

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

## **FACILITY INFORMATION:**

Name: Evans CA LLC (Evans Fruit Cowiche Co. Inc.)  
Physical Address: 200 Cowiche City Road, Cowiche, WA 98923  
Phone Number: 509-678-4127  
Latitude/Longitude: 46.668123/-120.712285  
EPA Facility ID# 1000 0022 0575

## **CONTACT INFORMATION (RMP Implementation):**

Name: Barbara Evans, Regulatory Manager  
Phone Number: 509-678-4127  
E-mail: barbie1evans@gmail.com

## **EMERGENCY CONTACT INFORMATION:**

Name: Patrick Martinson, Refrigeration Service Tech  
Phone (24-hr): 509-948-9882  
E-mail: [Click or tap here to enter text.](#)  
Website: <https://evansfruitco.com/>

## **AUDIT DETAILS:**

Contact Date: September 1, 2022  
Inspectors: Terry Garcia, US EPA Region 10 SEE Grantee, Lead RMP Inspector

## **DATE AND PROGRAM LEVELS OF SUBMITTED RMP:**

Initial Submission Date: December 28, 2012  
Date of Latest Update: December 19, 2017

Process (Program 1, 2, 3) as reported in RMP:

| Process ID | Description   | Process Chemical ID | NAICS Code | Program Level | Chemical Name CAS Number       | Quantity (lbs) |
|------------|---------------|---------------------|------------|---------------|--------------------------------|----------------|
| 1000084426 | Cowiche MR 1  | 1000105405          | 49312      | 3             | Ammonia, Anhydrous (7664-41-7) | 15,172         |
| 1000084425 | Cowiche MR 3  | 1000105404          | 49312      | 3             | Ammonia, Anhydrous (7664-41-7) | 22,060         |
| -          | Cowiche MR 2* | -                   | 49312      | -             | Ammonia, Anhydrous (7664-41-7) | 7,985          |

\* MR 2 is below the TQ of 10,000 lbs.

## **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 ☐

*If Yes, Date and Description of the Release:*

**EPCRA TIER II REPORTING:**

Did the facility submit their 2021 Tier II report to the SERC? No ☐ Yes ☒

*If Yes, Date the Tier II was submitted:* 2/8/2022

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

*If Yes, Date the Tier II was submitted:* 2/22/2022

**GENERAL INFORMATION:**

The facility is regulated under the Risk Management Program as a Program Level 3 process and is owned and operated by Evans CA LLC (Evans Fruit Cowiche Co Inc.). Evans CA LLC has been in business since the early 1970's and operates a controlled atmosphere fruit storage facility warehouse in the small community of Cowiche, Washington. Evans Fruit Cowiche facility grows, harvests, stores, and packs Apples. The facility typically loads during the autumn over a several week period, then the fruit is held in storage for several months. The last room may be held till close to the next fruit-loading season. Hours of operation are Monday – Saturday 6 am – 3 pm with one shift.

The facility has three (3) separate ammonia refrigeration systems, all single stage ammonia using both reciprocating and screw compressors. Machine Room#1 (15,372 lbs.) has three (3) reciprocating compressors and three (3) screw compressors; Machine Room# 2 (7,985 lbs.) has three screw compressors; and Machine Room #3 built in-2010 (22,060 lbs. ammonia) has three (3) screw compressors. All of the compressors are electric motor driven. The oil cooling of the screw compressors in Machine Rooms #1 and #2 is liquid injection, and the oil cooling of the screw compressors in Machine Room #3 is thermosyphon. The head and oil cooling of the reciprocating compressors in Machine Room #1 is water, which is from the condenser/defrost tank. Each machine room has two (2) evaporative condensers located above the machine room. The refrigeration loads are all flooded style. The function of the refrigeration system is the cold storage of apples. The main pressure vessels in the refrigeration systems are high pressure receivers, suction accumulators, liquid transfer vessels (Machine Rooms #1 and #3 only), and each room or zone has a surge drum. There are oil separators associated with the compressors. There are 115 full-time employees on site. Operators include (1) one refrigeration technician and (1) maintenance technician. The Cowiche facility operates year-round, and operator checks system several times per week with continuous computer monitoring and alarming done by computer control.<sup>1</sup> The facility is not a first responder.

