



REGION 10
SEATTLE, WA 98101

Clean Air Act - Risk Management Program – Section 112(r)
Emergency Planning Community Right-to-Know Act – Sections 302, 311 and 312
On-site Compliance Inspection Report
Helena Agri-Enterprises, LLC

PURPOSE

The purpose of this On-site Compliance Inspection was to determine compliance with the Clean Air Act Section 112(r)(7) Risk Management Program (40 C.F.R. Part 68) and the Emergency Planning and Community Right to Know Act Sections 302, 311 and 312.

CAA Section 112(r)(7) requires facilities that hold more than a threshold quantity of a regulated substance in a process to develop and implement a Risk Management Program. EPCRA Section 311 requires facilities that hold chemicals above reporting threshold to submit copies of the SDSs or a list of these chemicals to the State Emergency Response Commission, the Local Emergency Planning Committee and the local fire department. EPCRA Section 312 requires the Annual Chemical Inventory Reports (Tier II) for the current calendar year to be submitted by March 1 of the following year. The Tier II is required to be submitted to the SERC, LEPC and fire department. EPCRA Section 302 requires any facility that has any EHS above the threshold planning quantities to notify the SERC and LEPC. LEPCs should also include the EHS(s) in their emergency response plans. Facilities covered under EPCRA Section 312 are required to indicate on the Tier II if they are subject to EPCRA Section 302 emergency planning requirements.

COMPANY INFORMATION

Name: Helena Agri-Enterprises, LLC
Mailing Address: 1010 East Kartchner Street
Pasco, Washington 99301
Website: <https://www.helenaagri.com/>

FACILITY INFORMATION

Name: Helena Agri-Enterprises, LLC-Pasco, WA
Facility Address: 1010 East Kartchner Street
Pasco, Washington 99301
Latitude/Longitude: 46.264341, -119.095231
RMP Facility ID#: 100000206788
EPCRA Tier II ID#: WAD988467593
FRS ID#: 110005349774
EJ Concerns: Yes (99%)

CONTACT INFORMATION (RMP Implementation)

Name: Sean Lollar
Title: Fertilizer Manager
Phone Number: (509) 544-0436
E-mail: lollars@helenaagri.com

EMERGENCY CONTACT INFORMATION

Name: Sean Lollar
Title: Fertilizer Manager
Phone Number: (509) 544-0436
E-mail: lollars@helenaagri.com

INSPECTION DETAILS

Inspection Date: June 25, 2024
Inspection Time: 9:00 AM – 2:30 PM
Inspectors: Edward Johannes, US EPA Region 10 SEE Grantee, Lead RMP Inspector
Peter Phillips, US EPA Region 10 SEE Grantee, Lead RMP Inspector
Terry Garcia, US EPA Region 10 SEE Grantee, RMP Inspector
Ryan Bowsby, US EPA Region 10, RMP Inspector

On June 13, 2024, EPA emailed a Notice of Inspection Letter to the facility informing them of a planned RMP and EPCRA inspection. The letter included CAA Section 112(r)(6)(L) requirement that facility employees and employee representatives, such as a union representative, have the right to participate in the RMP inspection. A copy of the letter must be provided to the employee representatives and the letter posted in a manner accessible to employees in the facility.

- Is the facility is unionized? Yes ☐ No ☒
If yes, name of union:
- Was an employee representative present during the inspection? Yes ☐ No ☒
If yes, name/title:

GENERAL INFORMATION

The facility is regulated under the Risk Management Program as a Program Level 2 and 3 and is owned and operated by Helena Agri-Enterprises, LLC (Helena). The facility has seventeen (17) full-time employees and four operators of the process on site.

The facility was built in the 1970s was purchased by Helena in 2004. The original facility functioned primarily as a warehouse and sales facility. The tank farm and loadout process area were built in 2007 and was operated primarily as a warehouse and sales facility, with minor blending operations capabilities. The RMP was predictively filed with the expectation that this facility would perform Program Level 3 processes and was built prior to the purchase of the Central Ferry facility, located in La Crosse, Washington by Helena in 2013 from NuChem Ltd.¹ At the facility a mobile-pipe reactor (MPR) system operated up until 2013. During this MPR operational period, anhydrous ammonia was mostly

¹ Helena Chemical Company - Central Ferry facility, EPA ID 1000 0009 9092, is located at 82 Central Ferry Road, Pomeroy, WA 99347. An RMP inspection was conducted on July 16, 2014.

brought by 9,600-gallon tanker trucks, but 34,000-gallon railcars could also deliver anhydrous ammonia to the facility, to produce fertilizer. The MPR process was moved to the Central Ferry facility by 2014. In 2014 the aqueous (aqua) ammonia blending process was built at the facility and is reported in the RMP submitted on April 17, 2014. Aqua ammonia is supplied by Agrium and is delivered to the facility by 9,600-gallon tanker trucks. In 2018, the MPR process was restarted at the facility according to the RMP submitted on April 15, 2018.

