

CAA112(r) INSPECTION REPORT

Name: Associated Electric Cooperative, Inc. – New Madrid Power Plant	
Address: 41 St. Jude Industrial Park Road, Marston, Missouri 63866	Date of Inspection: 5/14-16/2024
County: New Madrid	Case No: 24MO0514
Phone: (573) 643-2211	RMP No: 100000163039
High Risk: No	FRS No: 110000606336
CAA Title V: Yes,	Program Level: Program 3
Process NAICS: 221112, Fossil Fuel Electric Power Generation	
Mailing Address: P.O. Box 156, New Madrid, Missouri 63869	
Registered Agent: Associated Electric Cooperative, Inc., 2814 South Golden, Springfield, Missouri 65807	

SUMMARY OF OBSERVATIONS

A review of Associated Electric Cooperative, Inc. – New Madrid Power Plant documents and facility revealed the following deficiencies:

1. **Associated Electric Cooperative, Inc. failed to develop plans for conducting emergency response exercises by December 19, 2023, as is required by 40 C.F.R. 68.10(d).**
2. **Associated Electric Cooperative, Inc. failed to maintain a record of assumptions and parameters used, and the rationale for selection for the worst-case scenario as is required by 40 C.F.R. 68.39(a).**
3. **Associated Electric Cooperative, Inc. failed to establish a system to promptly address the 2019 PHA findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented as is required by 40 C.F.R. 68.67(e). [Identified after the inspection.]**
4. **Associated Electric Cooperative, Inc. failed to 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 as required by 40 C.F.R. 68.75(a). [Identified after the inspection.]**
5. **Associated Electric Cooperative, Inc. failed to certify the compliance audits as is required by 40 C.F.R. 68.79(a). [Identified after the inspection.]**

6. **Associated Electric Cooperative, Inc. failed to coordinate annually with the LEPC in Kentucky and Tennessee; failed to provide the emergency response plans to the LEPC in Kentucky and Tennessee and failed to document coordination activities with local authorities for the year 2023, as required by 40 C.F.R. 68.93(a-c).**
7. **Associated Electric Cooperative, Inc. failed to update their RMP within 6 months of revising the Process Hazard Analysis, when the new truck unloading PHA was developed in 2023, as required by 40 C.F.R. 68.190(b)(5).**

INTRODUCTION

I, Lynelle Ladd, a Compliance Inspector and Omari Pettway, a Compliance Inspector-in-Training with the U.S. Environmental Protection Agency (EPA), Region VII, inspected May 14-16, 2024, at Associated Electric Cooperative, Inc. (AECI) – New Madrid Power plant. The facility is in Marston, Missouri, in the county of New Madrid. The inspection was part of EPA's [National Compliance and Enforcement Initiative for 2024 – 2027](#), focusing on Chemical Accident Risk Reduction which includes facilities manufacturing, processing, using, or storing anhydrous ammonia. Additionally, AECI was selected for inspection because of EPA Geographic Initiative for Environmental Justice.

I spoke with Mr. Tommy Halstead, via a phone call to provide notice of my intent to conduct the inspection. I followed up this conversation with an email to Mr. Halstead, Mr. Jay Wells and Mr. Andrew Cofas to provide more details concerning the planned inspection (Appendix 3). In this email I provided some information on CAA 112(r) and CERCLA non 313, as well as some details about the inspection focus.

The purpose of the inspection was to determine if the facility complies with Section 112(r) of the Clean Air Act (CAA), as amended in 1990. I also explained that the inspection also included reporting provisions of the Emergency Planning and Community Right to Know Act (EPCRA) and the release reporting provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

The Clean Air Act (CAA) Section 112(r)(6)(L) provides facility employees and employee representatives with the right to participate in the physical inspection of any workplace conducted pursuant to CAA Section 112(r) as provided in the Occupational Safety and Health Act (29 C.F.R. 1903.8). Based on this, I explained that they should notify the employee representative(s), if any, of the date and time of the on-site inspection and provide them a copy of this email notice. I recommended they post a copy of this email, upon receipt, in the area subject to the inspection. During inspection, we observed the email posted on an employee bulletin board outside of the operations control room (Appendix 1, image IMG_0016 1.JPG and IMG_0016.JPG).

I conducted the inspection to determine if the facility complies with Section 112(r) of the Clean Air Act (CAA), as amended in 1990. The inspection also included reporting provisions of the Emergency Planning and Community Right to Know Act (EPCRA) and the release reporting provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

EPA's regulations describing how these laws are to be implemented are found in the Code of Federal Regulations, Title 40 Part 68 (CAA) and Parts 355, 370, and 372 (EPCRA). The law and the implementing regulations of 40 C.F.R. 68, Chemical Accident Prevention Program (CAPP) require that the facilities must submit a complete Risk Management Plan (RMP) to the EPA for those regulated chemicals processed in amounts above the applicable threshold quantities after June 21, 1999, and to implement the program described in the RMP.

EPA has published a document, "Guidance for Implementation of General Duty Clause Clean Air Act Section 112(r)(1)" ([EPA 550-B00-002 dated May 2000](#)). This publication is intended solely for the guidance of government personnel but is available to the public at the EPA's website. The finalized inspection report as well as the photos and facility diagram (Appendix 1) will be transmitted via mail or e-mail to the registered agent of record and an e-mail copy will be sent to the facility owner/ operator. A copy of this inspection report, documents obtained, photographs taken during the inspection, checklists and completed forms will be maintained in the EPA facility file.

HISTORY OF BUSINESS

AECI is an electric generating facility that produces electricity for the grid. The company operates under a primary North American Industry Classification System (NAICS) 221112, fossil fuel electric power generation. The New Madrid Power Plant is owned or operated by associated electric Cooperative Inc. located at 2814 S. Golden Ave., Springfield, MO 65807–3213. The power plant was built in 1972 with Unit One going online in 1972 and Unit Two was built and went online in 1976. The selective catalytic control (SCR) for Unit 2 was installed around 1999 to 2000, followed by the SCR for Unit 1. The anhydrous ammonia is used in the SCR NOx emission control system.

