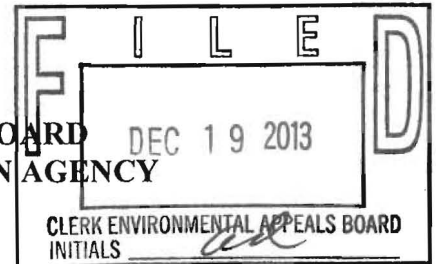


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Harrell's, LLC)
P.O. Box 807) Docket No. FIFRA-HQ-2014-0002
720 Kraft Road)
Lakeland FL 33815)
)

FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(b)-(c) of EPA's Consolidated Rules of Practice, the attached Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified.

The Respondent is ORDERED to comply with all terms of the Consent Agreement,¹ effective immediately.

So ordered.²

Date: December 19, 2013

Kathie A. Stein
Judge, Environmental Appeals Board

¹ The Board presumes that the parties meant to make the Consent Agreement effective on the date the Board ratifies the consent agreement, not "the date on which the [CAFO] is filed with the Environmental Appeals Board," as paragraph 73 of the Consent Agreement states. See Consent Agreement and Final Order, at 23 ¶73. Section 22.18(b)(3) of the Consolidated Rules of Practice ("CROP") states that, in proceedings like this one commenced at EPA Headquarters, "[n]o settlement or consent agreement shall dispose of any proceeding * * * without a final order from * * * the Environmental Appeals Board, ratifying the parties' consent agreement." 40 C.F.R. § 22.18(b)(3). Consequently, the consent agreement cannot be effective before the Board ratifies it by signing and issuing a final order. According to section 22.31(b), this Board-issued order becomes effective upon filing. 40 C.F.R. § 22.31(b). Therefore, this Consent Agreement, having been ratified and filed on December 19, 2013, is now effective.

² The three-member panel ratifying this matter is composed of Environmental Appeals Judges Randolph L. Hill, Catherine R. McCabe, and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that the foregoing "Consent Agreement" and "Final Order," in the Matter of Harrell's, LLC, Docket No. FIFRA-HQ-2014-0002, were filed and copies of the same were mailed to the parties as indicated below:

Via Interoffice Mail:

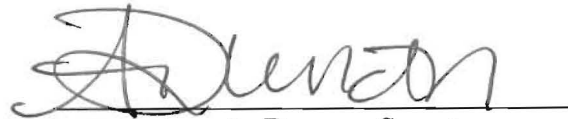
Rosemarie A. Kelley, Director
Waste and Chemical Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (Mail Code 2249A)
Washington, DC 20460

Via Pouch Mail:

Hugh W. Martinez
Regulatory Legal Office
U.S. EPA Region 1
5 Post Office Square (Mail Code OES)
Boston, MA 02109-3912

Via U.S. Certified Mail:

Steven A. Herman
Mark Duvall
Beveridge & Diamond
1350 I Street, N.W.
Suite 700
Washington, DC 20005-3311



Annette Duncan, Secretary
U.S. Environmental Protection Agency
Environmental Appeals Board

DEC 19 2013

Dated: _____