EPA United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	08/30-09/01/2022	
Media Program:	Air	
Regulatory Program(s)	RMP	
Company Name:	**Ecovyst Catalyst Technologies LLC**	
Facility Name:	**Eco Services Operations Corp.**	
Facility Physical Location:	1301 Airline Hwy	
(city, state, zip code)	Baton Rouge, Louisiana, 70807	
Mailing address:	2002 Timberloch Place	
(city, state, zip code)	The Woodlands, Texas, 77381	
County/Parish:	Harris County	
Facility Phone Number	(844) 812-1812	
Facility Contact:	John Richardson	Environmental Manager
	john.richardson@eco-services.com	
FRS Number:	110063234940	
Identification/Permit Number:	Air Operating Permit ID: 0840-00033-V8	
Media Identifier Number:	RMP: 100000227523	
NAICS:	325180	
SIC:	2819	

Personnel participating in inspection:		
Kayla Buchanan	EPA Region 6	Inspector
Jamie Vicknair	Louisiana Department of Environmental Qualtiy (LDEQ)	Chemical Accident Prevention Program (CAPP) Inspector
Glenn Jenkins	LDEQ	CAPP Inspector
Keri Meyers	LDEQ	CAPP Inspector
Paige Green	LDEQ	Enforcement Officer
Ryan Zimmerman	Eco Services	TS Manager
Russell Whitehead	Eco Services	Operations Manager
Tony Pontillas	Eco Services	Plant Manager
John Richardson	Eco Services	Environmental Manager
Tom Jones	Eco Services	PSM Manager
Jason Strunk	Eco Services	Process Optimization Manager
Randy York	Eco Services	Safety Specialist

EPA Lead Inspector Signature/Date	KAYLA BUCHANAN Digitally signed by KAYLA BUCHANAN Date: 2022.11.28 07:25:12 -06'00'	
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Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I, Environmental Protection Agency (EPA) Region 6 inspector Kayla Buchanan, arrived at the Eco Services Operations Corp. (Eco Services Baton Rouge) at 9:00 AM on August 30, 2022, for an announced inspection. Louisiana Department of Environmental Quality (LDEQ) Chemical Accident Prevention Program (CAPP) inspectors and an LDEQ enforcement officer also attended and participated in the inspection. EPA convened an opening conference and met with several representatives from the facility ***(see Appendix 1)***. Kayla presented her credentials to the opening conference attendees and informed them that this was an EPA inspection to determine Eco Services Baton Rouge's compliance with Section 112r (1) and (7) (the General Duty Clause and Risk Management Program requirements).

FACILITY DESCRIPTION

Eco Services Baton Rouge is located at 1301 Airline Highway, Baton Rouge, Texas, 70807. Eco Services Baton Rouge employs approximately 120 full time employees. Its hourly workers are represented by United Steelworkers. The facility's manufacturing activities encompass Sulfuric Acid Regeneration from spent acid, Oleum Production and Hazardous Waste Treatment Operations. The facility also conducts thermal treatment of hazardous waste in its two industrial furnaces [sulfuric acid regeneration units (SARU)]. The site handles multiple Risk Management Plan (RMP) regulated substances above a threshold amount in its RMP Program Level 3 processes. Its toxic substances include methyl mercaptan, carbon disulfide, epichlorohydrin, propionitrile, acrylonitrile, allyl alcohol, vinyl acetate monomer, hydrogen sulfide, and toluene diisocyanate. Its flammable chemicals include ethyl ether, acetaldehyde, ethyl mercaptan, isopropylamine, and several flammable mixtures.

Section II - OBSERVATIONS

On September 1, 2022, EPA and LDEQ participated in a walking tour of Eco Services Baton Rouge. Eco Services Baton Rouge Environmental Manager John Richardson and Treatment Services (TS) Manager Bryan Howes accompanied us. EPA and LDEQ observed the covered processes, equipment, operations, control rooms, and emergency equipment. EPA and LDEQ interviewed operators and asked questions about their training, the Management of Change (MOC) and Process Hazard Analysis (PHA) processes, and the facility's regular operating and emergency procedures.

