

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX



In the matter of:) U.S. EPA Docket No.
)
) MM-09-2026-0093
Camino Real Foods, Inc.,)
)
)
Respondent.) CONSENT AGREEMENT AND
) FINAL ORDER PURSUANT TO
) 40 C.F.R. SECTIONS 22.13 AND
) 22.18

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 325 of the Emergency Planning and Community Right-to-Know Act of 1986 (“EPCRA”), 42 U.S.C. § 11045, and Sections 113(a)(3)(A) and (d) of the Clean Air Act (“CAA”), as amended, 42 U.S.C. §§ 7413(a)(3)(A), (d), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, as codified at 40 Code of Federal Regulations (C.F.R.) Part 22 (“Consolidated Rules”).
2. The Administrator has delegated enforcement authority under EPCRA Section 325, 42 U.S.C. § 11045 and CAA Section 113(d), 42 U.S.C. § 7413(d), to the Regional Administrator of the EPA Region 9, who in turn has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, hereinafter, “Complainant.”
3. Respondent is Camino Real Foods, Inc. (“Respondent”).
4. This Consent Agreement and Final Order (CA/FO), which contains the elements of a complaint required by 40 C.F.R. § 22.14(a)(1)-(3) and (8), simultaneously commences and concludes this penalty proceeding, as authorized by 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
5. Complainant and Respondent agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their respective interest and in the public interest.

B. PARTIES BOUND

6. This CA/FO shall apply to and be binding on Respondent, Respondent's officers, directors, partners, agents, employees, contractors, successors and assigns. Action or inaction of any persons, firms, contractors, employees, agents, or corporations acting under, through, or for Respondent shall not excuse any failure of Respondent to fully perform its obligations under this CA/FO. Changes in ownership, real property interest, or transfer of personal assets shall not alter Respondent's obligations under this CA/FO.

C. STATUTORY AND REGULATORY FRAMEWORK

a. EPCRA Section 312

7. Pursuant to Section 312, 42 U.S.C § 11022, owners and operators of a facility must submit an annual emergency and hazardous chemical inventory form ("inventory form") containing information on hazardous chemicals present at the facility during the preceding calendar year above threshold levels established in 40 C.F.R. § 355, Appendices A and B.
8. The inventory form must be submitted by March 1 of each year to the State Emergency Response Commission ("SERC"), the Local Emergency Planning Committee ("LEPC"), and the fire department with jurisdiction over the facility. 40 C.F.R. §§ 370.44 and 470.45.
9. Ammonia is a "hazardous chemical" as defined in Sections 311(e) and 312(c) of EPCRA, 42 U.S.C. §§ 11021(e) and 11022(c), with a threshold planning quantity of 500 pounds. 49 C.F.R. Part 355, App. A&B. At all times relevant to this CA/FO, Respondent exceeded 500 pounds or more of ammonia (anhydrous) in one or more processes at the Facility and is required to submit a material safety data sheet for anhydrous ammonia, 42 U.S.C. §§ 11021(a) and (e).

b. CAA Section 112(r)

10. Pursuant to CAA Section 112(r)(7), 42 U.S.C. § 7412(r)(7), and its implementing regulations, owners and operators of stationary sources at which a regulated substance is present in more than a threshold quantity ("TQ") must prepare and implement a risk management plan ("RMP") to detect and prevent or minimize accidental release of such substances from the stationary source, and to provide a prompt emergency response to any such releases in order to protect human health and the environment.
11. CAA Section 112(r)(2)(C), 42 U.S.C. § 7412(r)(2)(C), defines "stationary source" as "any buildings, structures, equipment, installations or substance emitting stationary activities (i) which belong to the same industrial group, (ii) which are located on one or more contiguous properties, (iii) which are under the control of the same person (or persons under common control), and (iv) from which an accidental release may occur."