Currently, the operations at this facility consist of agricultural chemical storage and handling, blending, retail sale and distribution. The covered processes operated at this facility include storage of a single 34,000-gallon tank railcar of anhydrous ammonia, the transfer of the anhydrous ammonia from that tank railcar to a MPR, fertilizer blending of aqua ammonia brought on site by 9,600-gallon tanker trucks, which is transferred to the facility's 16,700-gallon storage tank (24% ammonia concentrated solution with a total of 26,250 lbs of ammonia). The MPR is brought on-site three to six times per year and operated by a qualified contractor (A.K.A. Independent Fertilizer Reacting Contractor). The contractor has four personnel who typically operate the MPR when on-site and it is connected to tank railcars containing anhydrous ammonia and super phosphoric acid to blend both together with water to create the ammonium polyphosphate (APP) fertilizer which is stored in tanks onsite. The facility operates 07:00 AM to 5:00 PM Monday through Friday.

DATE AND PROGRAM LEVELS OF SUBMITTED RMP

Initial Submission Date: April 22, 2009

Date of Latest Update: April 14, 2023

- Has the facility has been inspected in the past 5 years? Yes ☐ No ☒
If yes, date of last inspection:
- Is the facility High Risk? Yes ☒ No ☐

Process (as reported in the RMP)

Process ID	Description	Process Chemical ID	NAICS Code	Program Level	Chemical Name CAS Number	Quantity (lbs.)
1000130937	Storage & Handling-Aqua	1000164166	42491	2	Ammonia, Aqueous (7664-41-7)	26,217
1000130938	Fertilizer Blending w/Aqua	1000164167	325314	2	Ammonia, Aqueous (7664-41-7)	26,217
1000130939	Railcar Storage	1000164168	325314	3	Ammonia, Anhydrous (7664-41-7)	165,104
1000130940	Fertilizer Blending w/NH3	1000164169	325314	3	Ammonia, Anhydrous (7664-41-7)	165,104

CAA TITLE V AIR PERMIT

- Does the facility have a CAA Title V Permit? Yes ☐ No ☒
If yes, permit number:

EMERGENCY RELEASE / ACCIDENT HISTORY

- Did an RMP reportable release occur in the past 5 years? Yes ☐ No ☒
- Did a CERCA/EPCRA reportable release occur in the past 5 years? Yes ☐ No ☒
If either yes, date and description of release:

EPCRA 312 – TIER II REPORT

- Was the 2023 Tier II report submitted to the SERC? Yes ☒ No ☐
If yes, date Tier II was submitted: February 6, 2024
If no, calendar year of the most recent Tier II:
- Was the 2023 Tier II submitted to the LEPC/fire department? Yes ☒ No ☐
If yes, date Tier II was submitted: February 9, 2024
- Is the facility subject to EPCRA Section 302? Yes ☒ No ☐
If yes, is it correctly checked on the Tier II? Yes ☐ No ☒
- Is the subject to RMP correctly checked on the Tier II? Yes ☒ No ☐
- Is RMP facility ID correct on the Tier II? Yes ☒ No ☐

EPCRA CHEMICALS OVER THRESHOLD

According to the most recent Tier II, the facility stores the following hazardous chemicals over the reporting threshold. See the attached Tier II, Attachment C, for a complete list and inventory amounts.

Chemical Name	EHS (Yes or No)	CAS Number
Anhydrous Ammonia	Yes	7664-41-7
Aqua Ammonia	Yes	7664-41-7
Hydrogen Peroxide	Yes	007722-84-1

EPCRA 311 – SDSs

The facility stores three EHS on-site over the TPQ and is subject to EPCRA Section 302.

See Attachment B for SDSs and chemical information on each EHS stored over the reporting threshold at the Facility.

EPCRA 302 – LEPC Coordination

Facility has not participated in meetings with the LEPC but has sent invites to come to the facility.

