



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 23 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tim Stillwell
Vice President of Operations
Sysco Charlotte, LLC
4500 Corporate Drive, NW
Concord, North Carolina 28027

Re: Sysco Charlotte, LLC
Expedited Settlement Agreement
CAA-04-2018-8004(b)

Dear Mr. Stillwell:

Enclosed please find an executed copy of the Expedited Settlement Agreement (ESA) that resolves the Clean Air Act (CAA) matter (Docket No. CAA-04-2018-8004(b)) involving Sysco Charlotte, LLC. The ESA was filed with the Regional Hearing Clerk, as required by 40 CFR Part 22 and became effective on the date of the filing.

As required by the ESA, within fifteen days of receipt of this letter, payment to the Treasurer, United States of America in the amount of \$6,100 should be submitted as follows:

For payment sent via electronic transfer

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, New York 10045
Beneficiary: "U.S. Environmental Protection Agency";

For payment sent via Standard Delivery

U.S. Environmental Protection Agency
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000; or

For payment sent for Signed Receipt Confirmation (FedEx, DSL, UPS, USPS Certified, Registered, etc.)

U.S. Environmental Protection Agency
Cincinnati Finance Center Box 979077

1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101
Delivery Location Phone Number: 314-425-1819.

Also, a written statement that payment has been made in accordance with the ESA should be sent to the following individuals:

Regional Hearing Clerk
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

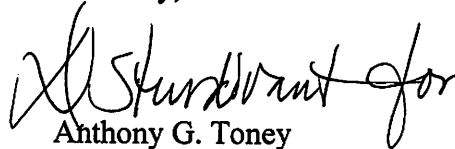
Victor Weeks
Chemical Management and Emergency
Planning Section
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303; and

Saundi Wilson
Office of Regional Counsel
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303.

Also enclosed, please find a copy of the "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings." This document puts Sysco Charlotte, LLC, on notice of its potential duty to disclose to the Security and Exchange Commission (SEC) any environmental enforcement actions taken by the EPA. If you have any questions with regards to the SEC's environmental disclosure requirements, you may refer to the contact phone number at the bottom of the SEC Notice.

If you need additional information in this matter, please call Victor Weeks at (404) 562-9189.

Sincerely,



Anthony G. Toney
Chief

Chemical Safety and Enforcement Branch

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

EXPEDITED SETTLEMENT AGREEMENT

CAA-04-2018-8004(b)

This ESA is issued to: Sysco Charlotte, LLC
4500 Corporate Drive, NW
Concord, North Carolina 28027

for violating 40 CFR § 68.25, 40 CFR § 68.65, 40 CFR § 68.73, 40 CFR § 68.75, 40 CFR § 68.195, and Section 112(r)(7) of the Clean Air Act.

This Expedited Settlement Agreement (ESA) is being entered into by the U.S. Environmental Protection Agency Region 4, the Director of the Air, Pesticides and Toxics Management Division (Complainant), and by Sysco Charlotte, LLC (Respondent), pursuant to Section 113(d) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(d), and pursuant to 40 CFR § 22.13(b).

ALLEGED VIOLATIONS

Based on a compliance monitoring inspection conducted at the Respondent's facility located at 4500 Corporate Drive, NW in Concord, North Carolina on April 26, 2017, the EPA alleges that the Respondent violated the Act's Chemical Accident Prevention Program, when at the time of inspection, Respondent did not provide evidence that:

It analyzed and reported in the Risk Management Plan the worst-case release quantity for the greatest amount held in a single vessel, taking into account administrative controls that limit the maximum quantity as required by 40 CFR § 68.25(b)(1);

It documented that equipment complied with recognized and generally accepted good engineering practices as required by 40 CFR § 68.65(d)(2);

It trained each employee involved in maintaining the on-going integrity of process equipment in an overview of that process and its hazards and in the procedures applicable to the employee's job tasks to assure that the employee can perform the job tasks in a safe manner as required by 40 CFR § 68.73(c);

It established and implemented written procedures to manage changes (except for "replacements in kind") to process chemicals, technology, equipment, and procedures; and, changes to stationary sources that affect a covered process as required by 40 CFR § 68.75(a);

It updated its process safety information required by 40 CFR § 68.65 when changes in information resulted from a management of change as required by 40 CFR § 68.75(d); and,

USEPA REGION 4
OFFICE OF REGIONAL
COUNSEL
2018 JAN 23 PM 1:54
HEARING CLERK

It submitted a correction within one month of any change in the emergency contact information required under 40 CFR § 68.160(b)(6) as required by 40 CFR § 68.195(b).

