United States Environmental Protection Agency / Region 4

Risk Management Program Inspection Report

Unilever
Covington, Tennessee
August 17, 2021

1.0 Introduction

The U.S. Environmental Protection Agency's efforts to reduce the likelihood and severity of chemical accidents includes planning and legislative initiatives such as the National Contingency Plan, the Emergency Planning and Community Right-to-Know Act (EPCRA), and the Accidental Release Prevention requirements under Section 112(r) of the Clean Air Act (CAA), as amended in 1990. This report outlines an inspection of the Risk Management Program (RMP) as mandated by Section 112(r)(7) of the CAA.

The focus of this inspection was to assess the RMP for the ammonia refrigeration process at the Unilever facility located in Covington, Tipton County, Tennessee. This facility was selected for inspection because it had never been inspected under the RMP. The inspection, which was conducted on August 17, 2021, consisted of an examination of program documentation as well as site reviews of various aspects of facility operations. Personnel from the facility participated throughout the inspection. Program documents were provided for further review off-site. This report will provide a background of the facility and a listing of observations.

2.0 Background

The Unilever facility is located in Covington, Tennessee. The facility uses anhydrous ammonia as a refrigerant to produce and store ice cream and frozen dessert products. The process is regulated as program level 3. According to facility records, the facility has a maximum of 198,170 pounds of ammonia (anhydrous) on site. The ammonia refrigeration process at the facility is subject to the RMP requirements of 40 C.F.R. Part 68 and EPCRA Section 302. The background specifics are summarized as follows in Table 1.

TABLE 1: Inspection Information Summary

Inspection Team

Lead Inspector: Jordan Noles, EPA
Inspector-In-Training: Bethany Terpin, EPA
Date of Facility Visit: August 17, 2021

<u>Facility Identification</u>

Name: Unilever
Street Address: 2000 Hwy. 51 North
City: Covington County: Tipton State: Tennessee Zip: 38019
EPA Facility ID No: 1000 0021 4993
Dun & Bradstreet (D&B) No: N/A
Latitude: 35.613395
Longitude: -89.623921

Name, address and phone of corporate parent company:
Owner/Operator: Conopco, Inc. d/b/a Unilever
Mailing Address: 800 Sylvan Avenue
City: Englewood Cliffs State: New Jersey Zip: 07632
Phone: (201) 894-4996

Name, title, and email of person responsible for 40 C.F.R. Part 68 implementation:
Name: Sundi DiCarlo
Title: SHE Manager
Phone: (615) 454-2213
Email: Sundi.DiCarlo@unilever.com

Name and title of emergency contact:
Name: Sundi DiCarlo
Title: SHE Manager
Day phone: (901) 867-6919
24-hour Phone: (901) 475-5160
Email: Sundi.DiCarlo@unilever.com

Name and titles of stationary source personnel involved in site inspection *(accompanied site tours, provided documents and explanations):*
Name: Sundi DiCarlo
Title: SHE Manager
Phone: (901) 867-6919
Email: sundi.dicarlo@unilever.com

Name: Jules Hinske
Title: PSM Manager- Corporate
Phone: (269) 832-0125
Email: jules.hinske@unilever.com

Name: Drew Waits
Title: Ammonia Maintenance Supervisor
Phone: (901) 481-7442
Email: ruben.waits@unilever.com

Name: Jake McMackins
Title: SHE Supervisor
Phone: (901) 867-6714
Email: jake.mcmackins@unilever.com

Note: This is not a union facility.

Date and Program Levels of Submitted Risk Management Plan

Date of initial submission: July 20, 2011
Date of most recent submissions: June 5, 2017
Process as reported in RMP: Ammonia Refrigeration
Process: Ammonia Refrigeration
Process ID: 1000077731
Program Level as reported in RMP: 3
NAICS code: 31152 (Ice Cream and Frozen Dessert Manufacturing)

3.0 Observations

The inspection of the Unilever facility evaluated various sections of the RMP regulations (40 C.F.R. Part 68, Program Level 3) and the inspection checklist included in "Guidance for Conducting Risk Management Programs Inspections under Clean Air Act Section 112(r)." The inspection included an opening conference where EPA inspectors reviewed documents from the facility's Risk Management Plan, which were provided on a USB drive for further review off-site. The discussion was followed by a tour of the facility's ammonia refrigeration process areas. An inspection out-brief was conducted where EPA inspectors described their observations. Observations from the RMP inspection at the Unilever facility are discussed below:

1. 40 C.F.R. § 68.67(e) requires the owner or operator to establish a system to promptly address the team's findings and recommendations of the process hazard analysis in a timely manner, to complete the actions as soon as possible, and to communicate the actions to operating, maintenance, and other employees who work in the process and may be affected by the actions.

    - At the time of the inspection, Unilever's system to address the findings and recommendations of the process hazard analysis showed that most of the corrective actions were completed after the scheduled due date. There was no evidence that the system communicated the actions to operating, maintenance, and other employees who work in the process.

2. 40 C.F.R. § 68.69(c) requires operating procedures to be certified at least annually that the procedures are current and accurate.

    - At the time of the inspection, many of the operating procedures had not been certified annually.

3. 40 C.F.R. § 68.73(d)(4) requires each inspection and test performed on process equipment to be documented and include the date of the inspection or test, the name of the person who performed the inspection or test, and the results of the inspection or test.

    - Though some records of inspections and tests did include some or all of these requirements, at the time of the inspection, each inspection or test on process equipment did not include the date of the inspection or test, the name of the person who performed the inspection or test, and the results of the inspection or test.

4. 40 C.F.R. § 68.93(a) requires coordination with local emergency planning and response organizations to occur at least annually, and more frequently if necessary, to address changes: At the stationary source; in the stationary source's emergency response and/or emergency action plan; and/or in the community emergency response plan.

    - At the time of the inspection, Unilever did not provide evidence of annual coordination with local emergency planning and response organizations to address changes.

5. 40 C.F.R. § 68.93(c) requires the owner or operator to document coordination with local authorities, including: The names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and nature of coordination activities.

    - At the time of the inspection, Unilever did not provide evidence of coordination with local authorities during the years 2019 and 2020.

Inspection Report,

Prepared by:

BETHANY TERPIN Digitally signed by BETHANY TERPIN
Date: 2021.10.15 12:07:02 -04'00'

Bethany Terpin, Inspector-In-Training Date
North Air Enforcement Section
U.S. EPA Region 4

JORDAN NOLES Digitally signed by JORDAN NOLES
Date: 2021.10.15 12:11:02 -04'00'

Jordan Noles, Inspector Date
North Air Enforcement Section
U.S. EPA Region 4

Approved by:

JASON DRESSLER Digitally signed by JASON DRESSLER
Date: 2021.10.15 17:07:52 -04'00'

Jason Dressler, Section Chief Date
North Air Enforcement Section
U.S. EPA Region 4