

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

FILED

Sep 23, 2026

12:29 pm

**U.S. EPA REGION 3
HEARING CLERK**

IN THE MATTER OF:

**Kingspan Insulation LLC
200 Kingspan Way
Winchester, VA 22603**

Respondent

**Kingspan Insulation LLC
200 Kingspan Way
Winchester, VA 22603**

Facility

DOCKET NO.: CAA-03-2026-0236

**EXPEDITED SETTLEMENT AGREEMENT
AND FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT

1. Kingspan Insulation LLC ("Respondent") and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") enter into this Expedited Settlement Agreement ("the Agreement") pursuant to Section 113 of the Clean Air Act, 42 U.S.C. § 7413 (the "Act" or "CAA"), and by Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), (3). The Administrator has delegated the authority to enter into this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 ("EPA") has jurisdiction over this matter pursuant to Section 113(a)(3) and (d) of the Act, 42 U.S.C. § 7413(a)(3) and (d), and 40 C.F.R. §§ 22.1(a)(2) and 22.4 of the Consolidated Rules of Practice.
3. Complainant alleges that, at all times relevant to the allegations described in this Agreement, Respondent was a "person" as defined in Section 302(e) of the CAA, 42

U.S.C. § 7602(e), and the owner and operator of a “stationary source,” as the term is defined in Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3.

4. On January 21, 2026, authorized representatives of the EPA conducted an inspection of Respondent’s facility known as Kingspan Insulation LLC - Winchester Site (the “Facility”) located at 200 Kingspan Way in Winchester, Virginia. The inspection was performed to determine compliance with Section 112(r) of the Act, 42 U.S.C. § 7412(r), and the Risk Management Program (“RMP”) regulations promulgated at 40 C.F.R. Part 68. During the violation period, the EPA observed that Respondent was handling more than threshold quantities of regulated flammable substances, including butane, methyl formate, and 1,1-difluoroethane, in a covered process at the Facility.
5. Butane, methyl formate, and 1,1-difluoroethane are regulated flammable substances for purposes of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), because they are listed pursuant to Section 112(r)(3) of the CAA at 40 C.F.R. § 68.130. The statutory threshold quantity for each of these regulated flammable substances is 10,000 pounds pursuant to 40 C.F.R. § 68.130, Table 3. Thus, more than a threshold quantity of a regulated substance was present in a process at the Facility.
6. Based on EPA’s inspection and subsequent investigation, Complainant has identified the following violations of the RMP regulations:
 - a. From at least January 22, 2025, until January 17, 2026, Respondent failed to review and update its offsite consequence analyses (OCA) at least once every five years. The prior OCA evaluation was completed on January 22, 2020, and the subsequent update was not finalized until January 17, 2026, resulting in an unreviewed interval of 5 years, 11 months, and 26 days, in violation of 40 C.F.R. § 68.36(a).
 - b. From at least January 21, 2026, and during the violation period, Respondent failed to maintain process safety information (PSI) that presents a consolidated, cross-referenced inventory of the specific design codes and standards employed to ensure and document that the covered processes are designed and maintained in accordance with recognized and generally accepted good engineering practices (“RAGAGEPs”), in violation of 40 C.F.R. § 68.65(d)(3) (or 40 C.F.R. § 68.65(d)(vi)).
 - c. From at least November 13, 2024, until January 21, 2026, Respondent failed to update and revalidate its process hazard analysis (PHA) for the butane covered process at least once every five years. The prior butane PHA was performed on

November 14, 2019, and was not revalidated by the statutory deadline of November 13, 2024, in violation of 40 C.F.R. § 68.67(f).

- d. From at least November 12, 2024, until February 4, 2025, Respondent failed to update and revalidate its process hazard analysis (PHA) for the methyl formate covered process at least once every five years. The prior methyl formate PHA was conducted on November 12, 2019, and the subsequent revalidation was not completed until February 4, 2025, creating an unvalidated interval of 5 years, 2 months, and 23 days, in violation of 40 C.F.R. § 68.67(f).
- e. From at least January 22, 2025, until at least April 27, 2026, Respondent failed to resolve and document the active resolution of recommendations from the methyl formate process hazard analysis, including the specific safety recommendation to evaluate installing an excess flow valve to shut off the low-level pressure pump, in violation of 40 C.F.R. § 68.67(e).
- f. From at least July 30, 2024, until January 16, 2026, Respondent failed to conduct a compliance audit of the stationary source's covered processes at least once every three years to verify compliance with the prevention program requirements. The prior compliance audit was completed on July 30, 2021, and the subsequent audit was not performed until January 16, 2026, expanding the audit interval to approximately 4 years, 5 months, and 17 days, in violation of 40 C.F.R. §§ 68.58(a) and/or 68.79(a).
- g. From at least January 21, 2026, and until at least April 27, 2026, Respondent failed to implement mechanical integrity program testing and inspection procedures that document and explicitly link calibration and testing intervals to applicable RAGAGEP design codes and guidelines, in violation of 40 C.F.R. §§ 68.73(d)(1) and (d)(3).
- h. From at least January 21, 2026, and until at least April 27, 2026, Respondent failed to correctly execute process safety management sequencing by failing to approve and sign the Management of Change (MOC) documentation as complete prior to executing the Pre-Startup Safety Review (PSSR) for the E7 process extension, in violation of 40 C.F.R. §§ 68.75 and 68.77(b)(4).
- i. From at least January 21, 2026, and until at least April 27, 2026, Respondent failed to maintain records verifying that operators and process personnel had been provided with required refresher training on at least a three-year cycle to maintain process competency, in violation of 40 C.F.R. § 68.71(b).
- j. From at least January 22, 2025, until January 17, 2026, Respondent failed to review and update its Risk Management Plan (RMP) at least once every five years. The prior RMP submission was completed on January 22, 2020, and the

subsequent update was not submitted until January 17, 2026, resulting in an unvalidated interval of 5 years, 11 months, and 26 days, in violation of 40 C.F.R. § 68.190(b).

