



REGION 9

SAN FRANCISCO, CA 94105



EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO: CAA(112r)-09-2025-0034

This ESA is issued to: **AMVAC Chemical Corporation**
4100 East Washington Boulevard, Los Angeles, California 90023

For: Violation of Section 112(r)(7) of the Clean Air Act.
At: AMVAC Chemical Corporation
4100 East Washington Boulevard, Los Angeles, California 90023

This Expedited Settlement Agreement ("ESA") is being entered into by the United States Environmental Protection Agency ("EPA"), Region IX, by its duly delegated official, Amy C. Miller-Bowen, Director, Enforcement and Compliance Assurance Division, and AMVAC Chemical Corporation ("Respondent") 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). EPA has obtained the concurrence of the U.S. Department of Justice, pursuant to Section 113(d)(1) of the Act, 2 U.S.C. § 7413(d)(1), to pursue this administrative enforcement action.

ALLEGED VIOLATIONS

Following its June 29, 2023 inspection, EPA alleges Respondent's failure to:

1. The Facility failed to maintain accurate P&IDs for the chlorine vaporizer, the chlorine scrubbing system, railcar station #3, and the MMA storage tank, in violation of 40 CFR § 68.65(d)(1)(ii). (Area of Concern 1 from the US EPA Inspection Report)
2. The Facility failed to correct its RMP within one month of a change of the emergency contact, in violation of 40 CFR § 68.195(b). (Area of Concern 4)
3. The Facility failed to conduct a PHA to identify, evaluate, and control the hazards involved in the process as the entirety of the PCNB process was not included in the PHA, in violation of 40 CFR § 68.67(a). (Area of Concern 5)
4. The Facility failed to evaluate all possible safety and health effects of the failure of controls in its 2019 PHA of the PCNB process, in violation of 40 CFR § 68.67(c)(7). (Area of Concern 6)

5. The Facility failed to implement its established written procedures to maintain the on-going integrity of process equipment, and the Facility failed to perform inspections and tests on process equipment, in violation of 40 CFR § 68.73(d)(1). (Area of Concern 7)
6. The Facility failed to implement inspection procedures for process piping consistent with recognized and generally accepted good engineering practices, in violation of 40 CFR § 68.73(d)(2). (Area of Concern 10)
7. The Facility failed to implement inspection procedures for process piping consistent with recognized and generally accepted good engineering practices, in violation of 40 CFR § 68.73(d)(2). (Area of Concern 11)

SETTLEMENT

The parties enter into this ESA in order to settle the violations described above for the total penalty amount of **\$8,000**.

This settlement is subject to the following terms and conditions:

1. In signing this Agreement, Respondent: (1) admits that Respondent is subject to CAA 112(r) and its implementing regulations; (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; (5) waives the opportunity for a hearing to contest any issues of fact or law set forth herein; (6) waives its right to appeal the Final Order accompanying this Agreement pursuant to Section 113(d)(2)(A) of the Act, 42 U.S.C § 7413(d)(2)(A); and (7) consents to electronic service of the filed ESA. By signing this consent 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 consent agreement.
2. Each party to this action shall bear its own attorney's fees and costs, if any.
3. Respondent must pay the civil penalty of \$8,000 using any method provided on the following website: <https://www.epa.gov/financial/makepayment>. Such payment shall identify Respondent by name and include the docket number assigned to this Agreement by the Regional Hearing Clerk.
4. Within 24 hours of payment, email proof of payment (e.g., a copy of the check or a statement of affirmation regarding electronic funds transfer), including Respondent's name, complete address, and docket number to the following:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105

R9HearingClerk@epa.gov

Bridget Johnson
Environmental Scientist
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105
johnson.bridget@epa.gov

5. The payment should reference Respondent's name and a copy of this ESA must be included with the check/online payment.
6. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the violations listed above. Pursuant to CAA § 114(a)(1)(B) [42 U.S.C. § 7414(a)(1)(B)] please provide documentation to USEPA Region IX describing how each area of identified non-compliance has been addressed. Such documentation is due to EPA within 45 calendar days of your receipt of this letter.

Upon Respondent's submission of the signed original ESA, EPA will take no further civil penalty action against Respondent for the violations of the Act alleged above. This ESA shall not be construed as a covenant not to sue, a release, waiver, or limitation of any rights, remedies, powers, or authorities, civil or criminal that EPA has under the Act or any other statutory, regulatory, or common law enforcement authority of the United States, except as stated above.

If the signed ESA with an attached copy of the payment is not returned to the EPA Region IX office at the above address in correct form by the Respondent within 45 days of the date of Respondent's receipt of the proposed ESA and EPA has not granted an extension of its offer to settle, the ESA is withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified herein.

This ESA is binding on the parties signing below.

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

FOR RESPONDENT: AMVAC Chemical Corporation

Signature: A. Farra Date: 1/23/2025

Name (print): ABDEL EL FARRA.

Title (print): PLANT MANAGER

FOR COMPLAINANT: Environmental Protection Agency

JOEL JONES

Digitally signed by JOEL JONES
Date: 2025.01.30 17:57:53 -08'00'

Date: _____

Joel Jones, Acting Director
Enforcement and Compliance Assurance Division
U.S. EPA Region IX

It is hereby ORDERED that this ESA be entered, and Respondent pays the above penalty.

Date: _____

Beatrice Wong
Regional Judicial Officer
U.S. EPA Region IX

CERTIFICATE OF SERVICE

I hereby certify the attached Expedited Settlement Agreement and Final Order in the matter of AMVAC Chemical Corporation (Docket No. CAA(112r)-09-2025-0034) has been filed by the Regional Hearing Clerk, and was served on the parties, via electronic mail, as indicated below:

RESPONDENT:

Abdel El Farra
Plant Manager
American Vanguard Corporation
4100 East Washington Boulevard
Commerce, California 90023
Abdele@amvac.com

COMPLAINANT:

Andrew Helmlinger
Assistant Regional Counsel
U.S. EPA – Region IX
Hazardous Waste Section I (ORC-3-1)
75 Hawthorne Street
San Francisco, CA 94105
Helmlinger.Andrew@epa.gov

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Regional Hearing Clerk
U.S. EPA – Region IX