40 C.F.R. § 68.10 Applicability – Eco Services Baton Rouge is the owner/operator of a stationary source that has more than the threshold quantities of multiple toxic and flammable regulated substances in its processes; therefore, the RMP regulations are applicable. Eco Services Baton Rouge has a Clean Air Act (CAA) Title V permit and an Air Operating Permit and is classified under the North American Industrial Classification System (NAICS) Code 325180 (Other Basic Inorganic Chemical Manufacturing). In addition, this facility is subject to the Occupational Safety and Health Administration's (OSHA) Process Safety Management (PSM) Standard (29 C.F.R. § 1910.119), which categorizes Eco Services Baton Rouge as a Program Level 3 facility. Eco Services Baton Rouge last submitted a RMP registration update to EPA on September 16, 2021, which describes the four processes containing the regulated substances at more than threshold quantities.

40 C.F.R. § 68.12 General requirements – The owner or operator of a stationary source subject to this regulation shall submit a single RMP, as provided in 40 CFR §§ 68.150 to 68.185. The RMP shall include a registration that reflects all covered processes. I reviewed the re-submission of Eco Service Baton Rouge's RMP. It listed the toxic and flammable regulated chemicals and the four associated Program 3 processes.

40 C.F.R. § 68.15 Management – Eco Services Baton Rouge developed a management system to oversee the implementation of the risk management program elements. It assigned a qualified person or position (Tony Pontillas, Plant Manager) that has overall responsibility for the development, implementation, and integration of the risk management program elements. Responsibility for implementing individual requirements of this part was assigned to persons other than the person identified, so the names or positions of these people were documented, and the lines of authority were defined through an organization chart or similar document.

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability – Eco Services Baton Rouge is a Program 3 stationary source subject to this subpart; therefore, it is required to prepare a worst-case release scenario analysis and complete the five-year accident history.

40 C.F.R. § 68.22 Off Site Consequence Analysis Parameters – Eco Services Baton Rouge employed the parameters specified by EPA in this rule by using the RMP*Comp ™ software. I reviewed the offsite consequence analysis and supporting documentation to assure the data was accurate and correct.

40 C.F.R. § 68.25 Worse-case release scenario analysis – Eco Services Baton Rouge identified and analyzed worst-case scenarios for each toxic substance in its Program 3 processes using the RMP*Comp™ software, thus meeting the requirements of the regulation.

40 C.F.R. § 68.28 Alternative Release Scenario Analysis – Eco Services Baton Rouge identified and analyzed at least one alternative release scenario for each toxic substance in its Program 3 processes using the RMP*Comp™ software, thus meeting the requirements of the regulation.

40 C.F.R. § 68.30 Defining Off Site impacts - Population – Eco Services Baton Rouge used the most current (2010) Census Bureau population data and the distances to endpoints, as specified in the regulation, to calculate the population numbers reported in their RMP. Eco Services Baton Rouge used the Circular Area Profiles application to define the population surrounding the facility. In addition, Eco Services Baton Rouge provided a map documenting the nearest public receptor. The regulation states that each facility must estimate in its RMP the population within a circle with its center at the point of the release. Eco Services did not use the points of release to determine the circle and the population within **[AOC #1 - 40 C.F.R. § 68.30].** While onsite, Eco Services acknowledged and corrected this finding.

40 C.F.R. § 68.33 Defining Off Site impacts – Environment – Eco Services Baton Rouge used US Geological Survey maps data to determine the environmental receptors and the distances to endpoints.

40 C.F.R. § 68.36 Review and Update – Eco Services Baton Rouge's reviews and updates its offsite consequence analysis every 5 years.

