substances, 42 U.S.C. § 7412(r)(7).

2. On June 20, 1996, EPA promulgated a final rule known as the Risk Management Program, 40 C.F.R. Part 68, which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA. These regulations require owners and operators of stationary sources to develop and implement a Risk Management Program that includes a management system, a hazard assessment, a prevention program, and an emergency response program.

3. The regulations at 40 C.F.R. Part 68 set forth the requirements of a Risk Management Program that must be established at each stationary source. The Risk Management Program is described in a Risk Management Plan (“RMP”) that must be submitted to EPA.

4. Pursuant to Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.150, the RMP must be submitted for all covered processes, by an owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process no later than the latter of June 21, 1999, or the date on which a regulated substance is first present above the threshold quantity in a process.

5. Section 113(d) of the CAA, 42 U.S.C. § 7413(d), states that the Administrator may issue an administrative order against any person assessing a civil penalty of up to \$37,500 per day of violation whenever, on the basis of any available information, the Administrator finds that such person has violated or is violating any requirement or prohibition of the CAA referenced therein, including Section 112(r)(7), 42 U.S.C. § 7412(r)(7).

### **Definitions**

6. The regulations at 40 C.F.R. § 68.3 define “stationary source” as any buildings, structures, equipment, installations or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control) and from which an accidental release may occur.

7. 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, as amended, listed in 40 C.F.R. § 68.130, Tables 1, 2, 3, and 4, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

8. 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, as amended, in 40 C.F.R. § 68.130, Tables 1, 2, 3, and 4.

9. 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 the 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.

**Factual Background**

10. Loganbill Ag Services (“Loganbill”) is, and at all times referred to herein was, a “person” as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

11. Loganbill Ag Services owns and/or operates a facility, addressed at 600 Hwy 5, Syracuse, MO 65354 (“Loganbill facility”), that is a “stationary source” pursuant to 40 C.F.R. § 68.3.

12. On or about September 11, 2013, EPA inspected the Loganbill facility, located at 600 Hwy 5, Syracuse, Missouri 65354 Missouri to determine compliance with Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68.

13. On or about September 26, 2013, EPA representatives met with representatives of Loganbill at their office at 13366 Hwy E, Versailles, MO 65084.

14. Information collected as a result of this inspection revealed that the Loganbill facility had failed to properly develop and implement the risk management program at its facility.

15. Anhydrous ammonia is a regulated substance pursuant to 40 C.F.R. § 68.3. The threshold quantity for anhydrous ammonia, as listed in 40 C.F.R. § 68.130, Table 1, is 10,000 pounds.

16. At the time of the September 11, 2013 inspection, Loganbill had greater than 10,000 pounds of anhydrous ammonia in a process at its Syracuse facility.

17. At the time of the September 11, 2013 inspection, a residential dwelling was located at the facility, and in direct proximity to the facility’s ammonia bulk storage tanks.

**Findings of Violation**

18. The facts stated in Paragraphs 10 through 14, above, are herein incorporated.

19. Loganbill is subject to the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68, Subpart G, because it is the owner and/or operator of a stationary source that had more than the threshold quantity of a regulated substance in a process.

20. Loganbill is subject to the requirements of the Program 2 risk management program, 40 C.F.R. Part 68, Subpart C, because the process is not subject to the requirements of the Occupational Safety and Health Administration (“OSHA”) process safety management standard, 29 C.F.R. § 1910.119, 40 C.F.R. §68.10(d) and there are public receptors at the facility.

21. Loganbill failed to comply with the requirements of 40 C.F.R. Part 68, as follows, in violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r):