12. Ammonia (anhydrous) is a “regulated substance” listed under CAA Section 112(r)(3), 42 U.S.C. § 7412(r)(3), with a TQ of 10,000 pounds. *See* 40 C.F.R. § 68.130, Tables 1 and 2.
13. Under CAA Section 112(r)(7), 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.10(i), the owner or operator of a covered stationary source with a process in an NAICS code listed in 40 C.F.R. § 68.10(i)(1) or subject to the OSHA process safety management standard set forth in 29 C.F.R. § 1910.119 is subject to the “Program 3” requirements set forth in 40 C.F.R. § 68.12(d).
14. Under CAA Section 112(r)(7), 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.12(d), facilities subject to the Program 3 requirements are required to implement the prevention requirements set forth in 40 C.F.R. §§ 68.65 through 68.87 and the emergency response program requirements set forth in 40 C.F.R. §§ 68.90 through 68.96.

D. GENERAL ALLEGATIONS

15. At all times relevant to this CA/FO, Respondent has been a “person” as defined in EPCRA Section 329(7), 42 U.S.C. § 11049(7) and CAA Section 302(e), 42 U.S.C. § 7602(e).
16. At all times relevant to this CA/FO, Respondent operated a facility (the “Facility”) located at 2638 E. Vernon Avenue, Vernon, California that utilizes anhydrous ammonia to produce approximately one quarter billion frozen burritos for distribution nationwide each year.
17. On July 20, 2022, EPA performed an inspection of the Facility to evaluate compliance with the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”) Section 103, 42 U.S.C. § 9603, EPCRA Sections 304-312, 42 U.S.C. §§ 11004-12, and CAA Section 112(r), 42 U.S.C. § 7412(r) (the “Inspection”). Based upon the information gathered during the Inspection and subsequent investigation, EPA determined that Respondent violated certain provisions of EPCRA and the CAA.
18. At all times relevant to this CA/FO, Respondent has been the owner or operator of the Facility.
19. At all times relevant to this CA/FO, the real property and improvements thereto located at the Facility has been a “stationary source” as defined by CAA Section 112(r)(2)(C), 42 U.S.C. § 7412(r)(2)(C).
20. At all times relevant to this CA/FO, Respondent produced, used or stored more than 10,000 pounds of ammonia (anhydrous) at the Facility.
21. At all times relevant to this CA/FO, Respondent was subject to Program 3 requirements because there are public receptors within the distance to the endpoint for the worst-

case release from its Facility and was subject to the OSHA process safety management standard set forth in 29 C.F.R. § 1910.119.

E. ALLEGED VIOLATIONS

Count I

(Failure to Comply with Tier II Inventory Requirements)

22. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
23. Under 40 C.F.R. § 370.42(s)(6), the owner or operator of a facility must provide an estimate (in ranges) of the maximum amount of the hazardous chemical present at its facility on any single day during the preceding calendar year for each hazardous chemical that an owner or operator is required to report.
24. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to timely submit its Tier II hazardous materials and waste inventory reports.
25. Accordingly, EPA alleges that by failing to timely submit its Tier II hazardous materials and waste inventory reports, Respondent violated the EPCRA requirements set forth at EPCRA Section 312, 42 U.S.C. § 11022, and 40 C.F.R. § 370.42(s)(6).

Count II

(Failure to Comply with Process Safety Information Requirements)

26. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
27. Under 40 C.F.R. § 68.65, the owner or operator must complete a compilation of written process safety information, including information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, and information pertaining to the equipment in the process.
28. Based upon the Inspection and subsequent investigation, EPA determined that Respondent lacked documentation that its equipment complies with recognized and generally accepted good engineering practices (“RAGAGEP”), as required by 40 C.F.R. § 68.65(d)(2) and (3), such as doors that were not equipped with panic hardware, exposed electrical wiring and conduit, extension cords used as permanent wiring, doors that were not tight-fitting and tight-sealing, lack of labelling for ammonia piping, not identifying the main shutoff valve (King valve), emergency exhaust and temperature-control fans discharging horizontally and downwards, unlabelled ammonia alarms, not having ammonia alarms in its ammonia machinery rooms, unlabelled natural gas piping

and hydraulic oil piping, corrosion on multiple pieces of equipment, unsupported ammonia piping, ammonia transfer vessel nameplates corroded beyond recognition, frosted site glass on the ammonia high pressure receiver, missing warning labels on electrical panels, and unsealed pipe penetrations in ammonia machinery rooms.