40 C.F.R. § 68.39 Documentation – Eco Services Baton Rouge maintained records of the offsite consequence analyses in accordance with this subpart. These records included:

- a description of the vessel or pipeline and substance selected as worst case and alternate release scenarios, assumptions and parameters used
- documentation of estimated quantity released, release rate, and duration of release
- methodology used to determine distance to endpoint

- data used to estimate population and environmental receptors

40 C.F.R. § 68.42 Five-year accident history – The regulation requires Eco Services Baton Rouge to include in its five-year accident history in its RMP, all accidental releases from covered processes that resulted in deaths, injuries, or significant property damage on site, or known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage. Eco Services Baton Rouge stated it did not have any accidental releases in the past five years that met these criteria. EPA and LDEQ examined Eco Services Baton Rouge's OSHA Form 300 logs from 2017 to present to ensure that additional releases from the facility, which could possibly be included in the facility's five-year accident history, were not omitted.

40 C.F.R. § 68.65 Process Safety Information (PSI) – EPA and LDEQ reviewed Eco Services Baton Rouge's PSI. The written process safety information enables the owner or operator and the employees involved in operating the process to identify and understand the hazards posed by those processes involving regulated substance. Eco Services Baton Rouge's compilation of written process safety information included information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, and information pertaining to the equipment in the process. Eco Services Baton Rouge documented that its equipment complies with recognized and generally accepted good engineering practices (RAGAGEP).

40 C.F.R. § 68.67 Process Hazard Analysis (PHA) – EPA and LDEQ reviewed Eco Services Baton Rouge's PHAs. Eco Services uses the Hazard and Operability Study (HAZOP) and Layer of Protection Analysis methodologies to determine and evaluate the hazards of the process being analyzed.

EPA specifically examined Eco Services Baton Rouge's 2017 and 2022 PHA reports for its Oleum Logistics processes. The PHAs reviewed addressed: (1) the hazards of the process; (2) the identification of any previous incident which had a likely potential for catastrophic consequences; (3) engineering and administrative controls applicable to the hazards, and their interrelationships; and (4) consequences of failure of engineering and administrative controls.

The PHAs were performed by a team with expertise in engineering and process operations. The team included at least one employee who had experience and knowledge that was specific to the process being evaluated, and one employee who was knowledgeable in the specific PHA methodology used.

Eco Services Baton Rouge is required to establish a system to promptly address the PHA team's findings and recommendations and assure that the recommendations are resolved in a timely manner and that the resolution is documented. The 2022 Oleum Logistics PHA had 3 repeat findings that were previously identified in the 2017 Oleum Logistics PHA. Eco Services Baton Rouge provided EPA an excel spreadsheet that tracked and document the resolution of action items that addressed findings from the 2017 Oleum Logistics PHA. Recommendations #1-#3 were deemed not feasible. Eco Services Baton Rouge's tracking spreadsheet indicated that the risk posed prior to undertaking these action items was downgraded to a lower risk although no action was taken **(*Appendices 2-6*). [AOC #2** – **40 C.F.R. § 68.67(e)].**

40 C.F.R. § 68.69 Operating Procedures – EPA reviewed various operating procedures that Eco Services has established and implemented for safely conducting activities involved in each covered process consistent with the process safety information. Eco Services Baton Rouge certified annually that its operating procedures are current and accurate. The operating procedures EPA reviewed addressed: the steps for each of the operating phases; the consequences of deviation and mechanisms to correct and/or avoid deviation; quality control for raw materials; and the safety systems and their functions. The procedures lacked safety and health considerations; the properties of, and hazards presented by chemicals used in the process; the precautions necessary to prevent exposure. Each operating procedure states: "safety and health considerations for this operating procedure can be found in ECO SHC 14, however, this reference document does not adequately address the safety and health considerations or the precautions necessary to prevent exposure ***(Appendix 7).*** **[AOC #3 - 40 C.F.R. § 68.69(a)(3)]**.

LDEQ reviewed Eco Services Baton Rouge's safe work procedures, including lock out/tag out procedures and safe confined space entry procedures. The safe work procedures apply to both employees and contractors.