**INFORMATION REQUESTED FROM FACILITY:**

<sup>1</sup> Reference RMP executive summary; <https://evansfruitco.com/>; and PHA.

1. **Process Hazard Analysis** – A copy of the last two PHAs 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. **Annual Certification:** Annual operating procedures certification and review.
  - e. 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. **Process Hazard Analysis:** Evans Fruit provided their 2017 and 2022 PHA revalidations. Both PHA revalidations used the What-If/Checklist as the appropriate methodology to evaluate the hazards of the process. The 2017 PHA revalidation with recommendations and tracking sheet was prepared by Michael Millett, P.E. Doubl-Kold contractor dated October 25, 2017. that was conducted on October 24, 2017 with the Evans Fruit team, Barb Evans and Patrick Martinson as the PHA team. The 2017 PHA findings recommendations tracking sheet shows open action items with no assigned person responsible, proposed completion dates, and documented resolutions such as Items #10, #28, and #31.<sup>2</sup> The 2022 PHA revalidation was prepared by Michael Millett, P.E. Doubl-Kold contractor dated June 8, 2022 with the Evans Fruit team, Barb Evans and Jon Hammermeister as the PHA team. The 2022 PHA findings and recommendations tracking sheet does not identify the person or group responsible for the three findings. Item #10 with a proposed completion date of January 2023 remains open.
2. **Compliance Audit:** Evans Fruit provided their 2018 and 2022 Compliance Audit reports. The November 15, 2018, Compliance Audit report was signed and certified by Michael Millett, Doubl-Kold Engineering and Barbara Evans, Regulatory Manager. The 2018 audit findings tracking sheet does not provide the following information for some findings: person or group responsible, proposed completion dates, document actions taken, and completion dates. Item

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<sup>2</sup> On October 24, 2022, Evans Fruit provided an updated 2017 PHA findings recommendations tracking sheet with an assigned person responsible, proposed completion dates, documented resolutions, and completion dates.

#6b (PHA), Item #10b (safe work practices), Item #8 (MR #3 Walk-thru), Item #9 (MR #3 Walk-thru), and Item #10 (MR #3 Walk-thru) remain open with no proposed completion dates.

The June 23, 2022, Compliance Audit report was signed and certified by Michael Millett, Doubl-Kold Engineering and Barbara Evans, Regulatory Manager. The 2022 audit findings tracking sheet does not provide the following information for some of the 16 findings: person or group responsible, proposed completion dates, document actions taken, and completion dates. Item #21 (operating procedures), Item #4 (contractor), Item #5 (contractor), Item #11 (safe work practices), Item #1 to #4 (MR1 Walk-thru), Item #5 to #7 (MR2 Walk-thru) and Item #8 to #11 (MR3 Walk-thru) remain open with a proposed completion date of October 2022.

