



## REGION 4

ATLANTA, GA 30303

### ELECTRONIC MAIL CONFIRMATION OF EMAIL RECEIPT REQUESTED

Jamie Hunter  
Lead Environmental Specialist  
Duke Energy Florida, LLC  
299 1st Avenue North  
St. Petersburg, Florida 33701  
Jamie.Hunter@duke-energy.com

Re: Duke Energy Crystal River Power Plant – Crystal River, Florida  
Notice of Potential Violation and Opportunity to Confer

Dear Jamie Hunter:

Information currently available to the U.S. Environmental Protection Agency indicates that Duke Energy Florida, LLC may have committed violations of Section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9603(a), and Section 304(a) of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), 42 U.S.C. § 11004(a), and the regulations promulgated at 40 C.F.R. § 302.6 and 40 C.F.R. Part 355, Subpart C, respectively. 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.

Enclosed is a listing of the potential violations the EPA has identified at the facility located at 15760 West Power Line Street, Crystal River, Florida (the facility). This list is based on information the EPA received from the National Response Center and gained through follow-up investigations. The potential violations may be subject to an enforcement action pursuant to Section 109 of CERCLA, 42 U.S.C. § 9609, and Section 325 of EPCRA, 42 U.S.C. § 11045, which provides for the administrative assessment of penalties, and/or the initiation of civil action. To resolve the potential violations, the EPA requests that a representative of the facility contact Tony Spann of my staff at (404) 562-8971, or via email at Spann.Tony@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 inform Tony Spann if you intend to have legal representation present during these discussions.

The facility may voluntarily submit any documentation or information that it 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 potential violations summarized in the enclosure. If the facility decides to submit such documentation or information, the EPA respectfully requests that the facility does so two weeks in advance of any teleconference on the matter. 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 Tony Spann at the contact information identified above. In addition, a copy of the Enforcement Response Policy for CERCLA Section 103 and EPCRA Section 304 can be found at <https://www.epa.gov/sites/production/files/documents/epcra304.pdf>.

Sincerely,

**JASON  
DRESSLER**

Digitally signed by JASON  
DRESSLER  
Date: 2024.05.14  
12:17:38 -04'00'

Jason Dressler  
Chief  
North Air Enforcement Section

Enclosure

## POTENTIAL VIOLATIONS

### Section of Potential Violations

### Nature of Potential Violations

CERCLA Section 103(a)

Failure to immediately notify the National Response Center after a reportable quantity (RQ) of Sulfur Dioxide was released from your facility located at 15760 West Power Line Street, Crystal River, Florida 34428 on August 21, 2023.

EPCRA Section 304(a)

Failure to immediately notify the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) after a RQ of Sulfur Dioxide was released from your facility located at 15760 West Power Line Street, Crystal River, Florida 34428 on August 21, 2023.