Anhydrous ammonia is stored in six, 80,000-gallon vessels, three vessels are identified as Unit 1, tanks 1 through 3 and the others are identified as Unit 2 tanks, 1 through 3. Unit 1 tanks are assigned to the SCR Unit 1 Skid and Unit 2 tanks are assigned to the SCR Unit 2 Skid. One vessel in each set of three is maintained empty as a "safe tank". Anhydrous ammonia can be moved between vessels in the same Unit or between units. Anhydrous Ammonia is received via truck and the truck unloading station is located at the south end of the facility, south of the anhydrous ammonia storage vessels. The truck unloading station was modified in early 2023.

The operations of the anhydrous ammonia covered process were described by Mr. Halstead as seasonal, and the SCRs operate and use anhydrous ammonia from May 1 and September 30 every year during the ozone season. During the rest of the year, the tanks are normally held at low vapor, and empty of anhydrous ammonia.

The facility has deregistered in the past because of this fluctuation in operations. The facility was deregistered from September 13, 2013, through December 4, 2014. The facility was most recently deregistered from January 14, 2020, through April 7, 2022.

There are 175 employees at the location and 12 of these employees are responsible for working on the anhydrous ammonia covered process. The facility operates 24 hours a day, seven days a week. Work shifts are broken up into four separate shifts for operations and coal yard. Maintenance staff are broken into two rotating, 10 hour shifts.

Based on the 2020 U.S. Census there are 397 residents in Marston, which is in New Madrid County in Missouri.

Maximum Intended Inventory	Amount of Anhydrous Ammonia in Pounds
Quantity On-site at Time of Inspection	Claimed as CBI *
Quantity Listed in RMP	1,352,560
Maximum Daily Quantity per Tier II Forms ** --2021 --2022 --2023	Claimed as CBI

*Based on digital tank readings claimed as CBI (CBI Appendix 20).

**2021, 2022 and 2023 Tier IIs provided by facility and claimed as CBI (CBI Appendix 20)

OPENING CONFERENCE

I and Omari Pettway arrived at the new Madrid power plant on May 14, 2024, at 8:30 a.m. We entered the plant property and stopped at the security gate. We spoke to a security guard who provided us with a parking pass and directed us to park in the contractor parking lot. We were directed to return to the security building after we parked to obtain our visitors badge and to watch the plant safety and security video.

After watching and signing that we had watch the AECl site safety video, we were met by Mr. Halstead, who led us to a conference room in their administrative building and made introductions with others present in the room. I commenced the opening conference 9:15 a.m. with the following people in attendance: Tommy Halstead Senior safety and environmental specialist, Andrew Cofas, Managing Director, Jim Davis, Chief Steward of IEBN Local Number 53 union and employee representative, and Jay Wells the EHS Manager.

I provided a copy of the [United States EPA CBI Notice of Questions and Answers](#) and explained their right to claim Confidential Business Information. I showed them the United States Environmental Protection Agency Proprietary and Confidential Business Information Form and explained that I would be scanning documents and taking digital images of the covered process and safety equipment. I explained that any document or photo I take during the inspection that they deem as CBI will be noted at the end of the inspection on the CBI form, of which they would receive a copy.

I explained that any documents or images collected, including those marked as CBI, would be notated on a receipt prior to my departure and I showed the EPA Receipt for Samples and Documents form that I would complete.

I explained that at the end of the inspection there would be a closing conference and at that time I would provide them with the preliminary findings from the inspection. I explained that these findings are preliminary and additional findings may be added to the inspection report or the preliminary findings may be changed after I have had more opportunity to perform an additional review of the documents taken during the inspection.

I explained the United States Code Title 18, Section 1001 and 1002 concerning the criminality of falsifying statements and/or records and provided them with a copy of those sections of US code.

I asked about how they had notified employees of the inspection or if they had posted the email information I had sent and was told that the email was posted in the main office entrance to the building. I stated that I would take a photo of it prior to taking the field tour of the facility.

Mr. Cofas explained that he would not be available for the inspection but would sign any documents I needed signed that morning and that in his absence, Mr. Jay Wells could sign any documents later in the week.

I and Mr. Cofas signed the Notice of Inspection Form (Appendix 2) and Mr. Cofas received a yellow copy of the signed form.

I was then told that Mr. Halstead would handle the inspection, that Mr. Davis would participate as the union/employee representative. I was told that others would be made available should they be needed.

We established early in the inspection that the easiest method for AECl to share documents with me was to upload the records to a secure OneDrive file. I created the OneDrive file and shared the file with Mr. Halstead. Post-inspection, it was determined that internal counsel to AECl would review the records to make determinations of Confidential Business Information. As requested, I shared the OneDrive file with Jessica Hill, Senior Corporate Counsel for AECl. On May 24, 2024, Ms. Hill identified which files were being claimed as CBI by AECl and are being maintained by EPA from May 24, 2024, as CBI documents.

PERSONS INTERVIEWED AND INDIVIDUAL RESPONSIBILITIES

Name	Title
Andrew Cofas	Managing Director
Jay Wells	Environmental Health and Safety Manager

Name	Title
Tommy Halstead	Senior Safety and Environmental Specialist
Tim Davis	IEBN Local #53, Chief Union Steward

FIELD TOUR

I and Omari commenced our tour of the facility at approximately 10:20 a.m. on May 14, 2024, and were accompanied by Messrs. Halstead and Davis. As we were leaving the building, I took digital images of the Notice of Intent to Inspect email posted on an employee information board as well as too an image of AECl's 2023 OSHA's 300A Log that was also posted on the board (Appendix 1, images IMG_0016 1.JPG through IMG_0017.JPG). We traveled by AECl's company van to the south end of the property where the anhydrous ammonia truck unloading station was located as well as the anhydrous ammonia storage vessels.

