



**REGION 9**

SAN FRANCISCO, CA 94105



**EXPEDITED SETTLEMENT AGREEMENT**

**DOCKET NO:** CAA(112r)-09-2025-0106

**This ESA is issued to:** **E.F. Oxnard, LLC**  
**550 Diaz Avenue**  
**Oxnard, CA 93030**

**For:** Violation of Section 112(r)(7) of the Clean Air Act.

**At:** E.F. Oxnard, LLC 550 Diaz Avenue, Oxnard, CA  
93030

This Expedited Settlement Agreement ("ESA") is being entered into by the United States Environmental Protection Agency ("EPA"), Region 9, by its duly delegated official, Amy C. Miller-Bowen, Director, Enforcement and Compliance Assurance Division, and E.F Oxnard, LLC ("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 February 5<sup>th</sup>, 2025 inspection, EPA alleges Respondent's failure to:

1. The Facility failed to maintain the National Fire Protection Association (NFPA) 704 placard on the anhydrous ammonia tank to be consistent with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.65(d)(2). (Area of Concern 1 from the US EPA Inspection Report)
2. The Facility failed maintain ammonia piping consistent with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.65(d)(2). (Area of Concern 2 from the US EPA Inspection Report)
3. The Facility failed to maintain piping supports consistent with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.65(d)(2). (Area of Concern 3 from the US EPA Inspection Report)
4. The Facility failed to maintain ammonia piping labels consistent with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.65(d)(2). (Area of Concern 4 from the US EPA Inspection Report)

5. The Facility failed to ensure the pressure relief valves discharged in a direction consistent with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.65(d)(2). (Area of Concern 5 from the US EPA Inspection Report)
6. The Facility failed to evaluate all possible engineering and administrative controls and consequences of failure in its 2024 PHA, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.67(c)(3) and (4). (Area of Concern 6 from the US EPA Inspection Report)
7. The Facility failed to maintain operating procedures for the selective catalytic reactor ("SCR") ammonia injection system, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.69(c). (Area of Concern 7 from the US EPA Inspection Report)
8. The Facility failed to ensure operating procedures were current and accurate for the years 2020 and 2023, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.69(c). (Area of Concern 8 from the US EPA Inspection Report)
9. The Facility failed to conduct ammonia storage tank inspections consistent with manufacturers' recommendations and good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.73(d)(3). (Area of Concern 9 from the US EPA Inspection Report).
10. The Facility failed to conduct ammonia piping metal thickness testing consistent with applicable manufacturers recommendations and good engineering practices, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.73(d)(3). (Area of Concern 10 from the US EPA Inspection Report)
11. The Facility failed to ensure appropriate mechanisms to notify the National Reporting Center ("NRC") in its Emergency Response Plan and Emergency Action Plan in the event of a release, in violation of Section 112(r)(7) of the Clean Air Act and 40 C.F.R. § 68.90(b)(3). (Area of Concern 11 from the US EPA Inspection Report)

## SETTLEMENT

The parties enter into this ESA in order to settle the violations described above for the total penalty amount of **\$8,280.**

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 \$8,280 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 9  
75 Hawthorne Street  
San Francisco, California 94105  
[R9HearingClerk@epa.gov](mailto:R9HearingClerk@epa.gov)

Kiya Opstrup  
Environmental Scientist  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, California 94105  
[opstrup.kiya@epa.gov](mailto:opstrup.kiya@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 9 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 9 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: E.F. Oxnard, LLC

Signature: David Nelson Digitally signed by David Nelson  
Date: 2025.08.20 08:31:30 -07'00' Date: 8/20/2025

Name (print): David Nelson

Title (print): Plant Manager

FOR COMPLAINANT: Environmental Protection Agency

AMY MILLER- Digitally signed by AMY MILLER-BOWEN  
Date: 2025.08.27 14:02:18 -07'00' BOWEN Date: \_\_\_\_\_

Amy C. Miller-Bowen, Director  
Enforcement and Compliance Assurance Division  
U.S. EPA Region 9

FINAL ORDER

Respondent has paid the above penalty. It is hereby ORDERED that this ESA be entered.

\_\_\_\_\_  
Beatrice Wong  
Regional Judicial Officer  
U.S. EPA Region 9

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify the foregoing Expedited Settlement Agreement and Final Order in the matter of E.F. Oxnard, LLC (Docket No. CAA(112r)-09-2025-0106) was filed by the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was served on the parties, via electronic mail, as indicated below:

**RESPONDENT(S):** David Nelson  
Plant Manager  
E.F. Oxnard, LLC  
550 Diaz Avenue  
Oxnard, CA 93030  
David.Nelson@efoxnard.com

**COMPLAINANT:** Andrew Helmlinger  
Supervisory Attorney Adviser  
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