



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

VIA ELECTRONIC MAIL

Terry Peay  
Maintenance Supervisor  
Taylor Farms  
3776 Lake Park Drive  
Covington, Kentucky 41017  
tpeay@taylorfarms.com

Re: Taylor Farms – Covington, Kentucky  
Notice of Potential Violation and Opportunity to Confer

Dear Terry Peay:

Information currently available to the U.S. Environmental Protection Agency suggests that Taylor Farms 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 August 23, 2022, an authorized representative of the EPA conducted a compliance monitoring inspection at the facility located at 3776 Lake Park Drive, Covington, Kentucky (the facility) to determine compliance with the CAA and RMP regulations, and observed the following potential violations:

1. The owner or operator did not estimate in the RMP the population within a circle with its center at the point of the release and a radius determined by the distance to the endpoint defined in § 68.22(a), as required by 40 C.F.R. § 68.30(a);
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 owner or operator did not document each inspection and test that has been performed on process equipment, as required by 40 C.F.R. § 68.73(d)(4). The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test; and

4. The owner or operator did not correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in § 68.65) before further use or in a safe and timely manner when necessary means are taken to assure safe operation, as required by 40 C.F.R. § 68.73(e).

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**

Digitally signed by JASON  
DRESSLER  
Date: 2023.02.15  
09:13:12 -05'00'

Jason Dressler  
Chief  
North Air Enforcement Section