- (i) Loganbill Ag Services failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart G in submitting a RMP that included the information required by 68.155 through 68.170 and 68.180 through 68.185 for all covered processes, as required by 40 CFR 68.150-195. Since the date of EPA's September 11, 2013 inspection, Respondent has failed to file or submit a RMP to EPA despite ongoing efforts by EPA to obtain the required RMP.
- (ii) Loganbill Ag Services failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart B, by conducting and documenting the required hazard assessment as required by 40 CFR 68.20 through 68.33, and 68.39.
- (iii) Loganbill Ag Services failed to maintain an up-to-date MSDS for the anhydrous ammonia in the process, as required by 40 CFR 68.48(a)(1).
- (iv) Loganbill Ag Services failed to keep an accurate maximum intended inventory for equipment in which anhydrous ammonia is stored or processed, as required by 40 CFR 68.48(a)(2).
- (v) Loganbill Ag Services failed to compile and maintain safe upper and lower temperatures, pressures, flows and compositions in equipment in which anhydrous ammonia is stored, as required by 40 CFR 68.48(a)(3).
- (vi) Loganbill Ag Services process is not designed in compliance with recognized and generally accepted good engineering practices as indicated in "American National Standard Safety Requirements for the Storage and Handling of Anhydrous Ammonia", ANSI Standard K61.1-1999 per 40 CFR 68.48(b), including but not limited to the following deficiencies:
  - i. combustible material located within 10 feet of ammonia bulk storage tanks;
  - ii. ineffective vehicle barriers around the ammonia bulk storage tanks;
  - iii. bulging flexible piping from the ammonia bulk storage tanks;
  - iv. unlabeled piping from the ammonia bulk storage tanks;
  - v. rusting of the ammonia bulk tanks;
  - vi. unlabeled ammonia bulk storage tanks;
  - vii. hoses at the transfer station held on with wire;
  - viii. the gauges on 2 bulk tanks were not designed for anhydrous ammonia; and

- ix. support saddles on the bulk storage tanks were too small.
- (vii) Loganbill Ag Services failed to conduct a hazard review, as required by 40 CFR 68.50.
- (viii) Loganbill Ag Services failed to prepare written operating procedures that provide clear instructions or steps for safely conducting activities associated with the covered process, as required by 40 CFR 68.52.
- (ix) Loganbill Ag Services failed to ensure that each employee has been trained or tested competent in the covered process, as required by 40 CFR 68.54(a).
- (x) Loganbill Ag Services failed to prepare and implement procedures to maintain the on-going mechanical integrity of the process equipment, as required by 40 CFR 68.56(a).
- (xi) Loganbill Ag Services failed to train each employee involved in maintaining the on-going mechanical integrity of the process, as required by 40 CFR 68.56(b).
- (xii) Loganbill Ag Services failed to ensure that stationary sources with any regulated toxic substance held in a process, above the threshold quantity, is included in the community emergency response plan, as required by 40 CFR 68.90(b)(1).
- (xiii) Loganbill Ag Services failed to develop a management system to oversee the implementation of the risk management program elements, assign a qualified person or position that has overall responsibility for the RMP, and document persons or positions, other than the qualified individual, who have been assigned responsibilities for implementing elements, as required by 40 CFR 68.15(a-c).

**Order for Compliance**

22. Based on the Factual Background and Findings of Violation set forth above, and pursuant to the authority of Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), as amended, Respondent Loganbill Ag Services, LLC. is hereby ORDERED to take the actions described in Paragraphs 23 and 24.

23. Within 60 days of the effective date of this Administrative Order for Compliance (“Order”), Loganbill must comply with the requirements of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and the regulations promulgated thereunder and codified at 40 C.F.R. Part 68, including, but not limited to, completion of the following compliance actions:

- (i) Develop and implement a risk management program that includes the elements required by 68.15 through 68.60 and 68.90, as required by 40 C.F.R. 68.10 through 68.12.
- (ii) Develop and submit a risk management plan (“RMP”) that includes the information required by 68.155 through 68.170 and 68.180 through 68.185 for all covered processes, as required by 40 CFR 68.150-195.
- (iii) Document that equipment at the facility complies with recognized and generally accepted engineering practices in accordance with 40 C.F.R. § 68.48(b). The American National Standards Institute (“ANSI”) provides recognized and generally accepted engineering practices. At a minimum, this documentation shall address all actions taken to address the deficiencies noted in Paragraph 21(vi), above.
- (iv) Documentation of completion of Paragraphs 23(i), (ii), and (iii) must be submitted to EPA within 90 days of the effective date of this Order. Documentation must include a written description of the work completed, as well as photographs, invoices, testing results, and steps taken to address results of testing. All documentation shall be submitted in accordance with Paragraph 25 of this Order.

24. Within five (5) business days of the 180<sup>th</sup> and 360<sup>th</sup> day after the effective date of this Order, Respondent shall submit documentation to EPA of all actions taken in implementation of the facility’s risk management program during the pendency of this Order. Required documentation all includes, but is not limited to, a written description of all actions taken to address the deficiencies identified in Paragraph 21, above. All documentation shall be submitted in accordance with Paragraph 25 of this Order.

### **Submissions**

25. All submissions to the EPA required by this Order shall be sent to:

Jodi Harper  
Chemical Risk Information Branch  
U.S. Environmental Protection Agency  
11201 Renner Boulevard  
Lenexa, Kansas 66219.