LEPC

Agency: Franklin County Emergency Management
Program Contact: Sean Davis
Title: Director
Address: 1011 East Ainsworth Street
Pasco, Washington 99301
Phone Number: (509) 545-3546
Email: sdavis@franklincountywa.gov
Website: https://franklinem.org/

INSPECTION ENTRY

The EPA Inspection Team (EPA) led by Edward Johannes arrived at the premises of Helena Agri-Enterprises, LLC facility (facility) in Pasco, Washington, at 08:45 AM and was joined by the following facility personnel:

Name	Title
Cody Dow	Operations Manager
Sean Lollar	Fertilizer Manager

- Were any SERC, LEPC or fire department representative present? Yes ☐ No ☒
If yes, names and titles of representatives:

- Is the facility a first responder? Yes ☐ No ☒
If no, responding agency:

The inspection team was escorted to a conference room. Introductions were made by Edward Johannes, who provided a summary of the risk management program and explained the purpose of the visit. Each team member presented their credentials.

EPA requested an explanation of the facility's operations and any additional safety measures that should be taken during the site tour. Close-toed shoes were required while touring the facility.

FACILITY TOUR / ON-SITE OBSERVATIONS

The facility tour was conducted from approximately 9:50 AM to 10:22 AM. The inspection team was escorted by Cody Dow and Sean Lollar. The inspection team observed the cooling tower used when reacting anhydrous ammonia with chemicals, 16,700-gallon aqua ammonia storage tank, storage vessels of reacted product, pad used by the MPR, tube in shell heat exchanger used by the MPR, finished fertilizer tank farm, tank railcar siding storage area, and areas with EPCRA covered chemicals that included the pesticide storage building and outside tote storage area. The photographs taken during this tour are found in Attachment A of this report.

The inspection team viewed the pesticide storage building, loading dock and tote storage area where EPCRA covered chemicals are stored (Photos 1, 2 and 4). The RMP covered process areas observed were the water cooling towers used when reacting anhydrous ammonia with other chemicals (Photos 3 and 9), aqua ammonia 16,700-gallon storage tank in the tank farm (Photo 5), the pad used by the MPR (Photo 8; MPR was not present during the inspection), tube in shell heat exchanger used by MPR

(Photo 10), and the railroad siding used for storage of tank railcars containing anhydrous ammonia (Photo 12).

Other areas the team observed not covered by RMP included the finished fertilizer tank farm, the pipe bridge, and the reacted product storage vessels connected to the pipe bridge (Photos 6, 7, and 11).

Finally, the Safety Data Sheets (SDS) were examined in the office (Photos 13 and 14).

After touring the RMP-covered process areas and the EPCRA chemical storage areas, the inspection team returned to the conference room to review the RMP documentation. Upon completion of the document review, EPA provided a debriefing to Cody Dow and Sean Lollar.

INFORMATION COLLECTED FROM FACILITY

1. Pacific Northwest Solutions MPR Piping and Instrumentation Diagram.
2. RME blank Compliance Audit Response Tracking Form.
3. Sean Lollar Anhydrous Ammonia, Aqua Ammonia Safety Training Certificate for March 13, 2014.
4. Annual Inspection Checklist dated August 31, 2023.
5. Google Earth image of the facility.

AREAS OF CONCERNS

The following is a list of areas of concern identified.

1. Helena was unable to provide documentation on conducting emergency coordination activities and exercises. (68.10(b)).
2. Helena provided the 2009 initial PHA and the 2023 PHA. The 2023 PHA action items did not include dates of closure. (68.67(f) and (g)).
3. Helena did not document training for each operator including training records from the contractor. (68.71(a)(1), (a)(2), (b), and (c)). The contractor is Pacific Northwest Solutions, Pasco.
4. Helena was unable to provide documentation that each employee involved in maintaining the on-going integrity of process equipment has been trained. (68.73(c)).
5. Helena was unable to provide documentation that showed deficiencies in equipment outside acceptable limits defined by the process safety information was corrected before further use or in a safe and timely manner to assure safe operation. (68.73(e)). Installation of a deluge safety shower and a pressure relief valve for the aqua ammonia storage tank were recommended in the 2023 PHA. At time of inspection these recommendations were not completed and no tracking of progress was available.
6. Helena was unable to provide documentation that appropriate checks and inspections for the ammonia polyphosphate blending and aqua ammonia storage and handling processes to assure that equipment was installed properly and consistent with design specifications were performed. (68.73(f)(2)).
7. Helena was unable to provide documentation that assured maintenance materials, spare parts and equipment for the ammonia polyphosphate blending and aqua ammonia storage and handling processes were suitable for the process application for which they would be used. (68.73(f)(3)).

