



REGION 4

ATLANTA, GA 30303

ELECTRONIC MAIL

CONFIRMATION OF EMAIL RECEIPT REQUESTED

Andres Rivera
SES Manager
Coca-Cola North America
705 Main Street
Auburndale, Florida 33823
andriviera@coca-cola.com

Re: Coca-Cola North America – Auburndale, Florida
Notice of Potential Violation

Dear Andres Rivera:

Information currently available to the U.S. Environmental Protection Agency suggests that Coca-Cola North America, may have committed violations of Section 112(r)(7) of the Clean Air Act (CAA), 42 U.S.C. § 7412(r)(7), and its Risk Management Program (RMP) regulations found at 40 C.F.R. Part 68. By this letter, the EPA is extending to you an opportunity to advise the Agency via a conference call, or in writing, of any further information the EPA should consider with respect to the potential violations.

Specifically, on March 5, 2024, an authorized representative of the EPA conducted a compliance monitoring inspection at the facility located at 705 Main Street, Auburndale, FL (the facility) to determine compliance with the CAA and RMP regulations, and observed the following potential violations:

1. The owner or operator did not include the maximum intended inventory in the process safety information, as required by 40 C.F.R. § 68.65(c)(1)(iii);
2. The owner or operator did not document that equipment complies with recognized and generally accepted good engineering practices, as required by 40 C.F.R. § 68.65(d)(2);
3. The process hazard analysis (PHA) did not address the identification of any previous incident which had a likely potential for catastrophic consequences, as required by 40 C.F.R. § 68.67(c)(2); and

4. The PHA did not properly address engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases and standby or emergency power systems, as required by 40 C.F.R. § 68.67(c)(3).

The EPA has authority under Section 113 of the CAA, 42 U.S.C. § 7413, to pursue enforcement actions for violations of Section 112(r)(7) of the CAA and its RMP regulations found at 40 C.F.R. Part 68, including the issuance of compliance orders, the assessment of administrative penalties and/or the initiation of civil or criminal actions. To resolve the potential violations identified above, the EPA requests that a representative of the facility contact Jordan Noles, of my staff at (404) 562-9105, or via email at noles.jordan@epa.gov, within **seven (7) calendar days** of receipt of this letter to make arrangements to schedule a teleconference to discuss the potential violations and the EPA's possible enforcement action. Please note that the EPA will have legal representation during these discussions. Please inform Jordan Noles if you intend to have legal representation present as well.

You may voluntarily submit any documentation or information that you would like the EPA to review in advance of any teleconference on the matter as to why you believe the EPA should not take an enforcement action with respect to the above-mentioned potential violations. If you decide to submit such documentation or information, the EPA respectfully requests that you do so two weeks in advance of the teleconference. If you have questions regarding the type of information that should be submitted to the EPA or any other questions regarding this matter, please contact Jordan Noles at the contact information identified above.

Sincerely,

JASON
DRESSLER

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Date: 2024.11.19
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Jason Dressler
Chief
North Air Enforcement Section

cc: Robert Dietrich
Technological Hazards Manager
Florida Division of Emergency Management
Robert.Dietrich@em.myflorida.com