40 C.F.R. § 68.71 Training – Eco Services Baton Rouge is required to train each employee involved in operating a process in an overview of the process and in the operating procedures. Each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process must be trained. In addition to initial training, employees must undergo refresher training at least every three years.

EPA asked Eco Services Baton Rouge to explain its training process. Currently, each operator completes onboarding training during which they receive required safety and health training and are informed about the hazards of the process. Once onboarding is complete, the newly hired operator is assigned a job, and receives specific instruction about that job. The operator must pass a test at the end of training to certify competency. Each operator is able to progress from outside operator to inside operator but must train and certify on each job.

EPA randomly selected operators from the four process areas and reviewed the training records for the selected operators***.*** Each employee was trained at the proper refresher frequency (at least once every three years) and the training was properly documented.

40 C.F.R. § 68.73 Mechanical Integrity – EPA and LDEQ reviewed the written procedures Eco Services established and implemented to maintain the ongoing integrity of its process equipment. The procedures ensured that the mechanical integrity program was guided by recognized and generally accepted engineering practices (RAGAEP).

Eco Services must conduct inspections and tests on process equipment. The inspections and tests must follow RAGAEP, and the frequency must be consistent with applicable manufacturers' recommendations and good engineering practices. The inspections and test must be documented and should identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test. Eco Services Baton Rouge has 3 process equipment inspections that are overdue ***(Appendix 9*****)**. EPA and LDEQ identified several instances when inspections on process equipment were required, but not complete. Oleum Piping Circuit OL-006 did not undergo Ultrasonic Thickness Testing. Only one external visual test was documented for Waste Fuel Piping Circuit WF 021 although the piping circuit existed in the plant since at least 1999. Eco Services Baton Rouge did not adequately document the inspections and test for its controls (including monitoring devices and sensors, alarms, and interlocks) ***(Appendix 9).*** **[AOC #4 – 40 C.F.R. § 68.73(d)].**

EPA and LDEQ noted several instances when deficiencies in equipment that are outside acceptable limits were identified, but not corrected. For instance, an external visual inspection for Tank 250 revealed the need to add sealant to the tank floor chime at the concrete support base to help eliminate underside corrosion. This deficiency was identified after three consecutive tests before being corrected ***(Appendix 9).*** **[AOC #5 – 40 C.F.R. § 68.73(e)].**

40 C.F.R. § 68.75 Management of Change (MOC) – Eco Services Baton Rouge is required to establish and implement written procedures to manage changes (except for ''replacements in kind'') to process chemicals, technology, equipment, and procedures, and changes to stationary sources that affect a covered process. When reviewing MOCs generated as a result of an incident that occurred in May 2021, EPA and LDEQ identified several instances when a change was made to the process, but a MOC was not generated or the MOC was generated after the change to the process was already implemented. Specifically, Eco Services Baton Rouge should have created an MOC to generate a procedure for the handling and processing of Nitroethane. This is a task that was identified as an action item stemming for the incident investigation. The procedure was created and the actual processing of nitroethane was conducted by operators, but an MOC was never created. MOC 1.5 BTR 20210902-506 was created after the implementation of the change ***(Appendix 10).*** **[AOC #6 - 40 C.F.R. § 68.75(a)].**

The written MOC procedure assured the facility managed changes to process chemicals, technology, equipment, procedures, and changes to stationary sources that effect a covered process. The procedure assured that the following considerations were addressed prior to any change: technical basis for change**,** impact of change on safety and health, modifications to operating procedures, necessary time period for the change, and authorization requirements for a proposed change

Eco Services Baton Rouge employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process must be informed of, and trained in, the change prior to start-up of the process or affected part of the process; however, Eco Services was unable to provide documentation that its employees affected by the process received training for MOC-1.5-BTR-2021022-791. There were several instances when training occurred after the process was started. According to the Eco Services Baton Rouge, this is due to the operators work schedule. **[AOC #7 - 40 C.F.R. § 68.75(c)].**

When a change covered by this paragraph resulted in a change in the process safety information required by § 68.65 or in the operating procedures or practices required by § 68.69, Eco Services did not always update the PSI or operating procedures accordingly. EPA noted at least one instance a procedure was created by the MOC process, but the procedure was never officially published on the SharePoint site used by operators to access procedures. **[AOC #8 - 40 C.F.R. § 68.75(c)]**.

