



U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION 1 - NEW ENGLAND

5 Post Office Square, Suite 100

Boston, MA 02109-3912

Dated by electronic signature

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (Mail Code 4-MI)
Boston, MA 02109-3912
Via email: Jensen.LeAnn@epa.gov

Re: *In the Matter of Franklin Foods, Inc., Docket No. EPCRA-01-2023-0009*

Dear Ms. Jensen:

Attached for your review and signature is a combined Complaint and Consent Agreement and Final Order (“CAFO”) that will initiate and resolve an Emergency Planning and Community Right-to-Know Act (“EPCRA”) administrative penalty action brought by the U.S. Environmental Protection Agency (“EPA”), Region 1 against Franklin Foods, Inc. (“Franklin Foods”) for alleged violations of EPCRA Section 313 Toxic Release Inventory (“TRI”) reporting requirements.

Under the terms of the CAFO, to settle EPA’s penalty claim without admitting or denying the alleged violations, Franklin Foods has agreed to pay a civil monetary penalty of \$92,294.40 within 30 days of the effective date of the CAFO. The penalty amount is consistent with the penalty factors set forth in EPCRA and the Enforcement Response Policy for Section 313 of the Emergency Planning and Community Right-To-Know Act (1986) and Section 6607 of the Pollution Prevention Act (1990) (February 24, 2017).

Once the Final Order has been signed, I will file the fully executed CAFO with the Regional Hearing Clerk, thereby resolving this matter. Respondent chose to use a “wet” signature, and EPA’s official signed electronically. Accordingly, I am submitting a PDF of the executed CAFO and will file Respondent’s original signature page with the Regional Hearing Clerk when I am next in the office. The Parties’ consent to the use of digital signatures (as well as Franklin Foods’ consent to electronic service of the CAFO, once filed) is included in the CAFO. This settlement does not have any public notice requirements.

If you have any questions regarding the proposed CAFO, please contact me at king.naomi@epa.gov and Peter Raymond at praymond@sheeheyvt.com. Thank you for your attention to this matter.

Sincerely,

Naomi King
Enforcement Counsel
EPA Region 1

Attachments: Proposed CAFO; Proposed Certificate of Service
cc: Peter Raymond, Sheehey Furlong & Behm P.C.