Upon arrival to the area, I observed the truck unloading station some overview images of the unloading bulkhead (Appendix 1, image IMG_0019.JPG), the operators shack, shower/eyewash, water heater to ensure heated water, for shower/eyewash, an announcement speaker, ballards protecting equipment, power supply with emergency shutoff and vessel-receiving controls (Appendix 1, image IMG_0020.JPG). I took images of unloading pipes, the water curtain spray head located above piping. I was told that at 200 ppm a siren sounds, and deluge system comes on. All piping is white and unlabeled to differentiate vapor or liquid lines. (Appendix 1, image IMG_0021.JPG and image IMG_0022.JPG). Small white tags located behind the bulkhead inlet pipe connections identify liquid versus vapor piping in the loading area. I observed that piping elsewhere in the truck loading area lacked labeling or color-coding to identify vapor versus liquid pipes. Based on the tags, I noted that the line on the right (west) is vapor and the line on the left (east) is liquid (Appendix 1, image IMG_0023.JPG). I took a close-up image of the indicator panel showing which tanks are receiving anhydrous ammonia during loading and line shutdown button with a view of an emergency shower/eyewash closest to the unloading bulkhead (Appendix 1, image IMG_0024.JPG). I was told that the Plant Control Room can control the pumps and valves to determine which vessels will be receiving anhydrous ammonia from the truck unloading (Appendix 1, image IMG_0024.JPG). I was told that a remote emergency shutoff switch was located on an electrical building northeast to the truck unloading (Appendix 1, image IMG_0024.JPG). I took a picture of the water heater used for the emergency eyewashes and showers, which a hazard sign for ammonia posted on its structure beams (Appendix 1, image IMG_0026.JPG).

We walked to the west of the truck unloading station to get a view of the fence line anhydrous ammonia monitoring located on a pole west southwest of the truck unloading station. It also shows the view of the unused train rails (Appendix 1, image IMG_0027.JPG). from this vantage point, I looked to the north and northeast and took digital photos of the six anhydrous ammonia storage vessels that are located directly north of the truck unloading station (Appendix 1, image IMG_0028.JPG and IMG_0029.JPG).

Also seen in IMG_0029.JPG is an emergency flare and the portable propane tank used to fuel the emergency flare that is a safety feature for the anhydrous ammonia system. Also, the IMG_0029.JPG documents that the piping from the truck unloading station to the anhydrous ammonia storage vessels is underground.

We walked back to the truck unloading operator's shack to look for loading operation procedures. Once inside the building I noticed a full-face cartridge respirator being stored on a chair (Appendix 1, image IMG_0030.JPG). We noted that the operating procedures for the truck unloading were in the building where operator's and truck drivers could readily access the information.

We walked toward the electrical building where the remote emergency anhydrous ammonia shutdown and the emergency flare shutdown switches were located on the outside of the building (Appendix 1, image IMG_0031.JPG). We then entered the fenced, diked-containment area where the six, 80,000-gallon anhydrous ammonia vessels are located.

Once inside the fenced and diked-containment area, I observed and documented by digital photo a two-wall ball valve labeled as a Pressure Relief Valve, installed in an anhydrous ammonia pipe (Appendix 1, image IMG_0031.1.JPG and IMG_0032.JPG). I then observed several others throughout the plant and took digital images (Appendix 1, images IMG_0033.1.JPG and IMG_0033.JPG).

We were told that the vessels located on the south end of the enclosed area were identified as SCR Unit 2, Tanks #1 – 3, lined up west to east, with Tank # 3 located on east end and Tank #1 located on the west end. I took a digital image of SCR Unit 2, Tank # 3's liquid level gauge showing the amount of anhydrous ammonia in the vessel that appeared to be approximately 60% full (Appendix 1, image IMG_0034.JPG). I took a digital image of SCR Unit 2, Tank # 2's liquid level gauge showing the amount of anhydrous ammonia in the vessel that appeared to be at 0% (Appendix 1, images IMG_0035.1.JPG and IMG_0035.JPG). This image also shows the tank labeling which because of the groupings, the facility labels the center tank with vessel content information, hazard warning and NFPA diamond. I also took close-up image under the bottom of SCR Unit 2, Tank # 3 of piping, another two-way PRVs and an ammonia monitor (Appendix 1, image IMG_0036.JPG). I took a digital image of SCR Unit 2, Tank # 1's liquid level gauge showing the amount of anhydrous ammonia in the vessel that appeared to be at approximately 40% (Appendix 1, image IMG_0037.JPG).

We climbed stairs on the east side of SCR Unit 2, Tank # 1 to a catwalk located above the tank, so that I could get an image of the tank's safety relief device manifold (Appendix 1, image IMG_0038.JPG). While in that location I observed the anhydrous ammonia monitor above the tank and the one of the water curtain outlets that are used to mitigate releases. I also observed that the water curtain on/off valve appeared to be in the off position and asked if the water curtain for this location was currently shut off. Mr. Halstead indicated that the valve appeared to be in the off position (Appendix 1, image IMG_0039.JPG).

Mr. Halstead radioed for an AECL maintenance worker to come to the tank. The maintenance person confirmed the water curtain mitigation system was shut off at this location due to work that had been performed to fix leaks within the system. He stated that the valve had been inadvertently missed and not turned back on at the end of the maintenance work. Please see the Management of Change section of this report for further discussion.



(Appendix 1, image IMG_0039.JPG).

After walking across the catwalk above all three tanks in SCR Unit 2, we walked northward toward the remaining three tanks in the area. While walking in that direction, we noticed an orange cone located at the back end of SCR Unit 2, Tank # 1 (Appendix 1, image IMG_0040.JPG). As sign on the orange cone read "Caution NH3 Leak" (Appendix 1, image IMG_0041.JPG). I asked about this leak which is located at a threaded nut between the manway door the top isolation valve, which was described as an excess flow valve. When asked about the repair schedule for this device, Mr. Halstead stated that repairs would be made after September or October when the ozone season would be concluded. Please see the Mechanical Integrity section of this report for further discussion.



