EPA United States Environmental Protection Agency

Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT

Inspection Date(s):	October 22-25, 2018		
Media:	Air		
Regulatory Program(s)	Clean Air Act Section 112(r) and 40 C.F.R. Part 68 Chemical Accident Prevention Provisions		
Company Name:	**INEOS O&P LLC**		
Facility Name:	**INEOS O&P LLC Battleground Manufacturing**		
Facility Physical Location:	1230 Independence Parkway South		
(city, state, zip code)	LaPorte, TX 77571		
Mailing address:	1230 Independence Parkway South		
(city, state, zip code)	LaPorte, TX 77571		
County/Parish:	Harris		
Facility Contact:	Morgan French – (713)307-4940	SH&E Manager	
FRS Number:	110038705817		
Identification/Permit Number:			
Media Number:	EPA Facility Identifier: 100000084354		
NAICS:	325211 Plastics Material and Resin Manufacturing		
NAICS:			
Personnel participating in inspection:			
Morgan French	INEOS O&P	SH&E Manager	(713) 307-3000
Don Turner	INEOS O&P	Safety Manager	(713) 307-3000
Adam Klipstein	INEOS O&P	PSM Coordinator	(713) 307-3000
Carlos Robles Sanchez	INEOS O&P	PSM	(713) 307-3000
Michel Promel	INEOS O&P	PE Operations Manager	(713) 307-3000
Blake Sieminski	US EPA	Inspector/ Enforcement Off.	(214)665-8062
EPA Lead Inspector Signature/Date			
EPA Lead Inspector Signature/Date	Blake Sieminski		Date 12/12/18
Supervisor Signature/Date			
Supervisor Signature/Date	Samuel Tates		Date 12/12/2018

6ENFORM-019-R7 (2/15/2017)

Section I - INTRODUCTION

PURPOSE OF THE INSPECTION

I, United States Environmental Protection Agency (EPA) Region 6 Inspector Blake Sieminski, arrived at the INEOS O&P LLC Battleground (INEOS) facility at approximately 1:00 PM on Monday October 22, 2018 for an announced inspection. I presented my credentials and informed INEOS personnel that this was an EPA inspection to determine compliance with the facility's Chemical Accident Prevention Provisions Program. The scope of the inspection was a partial compliance evaluation (PCE) and included an evaluation of the compliance of the facility with the Clean Air Act (CAA) Section 112(r) and the Chemical Accident Prevention Provisions (40 C.F.R. Part 68). The INEOS is listed as a Risk Management Plan (RMP) Program three (3) facility. INEOS is not a union facility. The Texas Commission on Environmental Quality was notified of this PCE inspection and did not participate during this inspection.

Table 1: Opening Meeting Attendance

NAME	COMPANY	TITLE
Blake Sieminski	U.S. EPA	Inspector/Enforcement Officer
Morgan French	INEOS O&P	SH&E Manager
Don Turner	INEOS O&P	Sr. Safety Engineer
Adam Klipstein	INEOS O&P	PSM Coordinator
Carlos Robles Sanchez	INEOS O&P	Operation Integrity Manager
Michel Promel	INEOS O&P	PE Operations Manager

FACILITY DESCRIPTION

INEOS operates a plastics material and resin manufacturing facility. The facility is in LaPorte, Texas. INEOS is a facility which receives and/or stores various regulated chemicals by railcar, trucks and pipelines. The products stored, handled or processed onsite include propane, ethylene, 1-butene, isobutane, ethane and hydrogen. The facility employs approximately 300-350 employees, and 300-350 contractors.

Section II – OBSERVATIONS

On Wednesday October 24, 2018, Morgan French, Don Turner, Adam Klipstein and I conducted a site drive-through of the facility to observe the covered process, equipment, and operations. The facility has six (6) reactors. We toured the polyethylene plant and two interconnected isobutane tanks which were chosen as the example for worst-case scenario release due to its proximity to the neighboring facility. We also walked through the east control room of the polyethylene plant and adjacent locker room.