40 C.F.R. § 68.77 Pre-startup review (PSSR) - EPA reviewed Eco Services Baton Rouge's written PSSR procedures, as well as various PSSRs completed by the facility within the past five years. The PSSRs reviewed confirmed that, prior to the introduction of a regulated substance into the process, the construction and equipment design were completed in accordance with design specifications, required safety, operating, and maintenance procedures, and with adequate emergency procedures in place.

40 C.F.R. § 68.79 Compliance audits – EPA and LDEQ reviewed Eco Services Baton Rouge's two most recent RMP compliance audits conducted in 2018 and 2021 ***(Appendices 11,12)***. The facility's audits were conducted by AE Solutions, but an Eco Services employee participated in the audits. Eco Services included a certification statement that certified that the compliance audits evaluated compliance with the provisions of this subpart at least every three years to verify that procedures and practices developed under this subpart are adequate and are being followed. Eco Services Baton Rouge's compliance audits were conducted by at least one person knowledgeable in the processes and they developed a report of the audit findings.

Eco Services Baton Rouge is required to determine and document an appropriate response to each of the findings of the compliance audits and document that deficiencies were corrected; however, there were repeat findings in both the 2018 and 2020 compliance audits. For instance, the audit performed July 30 – August 2, 2018, noted, "The plant had one (1) open recommendation (#908.056) from the 2015 PSM-RMP compliance audit. The open recommendation was to complete all action items from previous PHAs and document the closure in the Manufacturing Solutions database". The auditor's recommendation was, "Verify that the open action item from the 2015 FSA has been closed and document how the item was closed". This item was finally closed August 1, 2018. The audit performed August 4-5, 2021, noted, "One (1) out of five (5) findings from the 2018 Compliance Audit remained open. The open action item had a revised completion date of March 31, 2022. If completed by the revised due date, the resolution time to complete the action item would be 3.5 years." The auditor's recommendation was, "Close the open action item from the 2018 compliance audit and document how the action item was closed.". **[AOC #9 - 40 C.F.R. § 68.79(d)].**

40 C.F.R. § 68.81 Incident investigation – Eco Services Baton Rouge is required to investigate each incident, which resulted in or could reasonably have resulted in a catastrophic release of a regulated substance. According to the facility, no such incidents occurred within the past five years. In May 2021, an incident occurred at the Treatment Services process that resulted in a release of nitroethane. Eco Services conducted an investigation to determine the cause of this incident. EPA reviewed Eco Services Baton Rouge's incident investigation to ensure the facility initiated the investigation, prepared the report, and documented, corrected, and communicated the incident investigation findings according to the RMP regulations.

40 C.F.R. § 68.83- Employee Participation – LDEQ reviewed Eco Services Baton Rouge's written plan of action regarding the implementation of the employee participation. This plan outlines how Eco Services Baton Rouge consults with employees and their representatives on the conduct and development of process hazards analyses and on the development of the other elements of process safety management.

40 C.F.R. § 68.85 Hot work permit – LDEQ reviewed hot work permits issued by Eco Services Baton Rouge. Each permit that I reviewed documented that fire prevention and protection requirements were implemented prior to beginning hot work operations. The permits indicated the dates authorized for hot work and identified the object on which the hot work was performed.

40 C.F.R. § 68.87 Contractors – Eco Services uses Avetta to evaluate a potential contractor before allowing them on site. The contractor must have an Experience Modification Rate (EMR) of less than 1.0 and has not had a work-related fatality within the last five years. If their EMR is above 1.0 or there has been a fatality, a Contractor Pre-Qualification Exception Form must be completed and approved by the corporate HSE director.