3. **Training:** Evans Fruit provided initial and refresher training documents for their one operator, Edgar Guzman. **Initial Training Records:** Initial training records for Mr. Guzman included a document entitled Attachment T-5 “Completion of Initial Training for Refrigeration Personnel” that indicates the operator received hands on site specific initial operator training in 2018 signed and certified by Regulatory Manager, Barbra Evans and Supervisor, Anthony Bueno, including an 8- hour HAZWOPER certificate dated March 22, 2022. **Refresher Training Records:** Refresher training documents for Mr. Guzman is a handwritten statement on Attachment T-5 “Completion of Initial Training for Refrigeration Personnel” signed by Regulatory Manager, Barbra Evans and operator, Mr. Guzman stating the operator has reviewed RMP, SOP via thumb drive. This statement for each year (2020, 2021 and 2022) indicated Mr. Guzman received ‘Refresher Training’ which simply stated that Mr. Guzman has access to a thumb drive and is aware of RMP, SOP, MI, and review upgrades to facility equipment, but does not specify what upgrades/dates reviewed etc. **Training Documentation:** The training document file titled “Education Records for Evans Refrigeration Crew”, 10-pages includes the following: Certificate for Mr. Jon Hammemeister (plant manager) on “How to Manage Ammonia Refrigeration Safety Systems” dated Feb. 21-24, 2022, from Central WA University; HAZWOPER certificate for Mr. Guzman (March 22, 2022); “Evans Fruit Cowiche Company Training for Employees working in and around CA storage Areas” is a general safety rules document for employees signed by Juan Gonzalez (maintenance technician on 2/14/22) stating that he has received instructions on the ‘Safety Rules’ and will comply with the document, but does not include ammonia safety training; and Doubl-Kold Ammonia Awareness training form showing 31 employees received ammonia awareness instruction on 12/21/2021, but does not list Mr. Gonzalez as an attendee. **Facility Training Summary:** The initial training summary identified four operators. The revised training summary now only shows one operator, Edgar Guzman. The training documents submitted for employees involved in operating and maintaining the process does not demonstrate that their employees have received and understood the training. **Maintenance Training:** Evans Fruit did not provide training documentation for their operators or employees involved in maintenance of refrigeration equipment. Evans Fruit did not provide training documentation for their contractor, Doubl-Kold, who are involved in maintaining the refrigeration equipment. **SOP Annual Certification:** Evans Fruit provided a Standard Operating Procedures (SOP) policy document dated January 15, 2022 with a certification form attached that was unsigned and no date by Barbra Evans. Evans Fruit did not provided documentation that the operating procedures for ammonia refrigeration equipment were certified annually as current and accurate.
4. **Emergency Response Coordination (Annually after 9/21/18):** Evans Fruit provided documented correspondence with Cowiche Fire and LEPC indicating coordination is active and that the local responders were informed on 12/4/2018, 10/27/2021 and 2/14/2022. The nearest Hazmat response team is located in Yakima, WA. The facility provided Yakima County Fire Marshal inspection reports and contact information. The 2018, 2021, 2022 reports indicated the facility machine rooms have been inspected and passed the annual life fire and safety inspections

for all three engine rooms. Fire Marshal Inspector Contact: Todd Hottell, 509-574-2294, todd.hottell@co.yakima.wa.us

5. **Tier II Reporting:** Facility provided certified mail receipts confirming the 2021 Tier II was provided to WA SERC dated 2/8/2022 and mailed to Cowiche LEPC and Cowiche Fire Department 2/22/2022.

### **AREAS OF CONCERNS:**

1. **Process Hazard Analysis:** Evans Fruit did not properly document the resolution of 2017 PHA findings Item #6 and #10 on the delay of replacing damaged piping insulation in MR1 and MR2 until 2028-2030. The Cowiche Facility did not address recommendations in the 2017 PHA. Evans Fruit did not carry over the 2017 PHA findings Item #6 and #10 to the 2022 PHA revalidation. The 2022 PHA findings and recommendations tracking sheet did not identify the person or group responsible for Items #9, #10, and #22. The 2022 PHA finding Item #10 with a proposed completion date of January 2023 remains open. 40 C.F.R. 68.67(e).
2. **Compliance Audits:** Evans Fruit did not conduct a compliance audit at least every three years. The June 23, 2022, compliance audit was completed, 7 months after the November 15, 2021 due date. The 2018 Audit Certification page with an incorrect report date of November 9, 2015 was signed with no date for the November 15, 2018 audit report. The 2018 and 2022 audit findings tracking sheet does not provide the following information for some findings: person or group responsible, proposed completion dates, document actions taken, and completion dates. The 2018 audit findings Item #6b (PHA), Item #10b (safe work practices), Item #8 (MR #3 Walk-thru), Item #9 (MR #3 Walk-thru), and Item #10 (MR #3 Walk-thru) remain open with no proposed completion dates. The 2022 audit findings Item #21 (operating procedures), Item #4 (contractor), Item #5 (contractor), Item #11 (safe work practices), Item #1 to #4 (MR1 Walk-thru), Item #5 to #7 (MR2 Walk-thru) and Item #8 to #11 (MR3 Walk-thru) remain open with a proposed completion date of October 2022 that are past due. 40 C.F.R. 68.79 (a) and (d).
3. **Training:** Evans Fruit refresher training documents (2020, 2021 and 2022) for Edgar Guzman does not assure that the operator understands and adheres to the current operating procedures (SOP) for the ammonia refrigeration process. 40 C.F.R. 68.71(b) and (c).
4. **Mechanical Integrity, Training for Process Maintenance Activities:** Evans Fruit did not provide maintenance training documents for maintenance technician, Juan Gonzalez who performs general maintenance on the refrigeration equipment including no ammonia safety training. Evans Fruit did not provide maintenance training documents for refrigeration contractor, Doubl-Kold employees, who perform maintenance on the refrigeration equipment. 40 C.F.R. 68.73(c).
5. **Mechanical Integrity, Inspection and Testing:** The 2018 Mechanical Integrity (MI) audit report identified issues with Evans Fruit inspection and testing procedures not following recognized and generally accepted good engineering practices for insulation, pipe corrosion, schedule/size of piping (incorrect size) and failing pipe supports such as IIAR. 40 C.F.R. 68.73(d)(2).
6. **Mechanical Integrity, Equipment Deficiencies:** Evans Fruit Cowiche facility equipment deficiencies identified by the 2018 MI audit were not corrected in timely manner before further use for safe operation. The 2018 MI audit findings tracking sheet shows that no corrective action was taken to resolve the findings on equipment deficiencies that are outside acceptable limits.