40 C.F.R. Part 68 – CHEMICAL ACCIDENT PREVENTION PROVISION

Subpart A – General

40 C.F.R. § 68.10 Applicability – I observed that INEOS is a stationary source with a Clean Air Act Title-V permit (ID O-01439) that has more than a threshold quantity of regulated substances in their process. INEOS re-submitted a Risk Management Plan (RMP) (5-year update for 40 CFR § 68.190(b)(1)) on October 10, 2018, which described the Polyethylene Process which includes propane, ethylene, and isobutane held at more than a threshold quantity. INEOS is a Risk Management Plan Program 3 facility. INEOS is subject to the Occupational Safety and Health Administration's (OSHA) Process Safety Management (PSM) Standard (29 CFR § 1910.119).

40 C.F.R. § 68.12 General requirements- INEOS' Risk Management Plan (RMP), which was resubmitted on October 10, 2018 lists propane, ethylene, 1-butene, isobutane, ethane and hydrogen over the threshold for Program Level 3 processes.

40 C.F.R. § 68.15 Management- INEOS developed a management system to oversee the implementation of the risk management program elements. The organizational chart that was provided outlined the positions to implement the individual elements of the RMP as required by this subpart.

Subpart B – Hazard Assessment-

40 C.F.R. § 68.20 Applicability – INEOS is a Program 3 stationary source subject to this part. The facility is required to prepare an offsite consequence analysis and complete the five-year accident history.

40 C.F.R. § 68.22 Offsite consequence analysis parameters- The offsite consequence analysis and supporting documentation was reviewed to assure the data was accurate and to confirm the parameters used by INEOS to document this data.

40 C.F.R. § 68.25 Worst-case release scenario analysis- INEOS identified and documented a worst-case release scenario analysis for the RMP covered regulated substances. The distance to endpoint for regulated substances was calculated using RMP*Comp™.

40 C.F.R. § 68.28 Alternative release scenario analysis – INEOS identified and analyzed at least one alternative release scenario for each regulated substance, as well as, at least one alternative release scenario to represent all regulated substances held in covered processes. The distance to endpoint was calculated using RMP*Comp™.

40 C.F.R. § 68.30 Defining offsite impacts-population –INEOS discussed the offsite consequence analysis and used the 2010 Census Bureau population data to calculate population numbers reported in their October 10, 2018 RMP resubmission.

40 C.F.R. § 68.33 Defining offsite impacts-environment – INEOS provided documentation that identified the potential offsite impacts and identified public receptors.

40 C.F.R. § 68.36 Review and update – INEOS provided documentation that reviews and updates regarding the offsite consequences are occurring at least every five years.

40 C.F.R. § 68.39 Documentation – INEOS provided documents of the offsite consequence analysis data. For worst-case and alternative case scenarios, a description of the vessel or pipeline, the substance selected as worst-case, and the rationale for selection was included; likewise, assumptions included any administrative controls and any passive mitigation that were assumed to limit the quantity that could be released, estimated quantity released, release rate, and duration of release. The methodology used to determine distance to endpoint was documented by the facility. The data used to estimate population was provided in the form of maps that had the distance to endpoint labeled with a circle from the emissions point.

40 C.F.R. § 68.42 Five-year accident history– INEOS did not report any accidental release(s) in their RMP that resulted in deaths, injuries or property damage.

Subpart D – Program 3 Prevention Program

40 C.F.R. § 68.65 Process safety information – Various sections of process safety information were reviewed for the RMP units at INEOS.

40 C.F.R. § 68.67 Process Hazard (PHA) – The Process Hazard Analysis (PHA) for the RMP process was reviewed. The April 1, 2017 PHA was conducted using What-if, Checklist, and Layer of protection analysis (LOPA).

40 C.F.R. § 68.69 Operating procedures – The Operating Procedures that were requested from INEOS were reviewed. INEOS uses an electronic document management system to maintain its operating procedures. We reviewed and discussed with INEOS personnel operating procedures, which included the SOP Certification Procedure, Confined Space Entry, and Lockout/Tag out Procedures. It was found that INEOS had certified that the operating procedures were current, accurate, and that the procedures had been reviewed as often as necessary, as required by this subpart, and used a single certification document for operating procedures annually.