7. Pursuant to Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), the Administrator and the Attorney General, each through their respective delegates, have jointly determined that this administrative penalty action is appropriate.
8. Complainant and Respondent agree that settlement of this matter for a penalty of **\$15,000 (Fifteen Thousand Dollars)** is in the public interest. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 113 of the CAA, 42 U.S.C. § 7413.
9. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of \$15,000 (the Assessed Penalty). Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using one of the electronic payment options provided on the EPA website:
<https://www.epa.gov/financial/makepayment>. For additional instructions relating to electronic payment options, see: <https://www.epa.gov/financial/additional-instructions-making-paymentsepa>. Respondent acknowledges that EPA has provided adequate notification that, prior to the Effective Date, in accordance with Executive Order 14247: Modernizing Payments To and From America's Bank Account, EPA ceased accepting paper checks as a form of payment of civil penalties and EPA only accepts specific electronic methods of payments as provided on the above website.
10. Within 24 hours of payment, the Respondent shall also send proof of payment (confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer), by electronic mail to:

Om P. Devkota
devkota.om@epa.gov

and,

Regional Hearing Clerk (3RC00)
R3_Hearing_Clerk@epa.gov

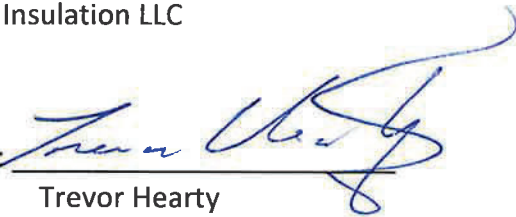
11. The Respondent certifies that, since its last Risk Management Plan update required pursuant to 40 C.F.R. § 68.190, it has not done either of the following: (a) introduced a new regulated substance at the Facility in an amount greater than its threshold quantity; or (b) introduced a new process which uses a regulated substance in an amount greater than its threshold quantity.

12. In signing this Agreement, the Respondent admits the jurisdictional allegations in this Agreement; neither admits nor denies the specific factual allegations in this Agreement, except as provided in the jurisdictional admission above; agrees not to contest EPA's jurisdiction with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement of the Agreement; expressly waives its right to contest the allegations, to a hearing, and to appeal this Order under Section 113 of the CAA, 42 U.S.C. § 7413; consents to the issuance of the Agreement and agrees to comply with its terms; agrees to bear its own costs and attorney's fees; and agrees not to deduct for federal tax purposes the civil penalty assessed in this Agreement.
13. By its signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) he or she has corrected all alleged violations, and (2) any documentation or information that he or she provided to EPA is true and accurate.
14. This Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
15. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the CAA, the implementing regulations, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement, following its filing with the Regional Hearing Clerk.
16. Late payment of the agreed-upon penalty may subject Respondent to interest, administrative costs and late payment penalties in accordance with 40 C.F.R. § 13.11.
17. COST OF COMPLIANCE: Respondent certifies that it has expended \$ 98,794.00 to correct the alleged violation(s) and to come into compliance.
18. This Agreement is binding on the parties signing below and is effective upon filing of the ESA and Final Order by the Regional Hearing Clerk, in accordance with 40 C.F.R. § 22.31(b).
19. By signing this Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the Agreement.

20. The undersigned representative certifies that he is fully authorized to execute this Agreement and to legally bind Kingspan Insulation LLC.
21. As permitted under 40 C.F.R. § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and the Final Order by e-mail to the parties at the following valid e-mail addresses: devkota.om@epa.gov (for Complainant), and Trevor.heartly@kingspan.com (for Respondent).
22. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.

For Respondent: Kingspan Insulation LLC

Date: 9/9/26

By: 

Trevor Hearty
Plant Manager

For Complainant: U.S. Environmental Protection Agency, Region 3

After reviewing the Agreement and other pertinent matters, I, the undersigned Acting Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Andrea Bain, Acting Director
Enforcement and Compliance Assurance Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

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Sep 23, 2026

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U.S. EPA REGION 3
HEARING CLERK

In the Matter of:

Kingspan Insulation LLC

:
:
: U.S. EPA Docket No. CAA-03-2026-0236
:
: Proceeding under Sections 112(r)(7) and 113(a)
: and (d) of the Clean Air Act, 42 U.S.C. §§
: 7412(r)(7) and 7413(a) and (d)
:

FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3), the Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement.

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

By: _____
Regional Judicial and Presiding Officer
U.S. EPA, Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Kingspan Insulation LLC	:	U.S. EPA Docket No. CAA-03-2026-0236
200 Kingspan Way	:	
Winchester, VA 22603	:	
	:	Proceeding under Sections 112(r)(7) and
	:	113(a) and (d) of the Clean Air Act,
Respondent	:	42 U.S.C. §§ 7412(r)(7) and 7413(a) & (d)
	:	
Kingspan Insulation LLC	:	
200 Kingspan Way	:	
Winchester, VA 22603	:	
	:	
Facility	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Trevor Hearty
Plant Manager
Kingspan Insulation LLC
200 Kingspan Way
Winchester, VA 22603
Trevor.hearty@kingspan.com

Om P. Devkota
Inspector, Case Development Officer
U.S. EPA, Region 3
Devkota.om@epa.gov

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3