Appendix 1, image IMG_0041.JPG

I observed and took a digital image of SCR Unit 1, Tank #3 liquid level gauge and noted that it appeared to be approximately 50% full (Appendix 1, image IMG_0042.JPG).

I observed and took a digital image of SCR Unit 1, Tank #2 liquid level gauge and noted that it appeared to be empty however there was a green tag attached to the gauge (Appendix 1, image IMG_0043.JPG). I was told that the liquid level gauge was not functioning. I took digital images of the tag which indicated that maintenance had identified the liquid level gauge was not functioning on April 24, 2024 (Appendix 1, images IMG_0044.JPG through IMG_0046.JPG). When asked about the repair schedule for this device, Mr. Halstead stated that repairs would be made after September or October when the ozone season would be concluded. Please see the **Mechanical Integrity** section of this report for further discussion.



Appendix 1, image IMG_0046.JPG

I observed another pressure relief valve located at the elbow junction of two pipes, the top of which was rusted and appeared to be corroding (Appendix 1, image IMG_0047.JPG).

I observed and took digital images of SCR Unit 1, Tank #1, its manufacturers data plate, and rust from the overhead catwalk obscuring the data plate's legibility (Appendix 1, image IMG_0048.JPG and IMG_0049.JPG). SCR Unit 1, Tank #1 liquid level gauge appeared to show that there was no anhydrous ammonia in the vessel.

We walked to the east side of SCR Unit 1, Tank #3 and stood on the top of the diked and I took an image looking north of the fence line, the barriers along the road the labeling on SCR Unit 1, Tank #3 and indications of vegetation growth under the vessels (Appendix 1, image IMG_0050.JPG).

We exited the fenced area and walked along the plant road and barriers to the northside of the anhydrous ammonia storage area and I took an image of the north fence and vehicle barriers on the north (Appendix 1, image IMG_0051.JPG).

I took a digital image looking south along the plant and observed a 10-mph speed limit sign, the east fencing and vehicle barriers, as well as windsocks for each tank group (Appendix 1, image IMG_0052.JPG).

We walked to the northwest corner of the fenced and diked anhydrous ammonia storage area and I took a digital image facing south. I asked about vehicle traffic in this area and was told that it is a storage area that isn't frequently traveled (Appendix 1, image IMG_0054.JPG).

As we walked back eastward on the north end of the fenced and diked anhydrous ammonia storage area, I observed a gate that allows entry of large vehicles for maintenance, inspections, and testing activities. An emergency sign with contact information was posted to the east side of the gate. The gate appeared to be unlocked (Appendix 1, image IMG_0055.JPG).

We went back inside fenced and diked anhydrous ammonia storage area and I observed an emergency exit gate on the west end of the area near SCR Unit 1, Tank #1 that had a crash/panic bar to open the gate (Appendix 1, image IMG_0056.JPG) and another located on the east end of the area SCR Unit 1, Tank #3 that did not have a crash/panic bar to open the gate but appeared to have electronic badging access (Appendix 1, image IMG_0057.JPG). I observed another exit gate on the east side of the fenced and diked anhydrous ammonia storage area that was on the east side near SCR Unit 2, Tank #3. This gate appeared to have electronic badging access also, but this gate does not swing freely or securely closed due to the rocks (Appendix 1, image IMG_0058.JPG). All exits had signage that stated that authorized personnel only could enter. For additional discussion on this topic, please refer to the **Process Hazard Analysis** section of this report.



Appendix 1, image IMG_0058.JPG

I took another digital image of the SCR Unit 2 Tanks #1 through #3 which shows the location of all the data plates for these tanks (Appendix 1, image IMG_0059.JPG). I had observed but did not obtain a digital image that SCR Unit 1, Tanks #1 through #3 had data plates similarly located on each vessel.

As we walked back to the van, I took a digital image looking west southwest at the truck unloading station and the operator's shack and observed the portable sign that is placed out on the road when unloading is occurring to prevent traffic through the area (Appendix 1, image IMG_0060.JPG).

We loaded back into the AECl's company van and returned to the administration office. We decided to take a lunch break and resume the field tour after lunch.

At approximately 12:45 p.m. we resumed the facility tour and were taken in the AECl's company van to the location of Unit #2 SCR anhydrous ammonia vaporizer skid. I took digital photos as we approached the SCR anhydrous ammonia vaporizer skid (Appendix 1, images IMG_0061.JPG and IMG_0062.JPG).

I observed the directional flow labeling of anhydrous ammonia entering the process by pipe and the directional flow labeling of anhydrous ammonia leaving the anhydrous ammonia vaporizer skid to be injected into the SCR, as well as a power on/off switch for the process (Appendix 1, image IMG_0063.JPG). I took some images of the vessels that are part of the skid and was told that they only use one vessel at a time (Appendix 1, images IMG_0064.JPG and IMG_0065.JPG). I took a digital image of the pressure relief devices on the top of each vessel and the piping that would vent an emergency release from the pressure safety valves to the atmosphere (Appendix 1, image IMG_0066.JPG).

I took digital images of the anhydrous ammonia pipe that exits the building and runs to the SCR anhydrous ammonia vaporizer skid (Appendix 1, images IMG_0067.JPG and IMG_0068.JPG). This pipe runs parallel to electrical conduit and other insulated piping. We then entered the building to see the piping route inside (Appendix 1, image IMG_0069.JPG). This piping also runs parallel to electrical conduit. I did not observe labeling that would help distinguish the anhydrous ammonia pipe from the electrical conduit pipes. We exited the building to observe the location where the underground anhydrous ammonia comes above ground to feed both SCR anhydrous ammonia vaporizer skids (Appendix 1, image IMG_0070.JPG).

I observed where the anhydrous ammonia pipes enter the building and run under a stairwell and runs through the building along the ceiling (Appendix 1, image IMG_0071.JPG and IMG_0072.JPG).

We walked toward the Unit #1 SCR anhydrous ammonia vaporizer skid, and I observed the anhydrous ammonia pipe that leads to Unit #1 SCR anhydrous ammonia vaporizer skid along the outside of the building (Appendix 1, image IMG_0073.JPG).

