



U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - NEW ENGLAND
5 Post Office Square, Suite 100
Boston, MA 02109-3912

FILED

9/17/24

11:40 AM

**U.S. EPA REGION 1
HEARING CLERK**

Dated by electronic signature below

Ms. LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, Mail Code 4-MI
Boston, MA 02109-3912
Jensen.LeAnn@epa.gov

Re: In the Matter of Shield Packaging Co., Inc.
Docket No. CAA-01-2024-0040

Dear Ms. Jensen:

In accordance with Regional procedures, this letter is being transmitted to you via a separate letter sent by the U.S. Environmental Protection Agency, Region 1 ("EPA") to the Regional Hearing Clerk ("RHC") regarding the pending settlement of the above-captioned administrative enforcement action against Shield Packaging Co., Inc. ("Shield Packaging"). Both parties have signed a Consent Agreement and Final Order ("CAFO") that will settle the case. The CAFO executed by the parties is being transmitted to you for your review and approval.

As permitted by 40 C.F.R § 22.13(b), the CAFO will both commence and conclude EPA's enforcement action against Shield Packaging. Section III of the CAFO describes Shield Packaging's alleged violations of the chemical accident prevention and preparedness provisions of Clean Air Act Section 112(r) at its aerosol products manufacturing operation located in Dudley, MA.

Specifically, Shield Packaging failed to: (1) timely update its Process Hazard Analysis for the process involving propellants, (2) timely certify that it evaluated compliance with risk management planning (RMP) requirements, (3) establish mechanical integrity procedures for its tanks containing RMP-regulated chemicals, where propellants are stored, (4) train employees involved in certain operating processes, document the training, and document that the employees understood the training, (5) comply with emergency planning and response requirements, and (6) annually recertify written operating procedures and include preventative precautions in the operating procedures.

Ms. LeAnn Jensen, Regional Judicial Officer
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Under the terms of the CAFO, Shield Packaging has agreed to pay a civil monetary penalty of \$219,500. The penalty comports with the Clean Air Act Section 112(r) penalty policy and with other applicable EPA policies and guidance.

After the Final Order has been signed, please transmit the fully executed CAFO to the Regional Hearing Clerk for filing and service on the parties. The parties' consent to the use of digital signatures (as well as Respondent's consent to electronic service of the CAFO, once filed) is included in the CAFO. This settlement does not have any public notice requirements.

If you have any questions regarding the proposed CAFO, please contact me at edwards.megan@epa.gov or 617-918-1542, and Respondent's counsel Matthew Connolly at mconnolly@nutter.com or (617) 439-2144. Thank you for your attention to this matter.

Sincerely,

Megan Edwards
Counsel for Complainant EPA
U.S. Environmental Protection Agency, Region 1

Attachments:

1. Proposed Consent Agreement and Final Order
2. Proposed Certificate of Service

cc: Matthew Connolly, Counsel for Respondent Shield Packaging Co., Inc.
Todd Johnston, President, Shield Packaging Co.
Stephen Bates, General Manager, Shield Packaging Co.