29. Accordingly, EPA alleges that by failing to include accurate information concerning the equipment of a process, and by failing to comply with RAGAGEP or document that its existing equipment was safe, Respondent violated the process safety information requirements set forth at CAA Section 112(r)(7), 42 U.S.C § 7412(r)(7), and 40 C.F.R. §§ 68.65(d)(2) and 68.65(d)(3).

COUNT III

(Failure to Comply with Process Hazard Analysis Requirements)

30. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
31. Under 40 C.F.R. § 68.67, the owner or operator of a facility must perform a process hazard analysis (“PHA”) on processes covered by CAA Section 112(r), 42 U.S.C. § 7412(2), requirements to identify, evaluate, and control the hazards involved in the process.
32. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to adequately address hazards of the process, specifically external events in its PHA, as required by 40 C.F.R. § 68.67(c), and also failed to adequately track its PHA recommendations to completion, as required by 40 C.F.R. § 68.67(e).
33. Accordingly, EPA alleges that by failing to adequately address hazards of the process, and by failing to adequately track its PHA recommendations to completion, Respondent violated the process hazard analysis requirements set forth at CAA Section 112(r)(7), 42 U.S.C § 7412(r)(7), and 40 C.F.R. §§ 68.67(c) and 68.67(e).

COUNT VI

(Failure to Develop and Implement Adequate Operating Procedures)

34. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
35. Under 40 C.F.R. § 68.69(a), the owner or operator must develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information.

36. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to develop and implement written operating procedures providing clear instructions for safely conducting activities for its ammonia operators.
37. Under 40 C.F.R. § 68.69(c), the owner or operator must annually certify that its operating procedures are current and accurate.
38. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to complete an annual certification of its operating procedures since 2013.
39. Accordingly, EPA alleges that by failing to adequately develop and implement written operating procedures, and by failing to annually certify that its operating procedures are current and accurate, Respondent violated the operating procedure requirements set forth at CAA 112(r)(7), 42 U.S.C. U.S.C § 7412(r)(7), and 40 C.F.R. §§ 68.69(a) and (c).

COUNT V

(Failure to Ensure Mechanical Integrity)

40. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
41. Under 40 C.F.R. § 68.73(e), the owner or operator of a facility must correct deficiencies in covered equipment that are outside acceptable limits before further use or in a safe and timely manner when necessary means are taken to assure safe operation.
42. Based upon the Inspection and subsequent investigation, EPA observed significant ice buildup on the ammonia recirculation vessel and piping in the main refrigeration system, damaged vapor barrier and insulation in numerous locations on the roof and on ammonia piping in the main refrigeration system, and broken electrical wiring in the main refrigeration system.
43. Accordingly, EPA alleges that the ice buildup, damaged vapor barrier and insulation, and broken electrical wiring were outside acceptable limits, and by failing to fix these deficiencies in a timely manner, Respondent violated the mechanical integrity requirements set forth in CAA Section 112(r)(7), 42 U.S.C. § 68.73(e).

COUNT VI

(Failure to Complete Incident Investigation Requirements)

44. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.

45. Under 40 C.F.R. § 68.81(e), the owner or operator must establish a system to promptly address and resolve the incident report findings and recommendations.
46. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to establish a system to promptly address and resolve incident report findings and recommendations because Respondent's incident investigation report lacked adequate detail regarding the resolution of proposed corrective actions.
47. Accordingly, EPA alleges that by failing to establish a system to promptly address and resolve incident report finding and recommendations, Respondent violated the incident investigation requirements set forth at CAA Section 112(r)(7), 42 U.S.C. § 68.81(e).

