



REGION 6

DALLAS, TX 75270

May 13, 2025

TRANSMITTED VIA E-MAIL

Haily Ayers
Manager
Miranda-Grand Canyon Dairy
2179 CR 308
Dublin, TX 76446
hailymir@gmail.com

Re: Administrative Order Docket Number: CWA-06-2025-1742
NPDES Permit Number: TX0130923

Dear Mrs. Ayers:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency, Region 6 (EPA) concerning the Miranda-Grand Canyon Dairy (facility). The Order requires that the facility comply with the provisions set forth in the attached Order. The EPA requests that you immediately confirm receipt of this e-mail and the attached Order by a response e-mail to bomar.lucas@epa.gov.

The enclosed Order alleges violations of the facility's Texas Commission on Environmental Quality (TCEQ) issued Concentrated Animal Feeding Operation (CAFO) Permit. The violations alleged were identified by EPA inspectors during the January 14, 2025, compliance evaluation inspection of the facility. The violations alleged include, but are not limited to, the following:

1. Two roads leading from the feed lanes on the north side of the property are not adequately bermed to direct runoff coming from pens to the nearby retention control structures (RCSs).
2. A manure stockpile was not in the drainage of an RCS or bermed.

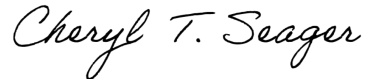
This Order does not assess a monetary penalty; however, it does require compliance with the requirements of the facility's TCEQ-issued CAFO Permit. The first compliance deadline is thirty (30) days from receipt of this Order. EPA Region 6 is committed to ensuring compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) program and my staff will assist you in any way possible. Please reference Administrative Order Docket Number CWA-06-2025-1742 and your facility's Permit Number TX0130923 in your response.

Miranda-Grand Canyon Dairy
CWA-06-2025-1742

Also please find enclosed an "Information Sheet" relating to the Small Business Regulatory Enforcement Fairness Act and a "Notice of Registrant's Duty to Disclose" relating to the disclosure of environmental legal proceedings to the Securities and Exchange Commission.

If you need assistance, or have questions regarding this Order, please contact Mr. Lucas Bomar, of my staff, at bomar.lucas@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl T. Seager".

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division



REGION 6

DALLAS, TX 75270

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

In the Matter of

Miranda-Grand Canyon Dairy

Respondent

NPDES Permit No. TX0130923

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Docket No. CWA-06-2025-1742

ADMINISTRATIVE ORDER

STATUTORY AUTHORITY

The following findings are made, and Order issued, under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 309(a) of the Clean Water Act (the Act), 33 U.S.C. § 1319(a). The Administrator of EPA has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who has further delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. Miranda-Grand Canyon Dairy (Respondent) is a "person" as defined by Section 502(5) of the Act, 33 U.S.C. § 1362(5) and 40 C.F.R. § 122.2.
2. At all times relevant to this Order (all relevant times), Respondent owned or operated Miranda Grand Canyon Dairy (facility) located at 2179 CR 308, Dublin, TX 76446, and was, therefore, an "owner or operator" within the meaning of 40 C.F.R. § 122.2. The facility is a Concentrated Animal Feeding Operation (CAFO) as defined by Section 502(14) of the Act, 33 U.S.C. § 1362(14), and 40 C.F.R. § 122.23(b).
3. Respondent operates under the TCEQ CAFO General Permit, Permit Number TX0130923, which was issued on August 17, 2023, and expires on August 17, 2028.
4. At all relevant times, the facility acted as a "point source" of a "discharge" of "pollutants" to the South Fork Little Green Creek; thence to the North Bosque River, which are "waters of the United States" within the meaning of Section 502 of the Act, 33 U.S.C. § 1362, and 40 C.F.R. § 122. 2. As a result, Respondent and the facility were subject to the Texas Pollutant Discharge Elimination System (TPDES).
5. Agricultural waste (including animal manure) is included in the definition of "pollutants" set out in Section 502(6) of the Act, 33 U. S. C. § 1362(6) and 40 C.F.R. § 122.2.
6. On January 14, 2025, inspectors from EPA Region 6 inspected the facility and observed the following permit violations:
7. Two roads leading from the feed lanes on the north side of the property were not adequately bermed to direct runoff coming from the pens to the nearby retention

control structures (RCS). The TCEQ CAFO general permit Part III.A.5(a)(4) requires that “Wastewater must be contained in RCSs properly, designed, constructed, operated, and maintained according to the provisions of this general permit.”