We went into the building to observe where the anhydrous ammonia piping enters the building, travels under a stairwell then is directed vertical to travel closer to the ceiling. I took digital images of this piping (Appendix 1, image IMG_0074.JPG and IMG_0075.JPG). We then observed where the piping exits the building to run to Unit #1 SCR anhydrous ammonia vaporizer skid and I took a digital image (Appendix 1, image IMG_0076.JPG). I then took a digital image looking at the anhydrous ammonia piping as it runs from the entry point to the exit point of the building (Appendix 1, image IMG_0077.JPG).

I took digital images of the SCR anhydrous ammonia vaporizer skid vessels and the anhydrous ammonia directional label on piping coming into the skid (Appendix 1, image IMG_0078.JPG and IMG_0079.JPG). Unit #1 SCR anhydrous ammonia vaporizer skid is operated in the same manner as Unit #2 SCR anhydrous ammonia vaporizer skid.

As we walked back toward the administration building, we walked past fuel diesel and gasoline atmospheric storage tanks (Appendix 1, image IMG_0080.JPG). We also walked past the ethylene glycol storage vessels (Appendix 1, image IMG_0081.JPG and IMG_0082.JPG).

We ended the tour at approximately 1:25 p.m. and we returned to the conference room in the administration building.

GENERAL APPLICABILITY OVERVIEW

Prior to the inspection, I reviewed the Risk Management Program (Appendix 4) that was on RMP*Info in EPA's CDX. I noted that the facility had the single anhydrous ammonia covered process and that it was listed as Program 3 eligible. After reviewing Program 1 and Program 2 eligibility, it was verified with the facility that they were Program 3 eligible.

During the review of the current RMP, I noted that the facility had one accident listed in the five-year accident history. Accident History ID 1000077079 occurred on May 1, 2019, and involved a release of 40 pounds of anhydrous ammonia. According to the information provided in the RMP, this release resulted in no fatalities, no injuries to employees, to the public or first responders, no off-site evacuations or sheltering-in-place and no on-site or off-site property damage. We discussed the requirements of 40 C.F.R. 68.42(a) which states, *"The owner or operator shall include in the five-year accident history 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."*

I asked if AECl had developed plans for an emergency response exercise program, by December 19, 2023, that included the notification exercises that begin before December 19, 2024, and annually thereafter, and include exercises coordinated with the local public emergency response officials. Mr. Halstead verified that they had not updated their emergency response plan to include these more recent changes to the RMP requirements.

For this reason, I found the following deficiency:

- 1. Associated Electric Cooperative, Inc. failed to develop plans for conducting emergency response exercises by December 19, 2023, as is required by 40 C.F.R. 68.10(d).**

This is discussed in more detail in the **Emergency Response** section of this report.

GENERAL MANAGEMENT SYSTEM

I asked how AECl identifies and assigns responsibility for overseeing the Risk Management Program and was provided with AECl's Risk Management Plan for Anhydrous Ammonia Organizational Chart (Appendix 5). This chart identifies positions within the plant organization and the responsibilities for each position as required by 40 CFR 68.15.

HAZARD ASSESSMENT

I asked to review the documents that explains how AECl determined worst and alternate case scenarios and was provided with the documentation that the facility is claiming as Confidential Business Information (CBI Appendix). Per the RMP, the facility is using RMP*Comp to calculate the worst and alternate case scenarios and is using MARPLOT® to establish the potential population impacted by the worst and alternate case scenarios. I checked the numbers in the RMP submitted on April 7, 2022, to EPA via RMP*Info in EPA's Central Data Exchange.

The document provided to me by Mr. Halstead which detailed the assumptions and parameters used by AECl to determine the worst-case scenario (CBI Appendix 20) had different information than what AECl reported in the RMP (Appendix 4) on RMP*Info.

40 CFR 68.39(a) requires for worst-case scenarios that the owner or operator to maintain *"a description of the vessel or pipeline and substance selected as worst case, assumptions and parameters used, and the rationale for selection; assumptions shall include use of any administrative controls and any passive mitigation that were assumed to limit the quantity that could be released. Documentation shall include the anticipated effect of the controls and mitigation on the release quantity and rate."*

For this reason, I identified the following deficiency:

- 2. Associated Electric Cooperative, Inc. failed to maintain a record of assumptions and parameters used, and the rationale for selection for the worst-case scenario as is required by 40 C.F.R. 68.39(a).**

This was corrected by the facility before the end of the inspection and the corrected information was provided to me and is being claimed as CBI by AECl (CBI Appendix 20).

PROCESS SAFETY INFORMATION (PSI)

I asked how AECl maintains PSI for the covered process and was provided with a SDS for anhydrous ammonia (Appendix 6). The SDS had a revision date of December 2022.

Mr. Halstead stated that the process was built and designed to comply with ASME B313 for design and the 1999 ANSI K611 standards and that the redesigned truck unloading is designed and following the CGA G-2.1-2023 Requirements for the Storage and Handling of Anhydrous Ammonia. He stated that the plant follows the ANSI-CGA G-2.1 2014, ASME and American Petroleum Institute standards and is working toward compliance with the CGA G-2.1-2023 standard.

I asked if they maintain a block flow diagram or simplified process flow chart and they provided me with a copy of their latest block flow diagram that was designed for the new truck unloading and included an illustration of process flow, which was claimed as CBI after the inspection (CBI Appendix 20). I asked if they maintain a record of the mass energy balance of the system and I was provided a copy of mass energy balance and process chemistry (Appendix 7). Mr. Halstead stated that more information about process safety is contained in the operating procedures.

I asked how they track the safe operating limits of the equipment, and he stated that this information is contained in original U1s for the vessels (Appendix 8) and the piping is designed to meet the maximum allowable working pressures of the vessels and they follow the standards for piping listed in API 570. Each vessel has a maximum capacity of 80,000 gallons and a maximum allowable working pressure of 265 PSIG at 300°F.

