REGION 5
CHICAGO, IL 60604

FILED
Aug 06, 2026
11:09 am
U.S. EPA REGION 5
HEARING CLERK

Docket No: CAA-05-2026-0047
This ESA is issued to: Central United Cooperative - Fairfax Agronomy
at: 48153 State HWY 19, Fairfax, Minnesota 55332
for violations of Section 112(r)(7) of the Clean Air Act.

EXPEDITED SETTLEMENT AGREEMENT

The United States Environmental Protection Agency, Region 5, and Central United Cooperative - Fairfax Agronomy ("CUCFA" or "Respondent"), have agreed to the settlement of this action before the filing of a Complaint. The EPA and Respondent (jointly "the Parties") have agreed that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest. This action is thus simultaneously commenced and concluded by this Expedited Settlement Agreement ("ESA") and Final Order. *See* 40 C.F.R. §§ 22.13(b) and 22.18(b)(2)-(3).

This is an administrative action for the assessment of civil penalties instituted pursuant to the EPA's authority under Sections 113(a)(3) and (d) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(a)(3) and (d). The Director of the Enforcement & Compliance Assurance Division, Region 5, EPA ("Complainant") has been delegated the authority to issue an administrative complaint seeking the assessment of civil penalties for violations of Section 112(r) of the CAA, 42 U.S.C. § 7412(r). The Regional Administrator for Region 5 of EPA is authorized by Sections 113(a)(3) and (d)(1) of the CAA, 42 U.S.C. §§ 7413(a)(3), and (d)(1), to issue a Final Order ratifying this ESA. The Regional Administrator has delegated the authority to issue Final Orders ratifying settlements pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)(3) to the Regional Judicial Officer, Office of Regional Counsel, EPA Region 5.

ALLEGED VIOLATIONS

The due date for CUCFA's Facility's updated RMP was November 25, 2025 pursuant to 40 C.F.R. § 68.190. CUCFA failed to submit its updated RMP by that date. On December 10, 2025, EPA sent a letter to CUCFA regarding its facility located at 48153 State HWY 19, Fairfax, Minnesota ("Facility") to determine its compliance with the Chemical Accident Prevention Provisions promulgated pursuant to Section 112(r) of the CAA, and set forth at 40 C.F.R. Part 68. The letter served to notify the Facility that its updated Risk Management Plan ("RMP") was overdue. On May 1, 2026, the Facility submitted an updated RMP. EPA has determined that Respondent violated 40 C.F.R. § 68.190(b)(1), the requirement to resubmit its RMP five years from the last submission.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith efforts to comply, other factors as justice may require, and upon consideration of the entire record, the parties enter into this ESA in order to resolve any civil penalties for these alleged violations for the total penalty amount of **$2,000.00**.

This settlement is subject to the following terms and conditions:

By signing below, Respondent consents to, and is bound by, the terms and conditions of this ESA, including the assessment of the civil penalty set forth above. Respondent admits the jurisdictional allegations in the ESA, and waives any objections that it may have regarding jurisdiction. Respondent waives its right to contest the specific factual allegations contained herein, and neither admits nor denies these specific factual allegations. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this Expedited Settlement Agreement and Final Order and its right to appeal this Expedited Settlement Agreement and Final Order.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent has corrected the violations set forth in this ESA, and has made payment in the amount of **$2,000.00** by either of the two following methods:

Payment method 1 – Preferred (electronic): Pay online through the Department of the Treasury using WWW.PAY.GOV. In the Search Public Form field, enter "SFO 1.1", click "EPA Miscellaneous Payments - Cincinnati Finance Center" and complete the SFO Form Number 1.1. The payment shall be identified in the online system with the ESA Number listed below.

On the same day, after submitting your payment, send an email to cinwd_acctsreceivable@epa.gov and the EPA contact email address noted below. Include in the subject line: "Payment Confirmation for CUCFA Prepared Foods Company ESA Number EPA-5-26-CAA-ESA-0047." Attach a copy of the ESA and your payment receipt to the email.

Payment method 2 (check): Mail, via CERTIFIED MAIL or private carrier, a certified check payable to the United States of America marked with "Central United Cooperative - Fairfax Agronomy", and the ESA Number listed below, with a copy of the ESA to:

U. S. Environmental Protection Agency
Government Lockbox 970978
3180 Rider Trail S.
Earth City, MO 63045
Attn: ESA Number EPA-5-26-CAA-ESA-0047

On the same day, notice of payment must be sent by email to:

Natalia Vazquez
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
vazquez.natalia@epa.gov

Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
r5airenforcement@epa.gov

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5
r5hearingclerk@epa.gov

Upon Respondent's submission of the signed original ESA, and the issuance of the Final Order, Respondent's liability is resolved only for any federal civil penalties due as a result of the facts and violations alleged in this ESA. This ESA, the Final Order, and Respondent's full payment of the civil penalty set forth herein, do not affect the right of EPA to pursue appropriate injunctive, other equitable relief, or criminal sanctions for any violations of law. EPA also does not waive any enforcement authority for any other violation of the CAA or any other statute. The issuance of the Final Order does not waive, extinguish, or otherwise affect Respondent's duty to comply with the CAA, the regulations promulgated thereunder, or any other applicable law or requirement.

If the signed original ESA with proof of payment is not returned to the EPA Region 5 office at the above emails in correct form by Respondent within 30 days of the date of Respondent's receipt of this ESA (60 days if an extension is granted), the proposed ESA is withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified in this ESA.

This ESA is binding on the Parties signing below.

Each Party to this action shall bear its own costs and fees, if any.

This ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT:

Signature: Butch Altmann Date: 7/24/26

Name (print): Butch Altmann
Title (print): VP AGRONOMY

Respondent

FOR COMPLAINANT:

CAROLYN PERSOON

Digitally signed by CAROLYN PERSOON
Date: 2026.08.05 13:53:06 -05'00'

Carolyn Persoon
Division Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 5

FINAL ORDER

The foregoing Expedited Settlement Agreement is hereby ratified and incorporated by reference into this Final Order. Respondent is hereby ORDERED to comply with all of the terms of the foregoing Expedited Settlement Agreement, which upon its filing with the Regional Hearing Clerk shall become immediately effective. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED.

ANN COYLE Digitally signed by ANN COYLE
Date: 2026.08.06 11:01:10 -05'00'

Ann L. Coyle
Regional Judicial Officer