



REGION 4

ATLANTA, GA 30303

ELECTRONIC MAIL
CONFIRMATION OF EMAIL RECEIPT REQUESTED

Joe Emling
Vice President of Supply Chain
Citrus World, Inc. d/b/a Florida's Natural Growers
20205 US Hwy 27
Lake Wales, Florida 33853
joe.emling@floridasnatural.com

Re: Citrus World, Inc. d/b/a Florida's Natural Growers – Lake Wales, Florida
Notice of Potential Violation (NOPV)

Dear Joe Emling:

Information currently available to the U.S. Environmental Protection Agency suggests that Citrus World, Inc., d/b/a Florida's Natural Growers, 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 6, 2024, an authorized representative of the EPA conducted a compliance monitoring inspection at the facility located at 20205 US Hwy 27, Lake Wales, Florida (the facility) to determine compliance with the CAA and RMP regulations. An inspection report of the EPA's observations was sent to the facility on May 14, 2024. The EPA subsequently identified additional observations through a review of records which were provided to the EPA after the inspection. Included with this NOPV is a supplemental inspection report describing the additional observations. Overall, the EPA observed the following potential violations:

1. 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);
2. The owner or operator's process hazard analysis did not 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, as required by 40 C.F.R. § 68.67(c)(3);

3. The owner or operator did not establish a system to promptly address the team's findings and recommendations; 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);
4. The inspection and testing procedures did not follow recognized and generally accepted good engineering practices, as required by 40 C.F.R. § 68.73(d)(2);
5. 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);
6. The owner or operator is not performing appropriate checks and inspections to assure that equipment is installed properly and consistent with design specifications and the manufacturer's instructions, as required by 40 C.F.R. § 68.73(f)(2); and
7. 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).

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 Justin Stark, of my staff at (404) 562-8305, or via email at stark.justin@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 Justin Stark 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 Justin Stark at the contact information identified above.

Sincerely,

**JASON
DRESSLER** Digitally signed by JASON
DRESSLER
Date: 2024.11.19
12:06:53 -05'00'

Jason Dressler
Chief
North Air Enforcement Section

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