



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • [www.idem.in.gov](http://www.idem.in.gov)

**Mike Braun**  
*Governor*

**Clint Woods**  
*Commissioner*

September 2, 2025

VIA CERTIFIED MAIL#9589 0710 5270 0682 2484 52

Veronica F Villasenor, President  
The Hershey Salty Snacks Company  
19 East Chocolate Avenue  
Hershey, PA 17033

Re: Adoption of Agreed Order  
Commissioner, Indiana Department of  
Environmental Management

v.

The Hershey Salty Snacks Company  
dba Hershey Salty Snacks—Bluffton  
Plant

Plant ID No. 179-00028  
Case No. 2025-30665-A  
Bluffton, Wells County

Dear Veronica F Villasenor:

This is to inform you that the Agreed Order in the above-referenced case has been approved and adopted by the Indiana Department of Environmental Management. A copy of the Agreed Order is enclosed.

Please note the terms of compliance contained in the Agreed Order. The time frames for compliance are effective upon your receipt of this correspondence. Please note that the civil penalty is due within thirty (30) days after the effective date of the Agreed Order. Payment should be made payable to the Environmental Management Special Fund and sent to:

Indiana Department of Environmental Management  
Accounts Receivable  
Indiana Government Center North  
100 North Senate Avenue, Room 13E  
Indianapolis, IN 46204

Please include the Case Number on the front of the check. If you have any questions, please contact Natalie Ruiz at 317-752-7860 or [nsruiz@idem.in.gov](mailto:nsruiz@idem.in.gov).

Visit [on.in.gov/survey](https://on.in.gov/survey) or scan the QR code to provide feedback.

*We appreciate your input!*



L 00000000000000000000000000000000

Sincerely,

A handwritten signature in blue ink, appearing to read "David P. McIver".

For David P. McIver, Chief  
Enforcement Section  
Office of Air Quality

Enclosure

cc: Ann-Margaret Deavers, EHS, [Adeavers@hersheys.com](mailto:Adeavers@hersheys.com)  
John Joyce, Director of Operations, [Jjoyce@hersheys.com](mailto:Jjoyce@hersheys.com)  
Scott Campbell, Plant Manager, [Scampbell2@hersheys.com](mailto:Scampbell2@hersheys.com)  
Wells County Health Department  
Natalie Ruiz, Compliance and Enforcement Branch, OAQ  
Angela Verseman, Compliance and Enforcement Branch, OAQ  
<http://www.IN.gov/idem>



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STATE OF INDIANA ) SS: BEFORE THE INDIANA DEPARTMENT OF
COUNTY OF MARION ) ENVIRONMENTAL MANAGEMENT
COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
Complainant,
v. Case No. 2025-30665-A
THE HERSHEY SALTY SNACKS COMPANY DBA HERSHEY SALTY SNACKS—BLUFFTON PLANT,
Respondent.

AGREED ORDER

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to Indiana Code ("IC") 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

I. FINDINGS OF FACT

- 1. Complainant is the Commissioner ("Complainant") of the Indiana Department of Environmental Management ("IDEM"), a department of the State of Indiana created by IC 13-13-1-1.
2. Respondent is The Hershey Salty Snacks Company dba Hershey Salty Snacks—Bluffton Plant ("Respondent"), which owns and operates the stationary snack manufacturing source with Plant ID No. 179-00028, located at 123 Harvest Rd, in Bluffton, Wells County, Indiana ("Site").
3. IDEM has jurisdiction over the parties and the subject matter of this action.



4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation (“NOV”) via Certified Mail to:

The Hershey Salty Snacks  
Company  
Attn: Veronica F Villasenor,  
President  
19 East Chocolate Avenue  
Hershey, PA 17033

C T Corporation System,  
Registered Agent  
334 North Senate Avenue  
Indianapolis, IN 46204

5. During an investigation including permit review conducted by a representative of IDEM, the following violations were found:

- a. Pursuant to 326 IAC 2-6.1-6, any person proposing to construct new emission units, modify existing emission units, or otherwise modify the source as described in this section shall submit an application or notification for a permit revision in accordance with this rule.

Pursuant to 326 IAC 2-6.1-6, modifications requiring minor or significant revisions require approval prior to construction and operation of the modification.

Respondent failed to obtain a permit revision prior to the modification and operation of multiple existing emission units, in violation of 326 IAC 2-6.1-6.

6. Respondent submitted a permit application to IDEM on May 31, 2024. Respondent was issued significant permit revision Minor Source Operating Permit 179-47905-00028 on September 4, 2024.
7. Orders of the Commissioner are subject to administrative review by the Office of Administrative Law Proceedings under IC 4-21.5; however, in recognition of the settlement reached, Respondent acknowledges notice of this right and waives any right to administrative and judicial review of this Agreed Order.

## **II. ORDER**

1. This Agreed Order shall be effective (“Effective Date”) when it is approved by Complainant or Complainant’s delegate, and has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date.
2. Respondent shall comply with the environmental rules listed in the findings of fact above.
3. All submittals required by this Agreed Order, unless IDEM notifies the Respondent otherwise in writing, shall be sent to:

Natalie Ruiz, Enforcement Case Manager  
Office of Air Quality  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue, Room 13W  
Indianapolis, IN 46204-2251  
Nsruiz@idem.in.gov

4. Pursuant to IC 13-30-4-1, Respondent is assessed and agrees to pay a civil penalty of Three Thousand Four Hundred Dollars (\$3,400.00). Said penalty amount shall be due and payable to the Environmental Management Special Fund within thirty (30) days of the Effective Date; the thirtieth day being the "Due Date."
5. Civil penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:  
  
Indiana Department of Environmental Management  
Accounts Receivable  
Indiana Government Center North  
100 North Senate Avenue, Room 13E  
Indianapolis, IN 46204
6. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. Such interest shall be payable to the Environmental Management Special Fund, and shall be payable to IDEM in the manner specified in Paragraph 5, above.
7. Signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent.
8. This Agreed Order shall apply to and be binding upon Respondent and all successors and assigns. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners, successors, or assigns before ownership rights are transferred.
9. No change in ownership, corporate, or partnership status of Respondent shall in any way alter the Respondent's status or responsibilities under this Agreed Order.
10. Respondent shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.

11. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
12. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of the obligation to comply with the requirements of any applicable permits or any applicable Federal or State laws or regulations.
13. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
14. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the violations specified in the NOV.
15. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the U.S. Environmental Protection Agency ("U.S. EPA") or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the U.S. EPA or any other agency or entity.
16. This Agreed Order shall remain in effect until Respondent has complied with all terms and conditions of this Agreed Order and IDEM has issued a Resolution of Case letter to Respondent.

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TECHNICAL RECOMMENDATION:  
Department of Environmental  
Management

By: 

For David P. McIver  
Section Chief  
Enforcement Section  
Office of Air Quality

Date: July 17, 2025

RESPONDENT:  
The Hershey Salty Snacks Company dba  
Hershey Salty Snacks—Bluffton Plant

By: 

Printed: Brian Large

Title: Sr. Director of Manufacturing

Date: 8-17-25

COUNSEL FOR RESPONDENT:

By: 

Date: 8/21/2025

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT THIS 2nd DAY OF  
September, 2025.

For the Commissioner:



Matthew Stuckey  
Assistant Commissioner  
Office of Air Quality  
Indiana Department of Environmental  
Management

