



BY E-MAIL

Dated via electronic signature below

Michael J. Knapp
Regional Judicial Officer
U.S. EPA, Region 1
5 Post Office Square, Suite 100, Mail Code 4-MI
Boston, MA 02109-3912
knapp.michael@epa.gov

Re: *In the Matter of Guida-Seibert Dairy Company*, Docket No. CAA-01-2026-0010

Dear Mr. Knapp:

In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), and simultaneously transmitted with this letter, please find a Consent Agreement and proposed Final Order (“CAFO”) settling the above-referenced action. The Consent Agreement has been signed by the parties and is now being submitted to you for your review and approval.

If signed by you, the CAFO will resolve administrative civil penalty liability of the Respondent, Guida-Seibert Dairy Company (“Respondent”), for alleged violations of 40 C.F.R. Part 68, promulgated pursuant to Section 112(r)(7) of the Clean Air Act (“CAA”), 42 U.S.C. § 7412(r)(7), at Respondent’s facility in New Britain, Connecticut.

Specifically, the CAFO alleges the following violations:

1. Failure to comply with process safety information requirements, including documenting compliance with Recognized and Generally Accepted Good Engineering Practices, in violation of 40 C.F.R. § 68.65(d); and
2. Failure to comply with mechanical integrity procedures (40 C.F.R. § 68.73).

Under the terms of the CAFO, the Respondent has agreed to pay a civil monetary penalty of \$104,221 within 30 days of the CAFO’s effective date. The penalty complies with CAA statutory penalty assessment factors and EPA’s penalty policy for CAA Section 112(r), including inflation adjustments to the penalty policies.¹ The settlement is below the threshold that requires approval by EPA’s Office of

¹ Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7), and 40 C.F.R. Part 68 (June 2012), available at <https://www.epa.gov/sites/default/files/documents/112rcep062012.pdf>; and

Enforcement and Compliance Assurance (“OECA”). In the CAFO, Respondent certifies that it is operating in compliance with the CAA and regulations cited in the CAFO.

The parties’ consent to the use of digital signatures (as well as Respondent’s 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 Maximilian Boal at boal.maximilian@epa.gov or 617-918-1750 and Respondent’s counsel, Nora Faris, at nora.faris@bclplaw.com or 314-259-2209 and Jill Lombard at jlombard@dfamilk.com or at 913-827-6637. Thank you for your attention to this matter.

Respectfully submitted,

Maximilian Boal
Senior Enforcement Counsel
Office of Regional Counsel
U.S. EPA – Region 1

Attachments:

1. Proposed Consent Agreement and Final Order
2. Proposed Certificate of Service for Hearing Clerk
3. Letter to Hearing Clerk
4. Certificate of Service

cc: Wanda Santiago, Regional Hearing Clerk
Aaron Gilbert, EPA
Nora Faris, Esq., Bryan Cave Leighton Paisner LLP
Jill Lombard, Esq., Dairy Farmers of America