

Clean Air Act - Section 112(r) Risk Management Program and EPCRA 312 – Tier II Facility Desk Audit Report

FACILITY INFORMATION:

Name: The McGregor Company – Nezperce, ID 38
Physical Address: 1899 Powerline Rd., Nez Perce, Idaho
Phone Number: (509) 397-4355
Latitude/Longitude: 46.253667/-116.348778
EPA Facility ID# 1000 0006 7063

CONTACT INFORMATION (RMP Implementation):

Name: Mr. Doug Wendt, Business Unit Manager
Phone: (509) 337-6621
E-mail: doug.wendt@mcgregor.com

EMERGENCY CONTACT INFORMATION:

Emergency contact: Mr. Kevin Finnell, Service Manager
Emergency Contact Title: Service Manager
Emergency Contact Phone: (208) 937-2483
Emergency Contact 24-Hour Phone: (208) 790-2358
Emergency Contact E-mail Address: kevin.finnell@mcgregor.com

AUDIT DETAILS:

Contact Date: August 23, 2022
Inspectors: Peter Phillips, US EPA Region 10 SEE Grantee, RMP Inspector

DATE AND PROGRAM LEVELS OF SUBMITTED RMP:

Initial Submission Date: June 21, 1999
Date of Latest Update: June 10, 2019

Process (Program 2 as reported in RMP:

Process ID	Description	Process Chemical ID	NAICS Code	Program Level	Chemical Name CAS Number	Quantity (lbs)
1000096896	Storage & Transfer	1000121303	42491	2	Ammonia, Anhydrous (7664-41-7)	330,000

PURPOSE:

The purpose of this document review was to determine whether this facility is in compliance with Section 112(r) of the Clean Air Act and Title 40 Code of Federal Regulations (CFR) Part 68, Chemical Accident Prevention Provisions and compliance with Section 312 of the Emergency Planning and Community Right to Know Act (EPCRA) which requires the Tier II Chemical Inventory Reports to be submitted annually. EPA Region 10 RMP inspectors are conducting offsite compliance monitoring when warranted for the RMP facility.

- The facility has been previously inspected in the past 5 years: No ☒ Yes ☐
- Is the emergency contact information current? No ☐ Yes ☒
- The facility is High Risk: No ☒ Yes ☐
- Joint EPCRA inspection: No ☐ Yes ☒

CAA Title V Air Permit:

Does the facility have a CAA Title V Permit? No ☒ Yes ☐

RELEASE/ACCIDENT HISTORY:

Did the facility have a reportable release in the past 5 years? No ☒ Yes ☐

EPCRA TIER II REPORTING:

Did the facility submit their [Enter Year] Tier II report to the SERC? No ☐ Yes ☒

If Yes, Date the Tier II was submitted: 1/24/2022

Did the facility submit a Tier II to the LEPC and local fire department? No ☐ Yes ☒

If Yes, Date the Tier II was submitted: 1/24/2022

GENERAL INFORMATION:

The McGregor Company Nezperce facility is regulated under the Risk Management Program as a Program Level 2 process. The primary activity at this facility is the storage and handling of anhydrous ammonia and agricultural chemicals for sale to farmers. Anhydrous ammonia is received, stored, and distributed for direct application to the soil as a crop production nutrient.

The facility reported a maximum intended inventory of 330,000 pounds of anhydrous ammonia in their June 10, 2019, RMP submission exceeding the threshold quantity of 10,000 pounds for anhydrous ammonia.

The McGregor Company Nezperce facility has two 30,000-gallon stationary pressure vessels. The facility receives daily bulk shipments of anhydrous ammonia by tanker truck to unload to the stationary storage tank during the harvest season. Suppliers for the facility are Agrium, Inc. and CF Industries, Inc. The two harvest seasons generally run: spring (March - May) and fall season (August– October). The anhydrous ammonia is transferred from the stationary storage tank into field delivery trucks for transportation to the farmer's fields. The facility has three 20,000-gallon delivery vehicles and three 800-gallon applicators. The facility has six full time operators that perform the unloading and loading of anhydrous ammonia. The facility is staffed Monday-Saturday, and the hours of operation are 7:00 AM – 4: 00 PM.

Mr. Doug Wendt, Business Unit Manager implements the OSHA Process Safety Management (PSM) and is responsible for the Risk Management Plan (RMP).