COUNT VII
(Failure to Confirm Employee Participation)

48. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
49. Under 40 C.F.R. § 68.83(c), the owner or operator must consult with employees knowledgeable in the process and their representatives on addressing, correcting, resolving, documenting, and implementing recommendations and findings of process hazard analyses, compliance audits, and incident investigations.
50. Based upon the Inspection and subsequent investigation, EPA determined that Respondent failed to consider language as a potential barrier or employee access to RMP-related training, documentation, and participation.
51. Accordingly, EPA alleges that by failing to consult with its employees knowledgeable in the process and confirm that its employees understand all the risks of ammonia, Respondent violated the employee participation requirements set forth at CAA Section 112(r), 42 U.S.C. § 68.83(c).

COUNT VIII
(Failure to Develop and Implement Safe Work Practices for Contractors)

52. Paragraphs 1 through 21, above, are incorporated herein by this reference as if they were set forth here in their entirety.
53. Under 40 C.F.R. § 68.87(b), the owner or operator must develop and implement safe work practices to control the entrance, presence, and exit of the contract owner or operator and contract employees in covered process areas.
54. Based upon the Inspection and subsequent investigation, EPA determined that Respondent did not have any documentation of its contractor policy, did not have a list

of its contractors who work in and around its ammonia refrigeration system, and did not have evaluation records of its contractors.

55. Accordingly, EPA alleges that by failing to develop and implement a contractor policy, Respondent violated the contractor requirements set forth at CAA Section 112(r), 42 U.S.C. § 68.87(b).

F. CIVIL PENALTY

56. Respondent agrees to pay a civil penalty in the amount of ONE-HUNDRED SIXTY-THOUSAND DOLLARS (\$160,000) ("Assessed Penalty") within thirty (30) calendar days of the Effective Date of this CA/FO. The Effective Date of this CA/FO as defined in Section M, below, is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk.

57. Respondent shall pay the Assessed Penalty and any interest, fees, and other changes due using any method, or combination of appropriate methods, as provided on the EPA website:

<https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.

58. When making a payment, Respondent shall:

- a. Identify every payment with Respondent's name and the docket number of this Agreement.
- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following persons via electronic mail:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 9
R9HearingClerk@epa.gov

Anuka King
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency - Region 9
King.Anuka@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Department
CINWD_AcctsReceivable@epa.gov

“Proof of payment” means, as applicable, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

59. Interest, Charges, and Penalties on Late Payments. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Agreement, EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, the following amounts.
- a. Interest. Interest begins to accrue from the Filing Date. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. To protect the interests of the United States, the rate of interest is set at the IRS standard underpayment rate; any lower rate would fail to provide Respondent adequate incentive for timely payment.
 - b. Handling Charges. Respondent will be assessed monthly a charge to cover EPA’s costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Agreement, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Filing Date. Additional handling charges will be assessed every thirty (30) days, or any portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.
 - c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Filing Date.
60. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Agreement, EPA may take additional actions. Such actions EPA may take include, but are not limited to, the following.
- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

- b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
 - c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.
 - d. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.
61. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
62. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

G. ADMISSIONS AND WAIVERS OF RIGHTS

63. In accordance with 40 CFR § 22.18(b), for the purpose of this proceeding, Respondent: (a) admits the jurisdictional allegations of this CA/FO; (b) neither admits nor denies specific factual allegations contained in this CA/FO; (c) consents to the assessment of the civil penalty Set forth in Section F above and to any conditions specified in this CA/FO; and (d) waives any right to contest the allegations and its right to appeal the final order accompanying this consent agreement. By signing this Consent Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.

H. CERTIFICATION OF COMPLIANCE

64. In executing this CA/FO, Respondent certifies that under penalty of law to EPA that it has taken all steps necessary to return to full compliance with CAA Section 112(r), 42 U.S.C. § 7412(r), and its implementing regulations, that formed the basis for the violations alleged in this CA/FO.

