



STATE OF DELAWARE  
**DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

DIVISION OF AIR QUALITY  
STATE STREET COMMONS  
100 W. WATER STREET, SUITE 6A  
DOVER, DELAWARE 19904

**ENGINEERING &  
COMPLIANCE**

PHONE  
(302) 739-9402

February 26, 2026

Allen Harim Farms, LLC  
29984 Pinnacle Way  
Millsboro, DE 19966

**Sent via Email**  
**Read Receipt & Confirmation Requested**

ATTENTION: Michael Crutcher  
EHS

**SUBJECT: Notice of Violations**  
**Allen Harim Farms, LLC- Dagsboro**  
**Operation of Emergency Generators on Ozone Action Day**  
**Failure to Maintain Copy of Permit Onsite**

Dear Mr. Crutcher:

The Department conducted a full compliance evaluation ("FCE") at the Allen Harim Farms, LLC - Dagsboro facility on June 25, 2025.

Allen Harim Farms, LLC - Dagsboro is found to be in violation of the following regulatory and permit requirements:

1. In Section 4.4 of 7 DE Admin. Code 1144, it states:

*“No emergency or distributed generator shall be used during testing or for maintenance purposes before 5 p.m. on a day which has a Ground Level Ozone Pollution Forecast or Particle Pollution Forecast of “Code Red” or “Code Orange” as announced by the Department.”*

2. In Condition 3.4 of Permit: APC-2009/0102-CONSTRUCTION/OPERATION (Amendment 2), it states:

*“The emergency generator shall not be operated for testing or maintenance purposes before 5 p.m. on any day which has a Ground Level Ozone Pollution Forecast or Particulate Forecast of “Code Purple,” “Code Red,” or “Code Orange” as announced by the Department.”*

3. In Conditions 3.3 of Permit: APC-2021/0089-CONSTRUCTION/OPERATION (NSPS)(GACT) and Permit: APC-2021/0090-CONSTRUCTION/ OPERATION (NSPS)(GACT), it states:

*“The emergency generator shall not be operated for testing or maintenance purposes before 5 p.m. on any day which has a Ground Level Ozone Pollution Forecast or Particulate Forecast of “Code Purple,” “Code Red,” or “Code Orange” as announced by the Department.”*

The emergency generators are tested every Monday at 9 a.m. for thirty minutes. Monday, July 15, 2024, was a Code Orange Ozone Action Day. The Department has shared with you in the past how to receive Ozone Action Day alerts by email so you can delay testing until after 5 p.m. or test on an alternative day. In the future, the facility shall not operate the emergency generators for testing or maintenance before 5 p.m. on an Ozone Action Day.

4. In Condition 7.2 of Permit: APC-2009/0102-  
CONSTRUCTION/OPERATION (Amendment 2), it states:

*"This permit shall be made available on the premises."*

You were unable to locate this permit during the FCE. The Department provided you with a copy of this permit. Copies of all your permits shall be retained and made available on the premises in the future.

**ACTION ITEMS:**

**Immediately upon receipt of this NOV**, Allen Harim - Dagsboro shall comply with all statutory, regulatory and permit requirements, including those cited herein.

**Within 30 days of receipt of this NOV**, Allen Harim - Dagsboro shall:

1. Submit to the Department, the name and address of its Registered Agent as filed with Delaware's Division of Corporations.

Please be advised that this Notice of Violation will be made available through the Department's Internet site, which can be found at <https://www.dnrec.delaware.gov>. Information concerning your Company's failure to comply will be posted following confirmation by the Department of your receipt of this Notice of Violation. Upon further review of the violations, the Department reserves the right to pursue further investigation, and, as it deems appropriate, enforcement action.

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If you have any questions, please contact me at (302) 323-4542.

Sincerely,

A handwritten signature in black ink that reads "Amy S. Mann". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Amy S. Mann, P.E.  
Administrator  
Engineering & Compliance Section

ASM:JHG:MAS

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pc: Dover File  
Amy Mann  
Melanie Smith  
Dawn Minor