I asked if they had any documentation concerning the electrical classification of the covered process area and was provided with their documentation which they claimed as CBI (CBI Appendix 20).

The RMP that had been submitted prior to the inspection listed the maximum quantity as 1,352,560 pounds (Appendix 4). I asked if they had a document explaining how they determined maximum intended inventory, and I was provided with a document that was developed in 2020 that AECl claims as CBI (CBI Appendix).

It appears that the maximum intended inventory being reported in the RMP (Appendix 4) is based on a different calculation than the document provided to me during the inspection (CBI Appendix 20). Either a different percentage, a different pound per gallon conversion factor for anhydrous ammonia or a change in the overall volume has occurred and is being used to account for this problem.

Because the amount reported in the RMP (Appendix 4) is larger than the amount being reported on the in-house document (CBI Appendix 20), I am not making a finding of deficiency in this inspection report. However, it is highly recommended that AECl investigate the cause of the difference and correct all documents related to maximum intended inventory that is used as the basis for the RMP.

PROCESS HAZARD ANALYSIS (PHA)

I asked to review the recent PHAs for the process and I was provided PHAs dated November 20, 2014, May 7, 2019, February 16, 2023, and March 26, 2024. The May 7, 2019, PHA was a re-do that corrected some errors from the November 20, 2014, PHA that was discovered by a third-party audit of their PSM program. The February 16, 2023, PHA was developed prior to the start-up of the redesigned truck unloading station. The March 26, 2024, PHA is a revalidation PHA of the May 7, 2019.

The facility utilizes the Hazard and Operability Study method for their PHAs. The PHAs list the participants in each document identifying their roles. AECl uses a third-party consultant to assist them with their PHAs. I obtained a copy of the 2019 PHA and 2023 revalidation PHA, both claimed as CBI (CBI Appendix 20).

During the inspection, I asked to review the status of corrective actions for the 2019, 2023 and 2024 PHAs. I was provided these documents post-inspection for review that are claimed as CBI (CBI Appendix 20).

Based on what was provided to me post-inspection, I identified numerous recommendations made during the 2019 PHA re-do that were unresolved. No documentation was provided to explain why the 2019 PHA findings remained unresolved. This information was confirmed by the 2019 closure record provided to me and the review of findings of the most recent compliance audit, both of which were claimed as CBI (CBI Appendix 20).

For this reason, I identified the following deficiency:

- 3. Associated Electric Cooperative, Inc. failed to establish a system to promptly address the 2019 PHA findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented as is required by 68.67(e). [Identified after the inspection.]**

Additionally, as discussed in the Field Tour section of this report, the gate access to the anhydrous ammonia bulk tank storage area was not secure. The east gate would not close, and Mr. Halstead stated that the badging system was not functional. It is highly recommended that AECl review the PHA nodes and identify how often the gate security should be evaluated and what actions are needed going forward.

OPERATING PROCEDURES

I asked to review the operating procedures for the covered processes and was provided with the SOPs for truck unloading into Unit 1 and Unit 2 vessels as well as the SOP for anhydrous ammonia tank transfers. Post-inspection, each of these documents were claimed as CBI (CBI Appendix 20). I reviewed each of these documents and noted that they covered PPE/safety equipment required for procedures, chemical/health hazards related to the procedures, a reference to where employees can review the P&ID for the process, and other internal reference materials employees should refer to for the procedures, such as operations and maintenance. Mr. Halstead stated that the SOPs were maintained on the company website for all employees to access.

The SOPs covered initial startup, normal operations, temporary operations, emergency shutdowns and emergency operations, normal shutdown, startups following a shutdown, startup following an extended shutdown, and shutdown and lockout tagout procedures. Each SOP also contains critical safe operating parameters, including normal temperatures and pressures, alarm levels, automated pressure shutdown levels, and consequences of deviations.

Although each SOP did not contain complete safety system information, I was provided with the summary description of the covered process safety systems, which as claimed as CBI post-inspection (CBI Appendix). I was also provided with a document that served as the SOP Annual Revalidation Form and a list of the SCR Anhydrous Ammonia SOPs (Appendix 9).

I also asked to review the P&IDs for the covered process which included, truck unloading and piping, Unit 1 and 2 vessels, Unit 1 and 2 SCR anhydrous ammonia skids, emergency transfer system, and the flare. These documents were claimed as CBI (CBI Appendix 20).

It appears that AECl meets the requirements listed in 40 C.F.R. 68.69.

TRAINING

I asked how AECl ensures that employees are trained about the hazards of the covered process and how they ensure employees who operate the covered process are trained. As indicated in the **History of Business** section of this report, AECl employees approximately 12 people who have authorization to operate the covered process. These employees receive specialized training related to their duties. All employees receive initial and annual PSM and anhydrous ammonia awareness training. AECl decided that annual training, rather than every three years would benefit all employees. All new employees go through initial training. Maintenance and operators are primarily the employee group who work with the covered process. The training is computer-based, and employees must go through the program and test out to be considered complete on the training. New employees operating the covered process also receive supervised job shadowing with more experienced employees, receive medical evaluations and training on PPE. The facility is a responding facility that maintains 9 hazmat suits, so the employees assigned to the hazmat response team also get annual training on the hazards of the covered process.

I reviewed several training records for employees and then asked for blank training record example (Appendix 10).

It appears that AECl meets the training requirements listed in 40 CFR 68.71.

MECHANICAL INTEGRITY (MI)

I asked if AECl has written procedures that they follow to ensure the integrity of the equipment in the covered process, and I was provided with their mechanical integrity program written program (Appendix 11).

I asked if there was anything in their mechanical integrity program that would allow the leak in Unit #2 Tank 1 or the broken liquid level gauge on Unit #1 Tank 2 to continue in operations with these deficiencies, I was directed to the MI written program that states "Equipment found to be deficient, but which has not been removed from service based upon an evaluation, shall have the deficiency corrected at the earliest practical opportunity".

