



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

VIA ELECTRONIC MAIL

Mr. Aaron Stewart
Sr. Facilities Engineer
General Mills Yoplait
2695 General Mills Way
Murfreesboro, Tennessee 37127
Aaron.Stewart@genmills.com

Re: General Mills Yoplait – Murfreesboro, Tennessee
Notice of Potential Violation and Opportunity to Confer

Dear Mr. Stewart:

Information currently available to the U.S. Environmental Protection Agency suggests that General Mills Yoplait 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 December 15, 2021, an authorized representative of the EPA conducted a compliance monitoring inspection at the facility located at 2695 General Mills Way, Murfreesboro, Tennessee (the facility) to determine compliance with the CAA and RMP regulations, and observed the following potential violations:

1. The owner or operator did not document that equipment complies with recognized and generally accepted good engineering practices (RAGAGEP) as required by 40 C.F.R. § 68.65(d)(2);
2. The owner or operator did not establish a system to promptly address the team's findings and recommendations of the process hazard analysis; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; and communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions as required by 40 C.F.R. § 68.67(e);
3. The inspection and testing procedures did not follow RAGAGEP as required by 40 C.F.R. § 68.73(d)(2);

4. The owner or operator did not promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected as required by 40 C.F.R. § 68.79(d); and
5. The owner or operator did not coordinate with the local fire department at least annually, and more frequently, if necessary, to address changes: At the stationary source; in the stationary source's emergency response and/or emergency action plan; and/or in the community emergency response plan as required by 40 C.F.R. § 68.93(a).

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 Mr. 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 Mr. 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 Mr. Jordan Noles at the contact information identified above.

Sincerely,

JASON
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Date: 2022.06.14
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Jason Dressler
Chief
North Air Enforcement Section