8. A manure stockpile was not in the drainage of an RCS or bermed. The TCEQ CAFO general permit Part III.A.9(b) requires that “Manure or sludge stored for more than 30 days must be stored within the drainage area of an RCS or stored in a manner (i.e. storage shed, bermed area, tarp covered area, etc.) that otherwise prevents contaminated stormwater runoff from the storage area.”
9. Each permit violation is a violation of Section 301 of the Act, 33 U.S.C. § 1311.

SECTION 309(a)(3) COMPLIANCE ORDER

Based on the foregoing Findings and pursuant to the authority of Section 309(a)(3) of the Act, 33 U.S.C. § 1319(a)(3), EPA hereby orders Respondent to take the following action:

- A. Take such measures as are necessary to comply with all permit conditions, including Part III.A.5(a)(4) and Part III.A.9(b) of the TCEQ CAFO general permit.
- B. Within thirty (30) days of the effective date of this Order, Respondent shall provide written certification to EPA Region 6 signed by an authorized official [as defined in 40 C.F.R. § 122.22(a)(3)] that the violations cited herein have been corrected and the facility is in compliance with the requirements of the permit.
- C. In the event the Respondent believes complete correction of the violations cited herein is not possible within thirty (30) days of the effective date of this Order, Respondent shall, within thirty (30) days of the effective date of this Order, submit a

comprehensive written plan for the elimination of the cited violations within the shortest possible time. Such plan shall describe in detail the specific corrective actions to be taken and why such actions are sufficient to correct the violations. The plan shall include a detailed schedule for the elimination of the violations within the shortest possible time, as well as any projected costs that Respondent will incur.

- D. If Respondent would like to arrange a meeting with EPA to discuss the violations alleged in this Order, Respondent should contact EPA within thirty (30) days of the effective date of this Order. The meeting will be held at the Region 6 offices, 1201 Elm St., Dallas, Texas, or through a virtual platform, as appropriate, and Respondent can provide any information it believes is relevant to this Order. Respondent shall submit to EPA all information or materials it considers relevant to EPA at least ten (10) days prior to the meeting.
- E. Any information or correspondence submitted by Respondent to EPA under this Order shall be addressed to the following:

Mr. Lucas Bomar
bomar.lucas@epa.gov

GENERAL PROVISIONS

Respondent may seek federal judicial review of this Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

Issuance of this Section 309(a)(3) Compliance Order shall not be deemed an election by EPA to waive any administrative, judicial, civil or criminal action to seek penalties, fines or other relief under the Act for the violations cited herein, or other violations that become

known to EPA. EPA reserves the right to seek any remedy available under the law that it deems appropriate.

Failure to comply with this Section 309(a)(3) Compliance Order or the Act may result in further administrative action, or a civil judicial action initiated by the United States Department of Justice.

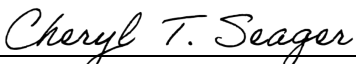
This Order does not constitute a waiver or modification of the terms or conditions of Respondent's TCEQ CAFO General Permit, which remain in full force and effect. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligation to comply with any applicable federal, state, or local law or regulation.

For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 1.162-21(b)(2), performance of Paragraphs A and B of the compliance section is restitution, remediation, or required to come into compliance with the law. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligations to comply with any applicable federal, state, or local law or regulation.

The effective date of this Order is the date it is received by Respondent.

May 13, 2025

Date



Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division