

112(r)/Clean Air Act Enforcement: U.S. Environmental Protection Agency and a Goodlettsville, Tennessee Wholesale Grocer Enter into Expedited Settlement Agreement



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The United States Environmental Protection Agency (“EPA”) and Associated Wholesale Grocers, Inc. (“AWGI”) entered into a July 12th Expedited Settlement Agreement (“ESA”) addressing alleged violations of the regulations implementing Section 112(r)(7) of the Clean Air Act (Chemical Action Accident Prevention Program). See Docket No.: CAA-04-2018-8015(b).

AWGI is stated to be a company that operates a facility in Goodlettsville, Tennessee.

EPA is stated to have undertaken a compliance monitoring inspection at the Goodlettsville, Tennessee facility on March 14, 2018. The federal agency alleges that AWGI violated certain provisions of the Clean Air Act’s Chemical Accident Prevention Program. It is further alleged that the company did not provide evidence that:

- It used the most recent census data, or other updated information to estimate the population potentially affected as required by 40 C.F.R. § 68.30(c);
- It reviewed and updated the offsite consequence analyses every five years or after an affective process change as required by 40 C.F.R. § 68.36;
- It demonstrates that equipment complies with recognized and generally accepted good engineering practices as required by 40 C.F.R. § 68.65(d)(2); and
- It followed the frequency of inspections and tests of process equipment to be consistent with applicable manufacturers’ recommendations and good engineering practices as required by 40 C.F.R. § 68.73 (d)(3).

AWGI neither admits nor denies the specific factual allegations contained in the ESA.

The ESA assesses a civil penalty of \$4,200.

A [copy of the ESA](#) can be downloaded here.