SETTLEMENT

In consideration of Respondent's size, its full compliance history, its good faith efforts to comply, and other factors as justice may require, and upon consideration of the entire record the parties enter into the ESA in order to settle the violations cited above, for the total penalty amount of **\$6,100**.

This settlement is subject to the following terms and conditions: the Respondent by signing below admits the jurisdictional allegations contained herein, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above; Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C § 7413(d)(2)(A), and to appeal this ESA or otherwise contest the allegations contained in this ESA; and each party to this action shall bear its own costs and fees, if any.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the alleged violations listed in this ESA.

Within fifteen (15) days of receiving a copy of the fully executed ESA, Respondent shall pay a civil penalty in the amount of **\$6,100**. Respondent's payment shall be made by sending a cashier's check or certified check (payable to the "Treasurer, United States of America") in the amount of **\$6,100**, in payment of the full penalty amount to one of the following addresses or via wire transfer:

For payment sent via electronic transfer

For payment by wire transfer, in lieu of a cashier's check or certified check, if desired, should be directed to the Federal Reserve Bank of New York using the following information:

ABA: 021030004
Account: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, New York 10045
Beneficiary: "U.S. Environmental Protection Agency";

The wire transfer instructions shall reference the Respondent's name and Docket Number of this ESA.

For payment sent via Standard Delivery

U.S. Environmental Protection Agency
Cincinnati Finance Center Box 979077
St. Louis, Missouri 63197-9000; or

For payment sent for Signed Receipt Confirmation (FedEx, DHL, UPS, USPS Certified, Registered, etc.)

U.S. Environmental Protection Agency
Cincinnati Finance Center Box 979077
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, Missouri 63101
Delivery Location Phone Number: 314- 425-1819

The Respondent's name and the Docket Number of this ESA must be included on the check. The Docket Number is located at the top left corner of the first page of this ESA.

At the time of payment, Respondent shall send a separate copy of the check, and a written statement that payment has been made in accordance with this ESA to:

Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303, and

Victor Weeks
U.S. EPA Region 4
Chemical Management and Emergency
Planning Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

The penalty specified in this ESA shall represent civil penalties assessed by the EPA and shall not be deductible for purposes of State or Federal taxes.

Respondent's full compliance with this ESA shall only resolve Respondent's liability for Federal civil penalties for the violations alleged in this ESA. The EPA does not waive any other enforcement action for any other violations of the Act or any other statute.

The following individual represents the EPA in this matter and is authorized to receive service for the EPA in this proceeding:

Robert W. Bookman
U.S. EPA Region 4
Chemical Management and Emergency
Planning Section
61 Forsyth Street S.W.
Atlanta, Georgia 30303
(404) 562-9169.

This ESA is binding on the parties signing below. This ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT:

Timothy P Stillwell

Date: 10-31-17

Name (print): Timothy P Stillwell

Title (print): Vice President of Operations
Sysco Charlotte, LLC

FOR COMPLAINANT:

Beverly H. Bahister

Date: 12/15/2017

Beverly H. Bahister
Director
Air, Pesticides and Toxics Management Division

I hereby ratify the ESA and incorporate it herein by reference. It is so ORDERED.

Tanya Floyd
Tanya Floyd
Regional Judicial Officer

Date: January 19, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Expedited Settlement Agreement, in the matter of Sysco Charlotte, LLC, CAA-04-2018-8004(b), on the parties listed below in the manner indicated:

Robert W. Bookman
U. S. EPA, Region 4
Air, Pesticides and Toxics
Management Division
61 Forsyth Street
Atlanta, GA 30303

(Via EPA's internal mail)

Lucia Mendez
U. S. EPA, Region 4
Office of Regional Counsel
61 Forsyth Street
Atlanta, GA 30303

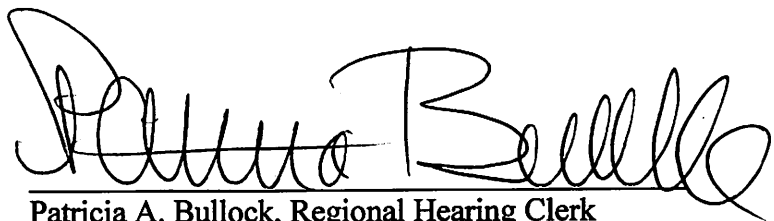
(Via EPA's internal mail)

Mr. Tim Stillwell
Vice President of Operations
Sysco Charlotte, LLC
4500 Corporate Drive, NW
Concord, North Carolina 28027

(Via Certified Mail -
Return Receipt Requested)

Date:

1-23-18



Patricia A. Bullock, Regional Hearing Clerk
United States Environmental
Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303
(404) 562-9511