Contractors are periodically evaluated while working on site to ensure they are working safely and following safe work policies. This evaluation is recorded using the Contractor Performance Appraisal Sheet.

Contract employees receive Basic Plus and Eco Services Site Specific training at the Alliance Safety Council. If a contractor is needed immediately and there is no time to arrange for training at the safety council, Eco Services will provide the site-specific training on site.

LDEQ reviewed the Eco Services Baton Rouge Contactor Orientation which is their site-specific training. It covered the necessary topics. Nested contractor employees receive an ID badge that can be used at the turnstile by the guard station or at the Eco Services employee gate entrance. The ID badge is tied in with their safety council training and TWIC card. If either of these expire, the ID badge will stop working. Temporary workers must check in and out at the guard station every day they work on site.

Subpart E- Emergency Response
40 C.F.R. § 68.90 Applicability – Eco Services Baton Rouge is a responding stationary source and must comply with the requirements of §§ 68.93, 68.95, and 68.96.

40 C.F.R. § 68.93 – Emergency response coordination activities – Eco Services Baton Rouge must annually coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance. Eco Services Baton Rouge has not coordinated response needs with local emergency planning and response organizations 2020. After the inspection, Eco Services Baton Rouge provided documentation of coordination in March 2022. **[AOC #10 - 40 C.F.R. § 68.93].**

40 C.F.R. § 68.95 Emergency response program – LDEQ reviewed Eco Services Baton Rouge's emergency response plan. The plan included: procedures for informing the public and local emergency response agencies about accidental releases; documentation of proper first aid and emergency medical treatment necessary to treat accidental human exposures; and procedures and measures for emergency response after an accidental release of a regulated substance. The plan did not include procedures for the use of emergency response equipment, and for its inspection, testing, and maintenance. Specifically, the plan lacked procedures for the inspection, testing, and maintenance of Level A Suits, Fire Hoses, and TS Flame Detectors. While reviewing training records for members of the emergency response team, LDEQ noted 2 of the 5 people were overdue for fire brigade and/or hazmat training. **[AOC #11 - 40 C.F.R. § 68.95(a)(2)]**. According to Eco Services Baton Rouge, members of the emergency response team are scheduled for makeup training and are unable to serve in a designated role of the team until they received the proper training.

40 C.F.R. § 68.96 Emergency response exercises – As a part of coordination with local emergency response officials required by §68.93, Eco Services Baton Rouge will be required to conduct an emergency response tabletop exercise before December 21, 2026, and at a minimum of at least once every three years thereafter.

Subpart G- Risk Management Plan (RMP)
40 C.F.R. § 68.190 Updates – Eco Services Baton Rouge resubmitted its RMP on September 16, 2021.

40 C.F.R. § 68.195 Required corrections – Eco Services Baton Rouge next RMP re-submission is due by September 2026, unless an update or correction is required by 40 CFR § 68.190 and 40 CFR § 68.195.

Section III – AREAS OF CONCERN.
EPA Region 6 inspector Kayla Buchanan and LDEQ inspectors Keri Meyers, Jamie Vicknair, and Glen Jenkins conducted a closing conference at Eco Services Baton Rouge at 4:00 PM on September 1, 2022, for the inspection. During the closing conference, we reviewed the Areas of Concern noted below:

AOC #1: Hazard Assessment – Defining offsite impacts - population. - 40 C.F.R. § 68.30 requires Eco Services Baton Rouge to estimate in the RMP the population within a circle with its center at the point of the release and a radius determined by the distance to the endpoint.

Eco Services did not use the points of release to determine the circle and the population. While onsite, Eco Services acknowledged and corrected this finding.

AOC #2: Process Hazard Analysis – **40 C.F.R. § 68.67(e)** requires Eco Services Baton Rouge to establish a system to promptly address the team's findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.

