



REGION 9

SAN FRANCISCO, CA 94105

Delivered via email: david.nelson@efoxnard.com

In Reply Refer to:

E.F Oxnard, LLC
550 Diaz Avenue, Oxnard, CA 93030
EPA RMP Facility Identifier: 1000 0006 5653

David Nelson
Plant Manager
E.F Oxnard, LLC
550 Diaz Avenue
Oxnard, CA 93030

RE: Opportunity for Expedited Settlement Agreement ("ESA") pursuant to Section 113(a)(3) and (d) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(a)(3) and (d), and by 40 C.F.R. § 22.13(b).

Dear Plant Manager Nelson:

Representatives from the U.S. Environmental Protection Agency ("EPA") Region 9 conducted an inspection of the E.F Oxnard, LLC facility located at 550 Diaz Avenue, Oxnard, CA 93030 ("Facility") on February 5th 2025 to determine compliance with requirements under the Emergency Planning and Community Right-to-Know Act ("EPCRA") Sections 304-312, the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") Section 103, and the Risk Management Program of Section 112(r)(7), of the Clean Air Act ("CAA"). Potential violations were identified as outlined in the inspection report sent to the Facility March 20th 2025.

EPA Region 9 is extending to you an opportunity to quickly resolve your infractions by correcting your violations and paying a substantially reduced penalty under EPA's Expedited Settlement process. If you choose to participate in the Expedited Settlement process, we will settle the violations listed in the attached ESA for a civil penalty of **\$8,280**. We are providing this incentive to resolve outstanding violations as quickly as possible. Otherwise, under CAA § 113(b), 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19, potential violators may be penalized up to \$59,114 per day for violations discovered.

We encourage you to immediately review the RMP requirements to determine your compliance status. You have forty-five (45) days from the date you receive this letter to take advantage of this opportunity.

If you determine that you are not subject to or have not violated the RMP requirements described in the attached ESA, please provide a written explanation, along with any supporting documentation within forty-five (45) days of your receipt of this letter.

If you confirm that you did not properly comply with the RMP requirements described below, you may take advantage of the Expedited Settlement process and reduced penalty by responding to this notice within forty-five (45) days of your receipt of this letter.

In signing the attached ESA, you are certifying that you have corrected your CAA § 112(r) RMP violations and paid the assessed penalty, and you are waiving your opportunity for a hearing or an appeal concerning your violation of the CAA § 112(r) RMP requirements. This Agreement covers only the violations alleged in the ESA. The Agreement does not address compliance with any other CAA § 112(r) RMP requirements.

Please be advised that correcting the violations without participating in a settlement with EPA does not resolve your liability for the violations alleged in the ESA, nor your responsibility to comply with all applicable requirements under CAA § 112(r).

If you do not follow the procedures outlined in the attached ESA (e.g., comply with the CAA § 112(r)(7) requirements described below, pay the assessed penalty, and sign the ESA) within forty-five (45) days of receipt of this letter, this settlement offer will be automatically withdrawn without prejudice to EPA's ability to file an enforcement action for the cited violation. EPA may seek penalties of up to \$59,114 per day for each violation.

We are committed to the fair and rapid settlement of this matter. Please email a copy of all correspondence relating to this notice to Kiya Opstrup, Enforcement Officer, at opstrup.kiya@epa.gov.

Sincerely,

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. EPA Region 9

Enclosures

1. ESA Package Offer
2. ESA Penalty Checklist

cc:

Elizabeth Brega, California Environmental Protection Agency, elizabeth.brega@calepa.ca.gov