The written program defines mechanical integrity, equipment deficiency and critical deficiency. *Equipment deficiency* is defined in the AECl MI written program as “a condition in which mechanical equipment does not meet applicable specifications or established inspection criteria. Non-conformance does not necessarily imply that the equipment lacks mechanical integrity, or that it is unsafe to operate.” Critical deficiency is defined in the AECl MI written program as “a condition that would result in the long-term operability of the equipment being impaired or could result in a catastrophic failure of the equipment”. The AECl MI written program also states that “approval to leave a critically deficient piece of equipment in service or return a critically deficient piece of equipment to service will be gained through the current management of change, or MOC process as a temporary modification’.

I asked if AECl had developed an MOC document for either deficiency. Mr. Halstead stated that neither deficiency were critical deficiencies therefore there would not have been an MOC developed. I asked him to explain how the deficiencies were not critical. He stated that the primary method of measuring tank liquid levels was the digital gauges for all tanks because the operators in the control room could obtain constant readings and control the movement of anhydrous ammonia from truck unloading to tanks and between tanks. As to the leaking thread on Unit #2 Tank 1, he stated the leak was occurring from a thread on a joint located below the excess flow valve and that the excess flow valve in the manway would automatically close if the thread failed. He stated they calculated the leak to be less than 25 pounds per 24 hours.

I asked if they had written down these determinations that these two operating situations had been determined to be not critical deficiencies and Mr. Halstead stated that they had not written that down anywhere and that their MI program would not require that to be performed. He stated the documentation of the status of these operational situations are the work orders and planned repair schedules.

I asked if I could see a work order for the leak on Unit 2, Tank 1 and was provided with the work order (Appendix 12). It indicates that this deficiency was identified on April 26, 2024. I asked when the system was filled with anhydrous ammonia and Mr. Halstead stated that the anhydrous ammonia was introduced to the system for the 2024 ozone season on April 22, 2024. Based on the information in the work order they have the materials on-hand to repair the leak, however, Mr. Halstead confirmed that the repair would not be made until sometime in September or October 2024.

I asked why Unit 2, Tank 2 that was identified as the tank being held as a “safe tank” wasn’t being used so that the repair on Unit 2, Tank 1 thread leak could be repaired, and again Mr. Halstead stated that the leak was not a critical deficiency that would necessitate moving anhydrous ammonia from Unit 2, Tank 1 to Unit 2, Tank 2 to fix the leak.

I asked how the facility tracks MI testing and inspection schedules. Mr. Halstead stated that their PM program tracks testing and inspections performed. I asked if I could see recent inspections of their tanks and piping and was provided with a record of an American Petroleum Institute 510 inspection of their anhydrous ammonia tanks and piping that was performed in April 2023 and claimed confidential by AECl (CBI Appendix 20). I was also provided with a copy of the hydrostatic testing results for the new truck unloading piping (Appendix 11).

MANAGEMENT OF CHANGE (MOC)

I asked to see AECl's MOC procedures or written program and was provide with their MOC document (Appendix 13). I reviewed the language of this document to determine if there were any policy aspects that would have conflicted with MI requirements to perform an MOC that was outside the definition of "critical deficiency" as defined in the MI program.

Section 1.2 of AECl's MOC program states *"while the facility must have the flexibility to maintain safe operation within the established parameters, any operation outside of these parameters requires review and approval by a written MOC procedure."* The document further defines "Change" as *"any not-in-kind modifications to equipment. This reference to equipment includes process control systems (i.e., control hardware, control schemes and software systems), operating and maintenance procedures, raw materials, and processing conditions."*

Section 7 of AECl's MOC program provides examples of change and states these *"examples are provided to give a flavor for the types of actions that constitute a change that is subject to these MOC process requirements"*. Section 7.7 states *"The temporary bypassing, re-setting or disabling of equipment, instrumentation, alarms or shutdown devices."*

As discussed in the **Field Tour** section of this report, the water curtain system was disable for maintenance, but had remained disabled. I asked if AECl had developed an MOC for the water curtain system work that was performed. I was told by Mr. Halstead that the work order for the curtain system was WO 301147, which was initiated on May 27, 2022, as maintenance work order on tank deluge solenoid valve maintenance but that the work started on February 6, 2024, and completed on April 12, 2024. As stated above, anhydrous ammonia was introduced to the covered process on April 22, 2024. This would indicate that the water curtain system valve had been in the off position on April 22, 2024, until the date of the inspection. The water curtain is listed in the RMP that was submitted to EPA RMP*Info as a mitigation system. Mr. Halstead stated that the water curtain is activated when monitors detect anhydrous ammonia at the 200-ppm level. Although I asked for a copy of WO 301147, I was not provided access to this document.

As a result of this, I have identified the following deficiency:

- 4. Associated Electric Cooperative, Inc. failed to 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 as required by 40 C.F.R. 68.75(a). [Finding identified after the inspection.]**

Based on AECl's MOC program, a MOC should have been developed for the temporary disabling of the water curtain system to perform the maintenance. An MOC would have been an added safeguard step to ensure that the water curtain valves were moved to the on position at completion of the maintenance work and prior to the introduction of anhydrous ammonia to the covered system.

PRE-STARTUP SAFETY REVIEW (PSSR)

I asked how AECl ensures the safe startup of the covered process and was provided with a copy of the PSSR written program and the truck unloading PSSR document (Appendix 14). The program indicates that employees must complete the PSSR checklist prior to any startup activity. The checklist includes requirements to verify design and construction specifications, ensure SOPs, maintenance, emergency, and safety protocols are up to date and that a PHA was performed on any new source.

I reviewed the PSSR checklist document for the truck unloading initial start-up project (Appendix 14). It appeared to comply with 40 C.F.R. 68.77.

COMPLIANCE AUDITS

I asked to review the two most recent compliance audits performed by AECl and was provided with compliance audits that were performed in 2018 and in 2021. These were claimed as confidential business information (CBI Appendix 20).

The compliance audit performed in 2018 was not dated and was not certified. The compliance audit performed in 2021 was dated but it was also not certified.