The 2022 Oleum Logistics PHA had 3 repeat findings that were previously identified in the 2017 Oleum Logistics PHA. Eco Services Baton Rouge provided EPA an excel spreadsheet that tracked and document the resolution of action items that addressed findings from the 2017 Oleum Logistics PHA. Recommendations #1-#3 were deemed not feasible. Eco Services Baton Rouge's tracking spreadsheet indicated that the risk posed prior to undertaking these action items was downgraded to a lower risk although no action was taken.

AOC #3: Operating Procedures – 40 C.F.R. § 68.69(a)(3) requires Eco Services Baton Rouge to develop and implement written operating procedures that include Safety and health considerations: (i) Properties of, and hazards presented by, the chemicals used in the process; (ii) Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment; (iii) Control measures to be taken if physical contact or airborne exposure occurs.

The procedures lacked safety and health considerations; the properties of, and hazards presented by chemicals used in the process; the precautions necessary to prevent exposure. Each operating procedure states: "safety and health considerations for this operating procedure can be found in in ECO SHC 14:" however, this reference document does not adequately address the safety and health considerations or the precautions necessary to prevent exposure.

AOC #4: Mechanical Integrity – 40 C.F.R. § 68.73(d) requires Eco Services Baton Rouge to perform inspections and testing on process equipment. The Inspection and testing procedures shall follow recognized and generally accepted good engineering practices. The frequency of inspections and tests of process equipment shall be consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience. The owner or operator shall document each inspection and test that has been performed on process equipment. The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test

Eco Services Baton Rouge has 3 process equipment inspections that are overdue. EPA and LDEQ identified several instances when inspections on process equipment were required, but not complete. Oleum Piping Circuit OL-006 did not undergo Ultrasonic Thickness Testing. Only one external visual test was documented for Waste Fuel Piping Circuit WF 021 although the piping circuit existed in the plant since at least 1999. Baton Rouge did not adequately document the inspections and test for its controls (including monitoring devices and sensors, alarms, and interlocks).

AOC #5: Mechanical Integrity – 40 C.F.R. § 68.73(e) requires Eco Services Baton Rouge to correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in § 68.65) before further use or in a safe and timely manner when necessary means are taken to assure safe operation.

EPA and LDEQ noted several instances when deficiencies in equipment that are outside acceptable limits were identified, but not corrected. For instance, an external visual inspection for Tank 250 revealed the need to add sealant to the tank floor chime at the concrete support base to help eliminate underside corrosion. This deficiency was identified after three consecutive tests before being corrected.

AOC #6: Management of Change (MOC) – 40 C.F.R. § 68.75(a) requires Eco Services Baton Rouge to establish and implement written procedures to manage changes (except for “replacements in kind”) to process chemicals, technology, equipment, and procedures; and changes to stationary sources that affect a covered process.

When reviewing MOCs generated as a result of an incident that occurred in May 2021, EPA and LDEQ identified several instances when a change was made to the process, but a MOC was not generated or the MOC was generated after the change to the process was already implemented. Specifically, Eco Services Baton Rouge should have created an MOC to generate a procedure for the handling and processing of Nitroethane. This is a task that was identified as an action item stemming for the incident investigation. The procedure was created and the actual processing of nitroethane was conducted by operators, but an MOC was never created. MOC 1.5 BTR 20210902-506 was created after the implementation of the change.

AOC #7: Management of Change (MOC)– 40 C.F.R. § 68.75(c) requires Eco Services Baton Rouge to inform and train employees involved in operating a process, and maintenance and contract employees whose job tasks will be affected by a change, on the change prior to start-up of the process or affected part of the process.

Eco Services was unable to provide documentation that its employees affected by the process received training for MOC-1.5-BTR-2021022-791. There were several instances when training occurred after the process was started. According to the Eco Services Baton Rouge, this is due to the operators work schedule.

AOC #8: Management of Change (MOC) – 40 C.F.R. § 68.75(e) requires Eco Services Baton Rouge to update its operating procedures or practices if a change in the process requires such an update.