26. Pursuant to 40 C.F.R §§ 2.201-2.311, Loganbill may assert a business confidentiality claim covering any portion of the submitted information that is entitled to confidential treatment. For any such claim, describe the basis of the claim under the applicable regulation. Any material for which business confidentiality is claimed should be placed in a separate envelope labeled, "Confidential Business Information." Failure to assert a claim in the manner described in 40 C.F.R. § 2.203(b) allows EPA to release the submitted information to the public without further notice. EPA may disclose information subject to the business confidentiality claim only to the extent set forth in the above-cited regulations.

### **General Provisions**

#### **Potential Liability**

27. Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), grants EPA the authority to issue an Order to any person found in violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), or the regulations promulgated pursuant thereto.

28. Failure to comply with any of the provisions of this Order may result in an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413. Under Section 113(a) of the CAA, 42 U.S.C. § 7413(a), the Administrator is authorized to address such a violation as follows:

- (i) issue an administrative penalty order assessing a civil penalty not to exceed \$37,500 per day of violation;
- (ii) bring a civil action for permanent or temporary injunction, or to recover a penalty not to exceed \$37,500 per day of violation, or both; or
- (iii) request the Attorney General to commence a criminal action pursuant to Section 113(c) of the CAA, 42 U.S.C. § 7413(c).

29. Respondent may seek federal judicial review of this Order, pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

30. Issuance of this Order does not preclude the State of Missouri or EPA from assessing penalties or taking any other action authorized under the CAA. This Order does not affect the obligation of Loganbill to comply with all federal, state, and local statutes, regulations, and permits.

### **Amendment of Order**

31. EPA may subsequently amend this Order in accordance with the authority of the CAA. In the event of any such subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as specified by the original Order. At EPA's sole discretion, EPA may provide written approval to revisions to deadlines for Respondent set forth in this Order without amendment of the Order. All amendments to this Order, and/or revisions of deadlines set forth in this Order, shall be incorporated into this Order and shall be fully enforceable against Respondent.

### **Access and Requests for Information**

32. Nothing in this Order shall limit EPA's right to obtain access to, and/or inspect the Loganbill facility, and/or to request additional information from Loganbill pursuant to the authority of Section 114 of the CAA, 42 U.S.C. §7414.

### **Opportunity to Confer**

33. This Order shall become effective 30 days after its receipt by Respondent. Prior to the effective date, Respondent has the opportunity to confer with and/or submit information to EPA concerning the validity of this Order, including the basis for the Order, the terms of the Order, and the applicability of the Order to Respondent. Within ten days of receipt of this Order, Respondent may request a conference regarding the Order or to submit information to EPA. If Respondent requests a conference or wishes to submit information, the conference or submission of information shall take place within 20 days of receipt of this Order. EPA shall deem a failure to request a conference or to submit information as a waiver of the opportunity to confer.


34. Requests for a conference shall be made in writing to the EPA contact identified in Paragraph 25.



**Effective Date**

35. The terms of the Order shall be effective and enforceable against Loganbill thirty days from its receipt of this original Order.

10/3/14  
Date

  
\_\_\_\_\_  
Mark Smith  
Acting Director  
Air and Waste Management Division

CERTIFICATE OF SERVICE

I certify that on the date noted below I hand delivered the original and one true copy of this Administrative Order for Compliance to the Regional Hearing Clerk, United States Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219.

I further certify that on the date noted below I sent a copy of the foregoing Order for Compliance by first class and certified mail, return receipt requested, to:

Mr. Ryan Loganbill, Registered Agent for Service  
12266 Hwy E  
Versailles, Missouri 65084

and via first class mail to:

Mr. Ryan Loganbill  
Owner  
Loganbill Ag Services, Inc.  
600 Highway 5  
Syracuse, Missouri 65354.

And by Telefax to:

Mr. Ryan Loganbill  
Owner  
Loganbill Ag Services, Inc.  
600 Highway 5  
Syracuse, Missouri 65354

10/3/14  
Date

Carah A. Moreno

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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**Statutory and Regulatory Background**

1. On November 15, 1990, the President signed into law the CAA Amendments of 1990. The Amendments added Section 112(r) to the CAA, 42 U.S.C. § 7412(r), which requires the Administrator of EPA to, among other things, promulgate regulations in order to prevent accidental releases of certain regulated substances. Section 112(r)(3), 42 U.S.C. § 7412(r)(3), mandates the Administrator to promulgate a list of regulated substances, with threshold quantities, and defines 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). Specifically, Section 112(r)(7) requires the Administrator to promulgate regulations that address release prevention, detection, and correction requirements for these listed regulated substances, 42 U.S.C. § 7412(r)(7).