I. DELAY IN PERFORMANCE/STIPULATED PENALTIES

65. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as follows: FIVE HUNDRED DOLLARS (\$500) per day for the first to fifteenth day of delay, ONE THOUSAND DOLLARS (\$1,000) per day for the sixteenth to thirtieth day of delay, and FIVE THOUSAND DOLLARS (\$5,000) per day for each day of delay thereafter. For the purposes of this Section, Respondent's obligation to meet any and all requirements set for this in this CA/FO shall include completion of any and all activities required under this CA/FO in a manner acceptable to EPA and within the specified time schedules in and approved under this CA/FO.
66. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations.
67. Stipulated penalties shall begin to accrue on the day after performance is due and shall continue to accrue through the final day until performance is complete. All stipulated penalties owed to EPA shall be due within thirty (30) days of receipt by Respondent of a notification of noncompliance. Such notification shall describe the noncompliance and shall indicate the amount of penalties due.
68. In addition to any stipulated penalties assessed, interest and penalties shall accrue in accordance with 40 C.F.R. § 13.11.
69. Payment of stipulated penalties shall be made in accordance with the procedure set forth for payment of penalties in Section E of this CA/FO.
70. The payment of stipulated penalties specified in this Section shall not be deducted by Respondent or any other person or entity for federal taxation purposes.
71. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this CA/FO.

J. RESERVATION OF RIGHTS

72. In accordance with 40 C.F.R. § 22.18(c), full compliance with this CA/FO shall only resolve Respondent's liability for federal civil penalties for the violations specifically alleged herein and does not in any case affect the right of the EPA to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
73. This CA/FO is not a permit or modification of any existing permit issued pursuant to any federal, state, or local laws or regulations. This CA/FO shall in no way relieve or affect Respondent's obligations under any applicable federal, state or local laws, regulations, or permits.

K. OTHER CLAIMS

74. Nothing in this CA/FO shall constitute or be construed as a release from any other claim, cause of action or demand in law or equity by or against any person, firm, partnership, entity or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from the Facility.

L. MISCELLANEOUS

75. This CA/FO can be signed in counterparts.

76. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.

77. Each party to this action shall bear its own costs and attorneys' fees.

78. EPA and Respondent consent to entry of this CA/FO without further notice.

79. By signing this CAFO, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.

80. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. To provide EPA with sufficient information to enable it to fulfil these obligations, Respondent shall complete the following actions as applicable:

- a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;

- b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;
- c. Respondent shall email its completed Form W-9 to Jessica Chalifoux in EPA's Cincinnati Finance Department at chalifoux.jessica@epa.gov, on or before the date the Respondent's penalty payment is due, pursuant to Paragraph 56, or within 7 days should the order become effective between December 15 and December 31 of the calendar year. EPA recommends encrypting IRS Form W-9 email correspondence; and
- d. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide EPA's Cincinnati Finance Division with Respondent's TIN, via email, within five (5) days of Respondent's receipt of a TIN issued by the IRS.

M. EFFECTIVE DATE

81. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), the effective date of this CA/FO (Effective Date) shall be the date that the Final Order contained in this CA/FO, having been approved and issued by the Regional Judicial Officer, is filed with the Regional Hearing Clerk.

IT IS SO AGREED.

In the Matter of Camino Real Foods, Inc.
Consent Agreement and Final Order

FOR RESPONDENT CAMINO REAL FOODS, INC.:

3/26/2026

Date



Robert Cross
Chief Executive Officer

In the Matter of Camino Real Foods, Inc.
Consent Agreement and Final Order

FOR COMPLAINANT, U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 9:

**AMY MILLER-
BOWEN**

Digitally signed by AMY MILLER-
BOWEN
Date: 2026.05.11 13:18:41 -07'00'

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order in the Matter of Camino Real Foods, Inc., U.S. EPA Docket No. MM-09-2026-0093 be entered and that Respondent shall pay a civil penalty in the amount of ONE-HUNDRED SIXTY-THOUSAND DOLLARS (\$160,000) and comply with any other terms and conditions set forth in this Consent Agreement.

This Final Order shall be effective upon filing by the Regional Hearing Clerk.

Beatrice Wong
Regional Judicial Officer
United States Environmental Protection Agency,
Region 9