8. Helena did not promptly determine and document an appropriate response to each of the findings of the 2020 compliance audit and document that deficiencies had been corrected. (68.79(d)).
9. Helena was unable to provide documentation on coordination with local emergency responders that the regulated toxic substances are included in the community emergency response plan. (68.90(b)(1)).
10. Helena was unable to provide documentation that they performed the annual emergency response coordination activities since 2019 required under § 68.93. (68.90(b)(4)).

FOLLOW-UP DOCUMENTS REQUESTED

The following documents were unable to be located during the inspection by the facility representatives. The documents were requested to be sent to EPA by July 9, 2024. These documents were reviewed after the inspection to determine compliance with Section 112(r) of the Clean Air Act.

1. 2009 Initial PHA and tracking report of findings.
2. PHA tracking sheet for each covered process.
3. Contractor safety performance, periodic review, and evaluation.
4. MI Tab 7, Attachment H-Quality assurance for new equipment or process.
5. PNS-Latest PHA 2022 or 2023 tracking report findings.

ON-SITE INSPECTION REPORT CERTIFICATION

This is to certify that I, Edward Johannes, as the lead inspector for the On-site Compliance Inspection and that I have verified the accuracy of the information in this report.

EDWARD JOHANNES
(Affiliate)

Digitally signed by EDWARD
JOHANNES (Affiliate)
Date: 2024.12.18 10:33:24 -08'00'

Inspector Signature

JAVIER MORALES

Digitally signed by JAVIER MORALES
Date: 2024.12.18 10:44:40 -08'00'

RMP Coordinator Signature

ERIN WILLIAMS

Digitally signed by ERIN WILLIAMS
Date: 2024.12.18 10:58:54 -08'00'

EPCRA Coordinator Signature

**MATTHEW
QUARTERMAN**

Digitally signed by MATTHEW
QUARTERMAN
Date: 2025.01.10 09:13:05 -08'00'

Land Enforcement Section Chief Signature

ATTACHMENTS

- A. Photo Log and Photographs
- B. Safety Data Sheets (SDSs)
- C. Tier II Submission

ATTACHMENT A

Photo Log and Photographs

Attachment A – Photo Log

Site Name: Helena Agri-Enterprises, LLC-Pasco, WA

Pasco, Washington

Photographer: Peter Phillips

File	Photo ID	Date	Time	Description
Photo1.jpg	1	6/25/2024	9:53 AM	Doorway leading to the EPCRA storage warehouse.
Photo2.jpg	2	6/25/2024	9:54 AM	Loading dock for EPCRA chemicals.
Photo3.jpg	3	6/25/2024	9:56 AM	Cooling towers used when reacting chemicals from an MPR.
Photo4.jpg	4	6/25/2024	9:59 AM	Chemical tote storage area (EPCRA).
Photo5.jpg	5	6/25/2024	10:00 AM	Aqua ammonia storage tank. Aqua ammonia is trucked in from their Central Ferry facility.
Photo6.jpg	6	6/25/2024	10:10 AM	Elevated pipe bridge leading from the aqua ammonia storage tank.
Photo7.jpg	7	6/25/2024	10:10 AM	Pipe bridge leading to storage vessels of reacted product.
Photo8.jpg	8	6/25/2024	10:11 AM	Pad used by MPR contractor when blending fertilizer products.
Photo9.jpg	9	6/25/2024	10:11 AM	Water cooling tower used when blending process chemicals into fertilizer products.
Photo10.jpg	10	6/25/2024	10:12 AM	Tube in shell heat exchanger used by contractor pipe reactor to mitigate exothermic reaction.
Photo11.jpg	11	6/25/2024	10:12 AM	Finished fertilizer tank farm near reacting pad.
Photo12.jpg	12	6/25/2024	10:12 AM	Rail siding used to store the single tank railcar containing anhydrous ammonia used by the MPR.
Photo13.jpg	13	6/25/2024	10:44 AM	Page 1 of the facility's aqua ammonia SDS sheet.
Photo14.jpg	14	6/25/2024	12:06 PM	Page 1 of the facility's anhydrous ammonia SDS sheet.