2. On June 20, 1996, EPA promulgated a final rule known as the Risk Management Program, 40 C.F.R. Part 68, which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA. These regulations require owners and operators of stationary sources to develop and implement a Risk Management Program that includes a management system, a hazard assessment, a prevention program, and an emergency response program.

3. The regulations at 40 C.F.R. Part 68 set forth the requirements of a Risk Management Program that must be established at each stationary source. The Risk Management Program is described in a Risk Management Plan (“RMP”) that must be submitted to EPA.

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### **Definitions**

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### **Factual Background**

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13. On or about September 26, 2013, EPA representatives met with representatives of Loganbill at their office at 13366 Hwy E, Versailles, MO 65084.

14. Information collected as a result of this inspection revealed that the Loganbill facility had failed to properly develop and implement the risk management program at its facility.

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### **Findings of Violation**

18. The facts stated in Paragraphs 10 through 14, above, are herein incorporated.

19. Loganbill is subject to the requirements of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68, Subpart G, because it is the owner and/or operator of a stationary source that had more than the threshold quantity of a regulated substance in a process.

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21. Loganbill failed to comply with the requirements of 40 C.F.R. Part 68, as follows, in violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r):

- (i) Loganbill Ag Services failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart G in submitting a RMP that included the information required by 68.155 through 68.170 and 68.180 through 68.185 for all covered processes, as required by 40 CFR 68.150-195. Since the date of EPA's September 11, 2013 inspection, Respondent has failed to file or submit a RMP to EPA despite ongoing efforts by EPA to obtain the required RMP.
- (ii) Loganbill Ag Services failed to comply with applicable paragraphs of 40 C.F.R. Part 68, Subpart B, by conducting and documenting the required hazard assessment as required by 40 CFR 68.20 through 68.33, and 68.39.
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  - i. combustible material located within 10 feet of ammonia bulk storage tanks;
  - ii. ineffective vehicle barriers around the ammonia bulk storage tanks;
  - iii. bulging flexible piping from the ammonia bulk storage tanks;
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- (x) Loganbill Ag Services failed to prepare and implement procedures to maintain the on-going mechanical integrity of the process equipment, as required by 40 CFR 68.56(a).
- (xi) Loganbill Ag Services failed to train each employee involved in maintaining the on-going mechanical integrity of the process, as required by 40 CFR 68.56(b).
- (xii) Loganbill Ag Services failed to ensure that stationary sources with any regulated toxic substance held in a process, above the threshold quantity, is included in the community emergency response plan, as required by 40 CFR 68.90(b)(1).
- (xiii) Loganbill Ag Services failed to develop a management system to oversee the implementation of the risk management program elements, assign a qualified person or position that has overall responsibility for the RMP, and document persons or positions, other than the qualified individual, who have been assigned responsibilities for implementing elements, as required by 40 CFR 68.15(a-c).

**Order for Compliance**

22. Based on the Factual Background and Findings of Violation set forth above, and pursuant to the authority of Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), as amended, Respondent Loganbill Ag Services, LLC. is hereby ORDERED to take the actions described in Paragraphs 23 and 24.

23. Within 60 days of the effective date of this Administrative Order for Compliance (“Order”), Loganbill must comply with the requirements of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and the regulations promulgated thereunder and codified at 40 C.F.R. Part 68, including, but not limited to, completion of the following compliance actions:

- (i) Develop and implement a risk management program that includes the elements required by 68.15 through 68.60 and 68.90, as required by 40 C.F.R. 68.10 through 68.12.
- (ii) Develop and submit a risk management plan (“RMP”) that includes the information required by 68.155 through 68.170 and 68.180 through 68.185 for all covered processes, as required by 40 CFR 68.150-195.
- (iii) Document that equipment at the facility complies with recognized and generally accepted engineering practices in accordance with 40 C.F.R. § 68.48(b). The American National Standards Institute (“ANSI”) provides recognized and generally accepted engineering practices. At a minimum, this documentation shall address all actions taken to address the deficiencies noted in Paragraph 21(vi), above.
- (iv) Documentation of completion of Paragraphs 23(i), (ii), and (iii) must be submitted to EPA within 90 days of the effective date of this Order. Documentation must include a written description of the work completed, as well as photographs, invoices, testing results, and steps taken to address results of testing. All documentation shall be submitted in accordance with Paragraph 25 of this Order.