Evans Fruit has deferred the correction of the MI audit findings to 2028-2030. 40 C.F.R. 68.73(e).

7. **Process Safety Information:** Evans Fruit Cowiche facility equipment such as piping, insulation and pressure vessel name plates do not comply with recognized and generally accepted good engineering practices identified in Evans Fruit Company Cowiche, WA Process Safety Information, Rev 2, Item 11, Design Codes, Standards and Good Engineering Practices, pgs. 13-15. The 2018 MI audit identified refrigeration equipment design issues such as schedule/size of piping (incorrect size), condition/location of pressure vessel name plates, and piping insulation. 40 C.F.R. 68.65(d)(1)(iv) and (d)(2).
8. **Emergency Contact:** Evans Fruit RMP dated December 19, 2017 identified Patrick Martinson as the emergency contact. Evans Fruit email dated December 2, 2022 stated that Patrick Martinson is no longer employed with Evans Fruit Cowiche whose employment ended in 2019. Evans Fruit did not correct the emergency contact information within one month of the change. 40 C.F.R. 68.195(b).
9. **EPCRA Reporting:** The Tier II report for Cowiche, submitted on 2/8/2022. This 2022 report observed as having an error in the identification and location of Engine Room #2 and the quantity of ammonia stored at this location. There are 2 locations identified on latest Tier II report as Engine Room #3. The Tier II correction must be made to ensure accurate ammonia information is presented that identifies correct EHS quantities, locations and # of machine rooms onsite for first responders in the event of a release.
10. **Operating Procedures:** Evans Fruit did not annually certify that their operating procedures are current and accurate. 40 C.F.R. 68.69(c).

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:**

The following documents were requested after the initial submission of documents. These documents were reviewed to determine compliance with Section 112(r) of the Clean Air Act.

1. 5 Year Mechanical Integrity (MI) Audit Report, Evans Fruit Cowiche Facility: System 1 Cowiche, WA; revised 11/28/2018 prepared by Doubl-Kold.
2. Standard Operating Procedures (SOP) Policy.
3. Operator Training Summary Form (revised with one operator).
4. Clarification on PHA and Compliance Audit Findings/Resolutions.
5. Maintenance Operator Training documentation.
6. Clarification on CA, PHA and MI Audits, Inspections & testing of PRV for regulated process equipment (ITPM) documents.
7. MI Audit Tracking Report and Status of Findings and completed/proposed work schedule for Cowiche System MR1.

**AUDIT REPORT CERTIFICATION:**

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

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Signature

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Date

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RMP Coordinator/Approval

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Date

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EPCRA Coordinator/Approval

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Date

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Land Enforcement Section Chief/Approval

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Date