EPA noted at least one instance a procedure was created by the MOC process, but the procedure was never officially published on the SharePoint site used by operators to access procedures.

AOC #9: Compliance Audits – 40 C.F.R. § 68.79(d) requires Eco Services Baton Rouge to promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.

There were repeat findings in both the 2018 and 2020 compliance audits. For instance, the audit performed July 30 – August 2, 2018, noted, "The plant had one (1) open recommendation (#908.056) from the 2015 PSM-RMP compliance audit. The open recommendation was to complete all action items from previous PHAs and document the closure in the Manufacturing Solutions database". The auditor's recommendation was, "Verify that the open action item from the 2015 FSA has been closed and document how the item was closed". This item was finally closed August 1, 2018. The audit performed August 4-5, 2021, noted, "One (1) out of five (5) findings from the 2018 Compliance Audit remained open. The open action item had a revised completion date of March 31, 2022. If completed by the revised due date, the resolution time to complete the action item would be 3.5 years." The auditor's recommendation was, "Close the open action item from the 2018 compliance audit and document how the action item was closed."

AOC #10: Emergency Response Coordination – 40 C.F.R. § 68.93 requires Eco Services Baton Rouge to annually coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance.

Eco Services Baton has not coordinated response needs with local emergency planning and response organizations since 2020. After the inspection, Eco Services Baton Rouge provided documentation of coordination in March 2022.

AOC #11: Emergency Response – 40 C.F.R. § 68.95(a)(2)(3) requires Eco Services Baton Rouge to develop and implement an emergency response program that includes procedures for the use of emergency response equipment and for its inspection, testing, and maintenance and training for all employees in relevant procedures.

Eco Services Baton Rouge's emergency response plan did not include procedures for the use of, and for inspection, testing, and maintenance of Level A Suits, Fire Hoses, and TS Flame Detectors.

While reviewing training records for members of the emergency response team, LDEQ noted 2 of the 5 people were overdue for fire brigade and/or hazmat training. According to Eco Services Baton Rouge, members of the emergency response team are scheduled for makeup training and are unable to serve in a designated role of the team until they received the proper training.

Section IV – FOLLOW UP

EPA received and reviewed the following information after exiting the Facility on September 1, 2022:

- Corrected OCA documentation
- Documentation of Emergency Response Coordination (dated March 8, 2022)
- Documentation of Emergency Response Training Requirements and Emergency Response Equipment Testing

Section V – LIST OF APPENDICES

All Appendices other than Appendix 1 are classified as Confidential Business Information (CBI) or Sensitive Appendices and are not included in the online published inspection report. CBI Appendices include documents that are claimed CBI by the facility. Sensitive Appendices may include appendices that will not be posted but are not explicitly CBI. These could include Personally Identifiable Information (PII) or Homeland Security sensitive information.

Appendix 1 – Opening and closing conference sign-in sheets
Appendix 2 – ECO-BTR-PHA-4 – 2017 PHA Recommendations Excel Tracking Sheet
Appendix 3 – ECO-BTR-PHA-5 – 2017 Logistics Oleum PHA Recommendations Summary Table
Appendix 4 – ECO-BTR-PHA-6 – 2017 Logistics Oleum PHA
Appendix 5 – ECO-BTR-PHA-7 – 2022 Logistics Oleum PHA
Appendix 6 – ECO-BTR-PHA-8 – 2022 Logistics Oleum PHA Recommendations Summary Table
Appendix 7 – ECO-BTR-OP-1-4 – Various Standard Operating Procedures
Appendix 8 – ECO-BTR-MI– Various Mechanical Integrity Test an Inspection Records
Appendix 9 – ECO-BTR-MOC-2-5 – Various MOCs
Appendix 10 – ECO-BTR-CA 1 – Table of Findings for 2021 Compliance Audit
Appendix 11 – ECO-BTR-CA 3 – Table of Findings for 2021 Compliance Audit