24. Within five (5) business days of the 180<sup>th</sup> and 360<sup>th</sup> day after the effective date of this Order, Respondent shall submit documentation to EPA of all actions taken in implementation of the facility’s risk management program during the pendency of this Order. Required documentation all includes, but is not limited to, a written description of all actions taken to address the deficiencies identified in Paragraph 21, above. All documentation shall be submitted in accordance with Paragraph 25 of this Order.



### **Submissions**

25. All submissions to the EPA required by this Order shall be sent to:

Jodi Harper  
Chemical Risk Information Branch  
U.S. Environmental Protection Agency  
11201 Renner Boulevard  
Lenexa, Kansas 66219.

26. Pursuant to 40 C.F.R §§ 2.201-2.311, Loganbill may assert a business confidentiality claim covering any portion of the submitted information that is entitled to confidential treatment. For any such claim, describe the basis of the claim under the applicable regulation. Any material for which business confidentiality is claimed should be placed in a separate envelope labeled, "Confidential Business Information." Failure to assert a claim in the manner described in 40 C.F.R. § 2.203(b) allows EPA to release the submitted information to the public without further notice. EPA may disclose information subject to the business confidentiality claim only to the extent set forth in the above-cited regulations.

### **General Provisions**

#### **Potential Liability**

27. Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), grants EPA the authority to issue an Order to any person found in violation of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), or the regulations promulgated pursuant thereto.

28. Failure to comply with any of the provisions of this Order may result in an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413. Under Section 113(a) of the CAA, 42 U.S.C. § 7413(a), the Administrator is authorized to address such a violation as follows:

- (i) issue an administrative penalty order assessing a civil penalty not to exceed \$37,500 per day of violation;
- (ii) bring a civil action for permanent or temporary injunction, or to recover a penalty not to exceed \$37,500 per day of violation, or both; or
- (iii) request the Attorney General to commence a criminal action pursuant to Section 113(c) of the CAA, 42 U.S.C. § 7413(c).

29. Respondent may seek federal judicial review of this Order, pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

30. Issuance of this Order does not preclude the State of Missouri or EPA from assessing penalties or taking any other action authorized under the CAA. This Order does not affect the obligation of Loganbill to comply with all federal, state, and local statutes, regulations, and permits.

### **Amendment of Order**

31. EPA may subsequently amend this Order in accordance with the authority of the CAA. In the event of any such subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as specified by the original Order. At EPA's sole discretion, EPA may provide written approval to revisions to deadlines for Respondent set forth in this Order without amendment of the Order. All amendments to this Order, and/or revisions of deadlines set forth in this Order, shall be incorporated into this Order and shall be fully enforceable against Respondent.

### **Access and Requests for Information**

32. Nothing in this Order shall limit EPA's right to obtain access to, and/or inspect the Loganbill facility, and/or to request additional information from Loganbill pursuant to the authority of Section 114 of the CAA, 42 U.S.C. §7414.

### **Opportunity to Confer**


33. This Order shall become effective 30 days after its receipt by Respondent. Prior to the effective date, Respondent has the opportunity to confer with and/or submit information to EPA concerning the validity of this Order, including the basis for the Order, the terms of the Order, and the applicability of the Order to Respondent. Within ten days of receipt of this Order, Respondent may request a conference regarding the Order or to submit information to EPA. If Respondent requests a conference or wishes to submit information, the conference or submission of information shall take place within 20 days of receipt of this Order. EPA shall deem a failure to request a conference or to submit information as a waiver of the opportunity to confer.

34. Requests for a conference shall be made in writing to the EPA contact identified in Paragraph 25.

**Effective Date**

35. The terms of the Order shall be effective and enforceable against Loganbill thirty days from its receipt of this original Order.

10/3/14  
Date

  
Mark Smith  
Acting Director  
Air and Waste Management Division

CERTIFICATE OF SERVICE

I certify that on the date noted below I hand delivered the original and one true copy of this Administrative Order for Compliance to the Regional Hearing Clerk, United States Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219.

I further certify that on the date noted below I sent a copy of the foregoing Order for Compliance by first class and certified mail, return receipt requested, to:

Mr. Ryan Loganbill, Registered Agent for Service  
12266 Hwy E  
Versailles, Missouri 65084

and via first class mail to:

Mr. Ryan Loganbill  
Owner  
Loganbill Ag Services, Inc.  
600 Highway 5  
Syracuse, Missouri 65354.

And by Telefax to:

Mr. Ryan Loganbill  
Owner  
Loganbill Ag Services, Inc.  
600 Highway 5  
Syracuse, Missouri 65354

10/3/14  
Date

Carah A. Moreno