The facility is not a first responder and coordinates with the Nez Perce county fire department and Lewis County LEPC to respond to ammonia releases. Notification, information, and emergency procedures are provided in the facility's emergency action plan in reporting an ammonia release to local, state, and federal agencies.

INFORMATION REQUESTED FROM FACILITY:

1. **Hazard Review** – A copy of the last two Hazard Reviews with recommendations and tracking sheets.
2. **Compliance Audit** – A copy of the last two Compliance Audits with recommendations and tracking sheets.
3. **Training** – Training records for each process operator

- a. **Initial Training Records:** Training in the overview of the process and in the operating procedures, emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks.
 - b. **Refresher Training Records:** Training of each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process.
 - c. **Training Documentation:** Records which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training.
 - d. Fill in **Facility Training Summary** sheet.
4. **Emergency Response** – A copy of emails, letters, or notes on meetings with LEPC and local responders including contact information (individual names, phone numbers, email addresses, organization name), dates, and coordination activities.
 5. **Tier II Reporting** - Evidence of submission of a Tier II as described in 40 C.F.R. Part 370 to the State Emergency Response Commission (“SERC”), the Local Emergency Response Commission (“LEPC”), and the fire department with jurisdiction over the facility.

ANALYSIS OF DOCUMENTATION SUBMITTED:

1. Hazard Review:

- The facility submitted their 2016 and 2018 Hazard Reviews for review.
- The 2016 Hazard Review was conducted by Kevin Finnell, Service Manager on 2/15/2016. No deficiencies were identified in this hazard review.
- The 2018 Hazard Review was conducted by Kevin Finnell on 11/30/2018. No deficiencies were identified in this hazard review.
- Documents submitted by the facility indicates that hazard reviews are being performed at least every five years as required by 40 CFR § 68.50.

2. Compliance Audit:

- The facility submitted their 2018 and 2021 Compliance Audits for review.
- The 2018 Compliance Audit was conducted by Doug Wendt (McGregor) on 10/15/2018. No deficiencies were identified in this compliance audit.
- The 2021 Compliance Audit was conducted by Lowell Enneking (McGregor) on 10/13/2021. No deficiencies were identified in this compliance audit.
- Documents submitted by the facility indicates that compliance audits are being performed at least every three years as required by 40 CFR § 68.58.

3. Training:

Operator Initial and Refresher Training

Name	Initial	Refresher	Refresher	Refresher	Refresher
Lowell Enneking	12/6/16	1/20/17	12/6/17	2/12/20	8/8/22
Steven Steele	2/11/16	12/6/17	12/15/20	8/8/22	
Justin Smith	12/6/17	12/15/20	8/8/22		
Steven Holder	1/18/22	8/8/22			

4. Training Documentation:

- Training in operating procedures and safe workplace practices were corroborated by a written training certificate signed by the operator and his/her supervisor. Observation was used to validate the training that the operators received.
- The documentation reviewed indicates that initial and review training is consistent with the training requirements under 40 CFR § 68.54.

5. Emergency Response Coordination (Annual Requirement after 9/21/18):

- The facility's Emergency Response Plan was reviewed and exercised on 4/20/2018 and 4/16/2019. Participants included Kevin Finnell, McGregor; Joshua Hall, Chief, Nez Perce County Rural Fire Department; and Jason Davis, Sheriff, Lewis County
- There was no documentation for the years 2020 and 2021 due to COVID pandemic. The McGregor Company Nezperce facility is in process of planning for continued emergency response coordination.

6. Tier II Reporting:

- The Tier II report was submitted on 1/24/2022 for the reporting period of January 1 to December 31, 2021. The Report was filed by Encamp, Inc. on behalf of The McGregor Company.

AREAS OF CONCERNS:

No findings were identified during this document review.

The findings in this report will be discussed with the facility via telephone and email after certification of this report.

DOCUMENTS REQUESTED ON FOLLOW-UP:

No follow-up documents were requested.

AUDIT REPORT CERTIFICATION:

This is to certify that I, Peter Phillips, was the lead inspector at this facility and that I have verified the accuracy of the observations in this inspection report:

Signature

Date

RMP Coordinator/Approval

Date

EPCRA Coordinator/Approval

Date

Land Enforcement Section Chief/Approval

Date