40 C.F.R. § 68.71 Training – I requested and was provided the training files for two employees at different experience levels. Of the employee files reviewed, refresher training had been provided at least every three years.

40 C.F.R. § 68.73 Mechanical integrity – We reviewed Mechanical integrity records for randomly selected inspections of Risk Management Plan-covered equipment and the written procedure for maintaining the integrity of the process. We reviewed various equipment as well as the inspection records for the isobutane tanks identified in the worst case scenario.

40 C.F.R. § 68.75 Management of change (MOC) – INEOS' written procedure for MOC and the documentation with site personnel was discussed. The MOCs were implemented using an electronic system.

40 C.F.R. § 68.77 Pre-startup safety review – INEOS provided documentation regarding pre-startup safety review.

40 C.F.R. § 68.79 Compliance audits –The last two Risk Management Plan Compliance Audits were reviewed. The most recent audit was conducted on March 10, 2016 and the next one is scheduled for completion on March 9, 2019.

40 C.F.R. § 68.81 Incident investigation – A list of Incident Reports/Investigations for all incidents, which resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance for the last five years was reviewed. INEOS did not have any incident reports/investigations that met these criteria.

40 C.F.R. § 68.83 Employee participation – INEOS' Management Program met the requirements of this subpart.

40 C.F.R. § 68.85 Hot work permit – INEOS discussed the process for conducting hot work onsite and several hot work permits were reviewed. Hot work permits reviewed looked satisfactory.

40 C.F.R. § 68.87 Contractors –INEOS uses Zachry, a vetted contractor, to conduct in house maintenance. INEOS uses ISNET World for its contractor selection and assures that all contractors that may work on site have been trained on the potential hazards related to both the process equipment and the work that the contractor may perform.

Subpart E – Emergency Response

40 C.F.R. § 68.90 Applicability – INEOS employees are first responders

40 C.F.R. § 68.95 Emergency response program – The Emergency Response Plan at INEOS was reviewed.

Subpart G – Risk Management Plan

40 C.F.R. § 68.190 Updates - INEOS' Risk Management Plan was re-submitted on October 10, 2018 to update emergency contact information and there have been no updates since the resubmission.

40 C.F.R. § 68.195 Required corrections –The next RMP re-submission is due by August 16, 2021, unless an update or correction is required by 40 C.F.R. § 68.190 and § 68.195.

Table 2: Closing Meeting Attendance

NAME	COMPANY	TITLE
Morgan French	INEOS O&P	SH&E Manager
Don Turner	INEOS O&P	Sr. Safety Engineer
Adam Klipstein	INEOS O&P	PSM Coordinator
Carlos Robles Sanchez	INEOS O&P	Operation Integrity Manager
Michel Promel	INEOS O&P	PE Operations Manager
Robert Bradshaw	INEOS O&P	Site Manager
Blake Sieminski	U.S. EPA	Inspector/ Enforcement Off.

Section III – AREAS OF CONCERN

AOC 1 - 40 C.F.R. § 68.195 – Required corrections.

(b) Emergency contact information-Beginning June 21, 2004, within one month of any change in the emergency contact information required under §68.160(b)(6), the owner or operator shall submit a correction of that information.

INEOS failed to update the emergency contact information within the 30 days of a change as required by this subpart.

Section IV – FOLLOW UP

INEOS discovered that completing a timely notification of a change in the RMP was not identified during the Organizational MOC (O-MOC) process that was completed when a new person came into the role due to the previous emergency contacts length of employment with the company. To prevent this from happening in the future a task was created in the site's computer-based 'Compliance Task Management System' (CTMS) which will automatically send a reminder to several employees each month to complete this activity when it is required again in the future.

Section V – LIST OF APPENDICES

Sign in sheets for opening and closing meetings.