As a result of this, I have identified the following deficiency:

- 5. Associated Electric Cooperative, Inc. failed to certify the compliance audits as is required by 40 C.F.R. 68.79(a). [Identified after the inspection.]**

INCIDENT INVESTIGATION

I asked if AECl had any recent incidents or releases related to the covered process. Mr. Halstead stated that they had not had any incidents or releases of anhydrous ammonia.

Mr. Halstead provided me with AECl's Incident Investigation written program (Appendix 15). The incident program describes the types of events that are required to be reported and investigated. This also includes the reporting of near misses. The program also lists the positions and responsibilities for tasks to be performed during the incident investigation. He stated that they have a means for employees to report incidents anonymously and all incidents are required to be reported by no later than the end of the shift but in most cases, they should be reported as soon as possible. He stated that based on the location and type of incident the site safety committee will choose team members to investigate the incident using the "taproot investigation method" to determine root cause. At the end of the investigation a formal report with recommendations is developed.

A job brief is sent out through an automated system and corrective actions are tracked in this system. Mr. Halstead said that AECl corporate personnel help track the progress of corrective action to closing of the actions to ensure timely resolution.

I asked to review an incident investigation and I reviewed an incident that was unrelated to the covered process.

EMPLOYEE PARTICIPATION

I asked how AECl had a written plan for implementing employee participation at the facility. Mr. Halstead provided me with AECl's employee participation written program (Appendix 16).

Mr. Halstead stated that they have a safety committee with 8 members who represent union employees, operators and maintenance who are the employees who work on or with the covered process. He provided me with a recent agenda which AECl claimed as CBI (CBI Appendix 20).

I asked how information discussed or decided in the safety committee meetings gets relayed to other employees who are not on the safety committee, and he explained the information gets relayed to employees through job briefings and from supervisors to other employees. He stated that employees also can access information on the company's intranet system.

AECl's employee participation program appeared to comply with 40 C.F.R. 68.83.

HOT WORK PERMIT

I asked if there was any hot work being performed currently at the facility and was told that none was in progress. I asked if AECl had a hot work permit policy and was provided with AECl's hot work permit program and fire prevention policy. I asked if they had an example of a hot work permit that I could review and was provided with a hot work permit from April 27, 2024 (Appendix 17).

AECl's hot work permit program appeared to comply with the requirements of 40 CFR 68.85.

CONTRACTORS

I asked how AECl ensures that contractors which come on-site to work on or near the covered process are evaluated and what training they are required to have before coming on-site. Mr. Halstead provided me with a copy of AECl's written program that covers contractors (Appendix 18). He stated that AECl's corporate office handles the procurement process. AECl corporate personnel evaluate contractor's safety history and determine which contractors will be hired. Mr. Halstead stated that whenever contractors are on-site, they are trained by AECl personnel. AECl has a contractor orientation program which includes videos which covers OSHA safety and health, OSHA process safety management, hazards of anhydrous ammonia.

Contractors are provided with copies of the emergency response plan and are trained on the different alarms at the facility. He stated that contractors are evaluated throughout their time on-site, and any problems are handled immediately. He stated that a post-work audit is performed and submitted to the AECl corporate office so they can determine whether to hire the contractor in the future.

EMERGENCY RESPONSE PLAN

I asked if the facility was a responding or non-responding facility and was told that the New Madrid plant is a responding facility. Mr. Halstead stated that they have their own hazardous material team and that they have nine SCBA suits for their responders.

I asked if AECl had a written emergency response program, and I was provided with a document Emergency Response program and was provided with a document titled *Hazardous Material Standard Operating Procedure for Anhydrous Ammonia*. I also asked if AECl had records of their coordination activities with the local emergency planning committee and was provided with records of meetings AECl had attended with the Bootheel LEPC in 2019, 2021, 2022 and 2024. These documents recorded who participated and the topics discussed (Appendix 19).

Based on the hazard assessment and worst-case off-site consequence analysis for the covered process, I asked Mr. Halstead if AECl had coordinated with the LEPC located in Kentucky and Tennessee and provided them with a copy of their emergency response or action plan. He stated that they had the phone numbers written on the emergency response document he had provided to me, but that although they had made attempts to connect with these LEPCs, they had been unsuccessful in efforts to coordinate with Fulton County, Kentucky and Obion County, Tennessee. Mr. Halstead also stated that they had not provided Fulton County, Kentucky and Obion County, Tennessee with a copy of AECl's emergency response or action plans. I asked if they had any record or documentation of those attempts and Mr. Halstead advised that they did not have a record. I explained that contacting the LEPCs in Fulton County, Kentucky and Obion County, Tennessee would be required by the RMP rule. I explained that even if they do not wish to coordinate, AECl should document the attempts at coordination.

At the time of the inspection, I noted that AECl did not coordinate or have a record of coordination with local emergency response authorities for the year 2020 or 2023. However, after further review of this count, I am modifying the finding to state that AECl did not have a record of emergency coordination with local emergency response authorities for the year 2023, since the facility had deregistered in January 2020 and did not re-register their RMP until April 7, 2022, and were thus not required by the rule to coordinate with emergency response authorities in 2020.

For these reasons, I have identified the following deficiency:

6. **Associated Electric Cooperative, Inc. failed to coordinate annually with the LEPC in Kentucky and Tennessee; failed to provide the emergency response plans to the LEPC in Kentucky and Tennessee and failed to document coordination activities with local authorities for the year 2023, as required by 40 C.F.R. 68.93(a-c).**

RISK MANAGEMENT PLAN

I reviewed the requirements of 40 CFR 68 Subpart G with Mr. Halstead and noted that a PHA was performed for the new truck unloading system. I observed that the most recent RMP in CDX did not report that a new PHA for a new process had been performed.

For this reason, I identified the following deficiency:

7. **Associated Electric Cooperative, Inc. failed to update their RMP within 6 months of revising the Process Hazard Analysis (PHA), when the new truck unloading PHA was developed in 2023, as required by 40 C.F.R. 68.190(b)(5).**

I received a response from the facility that this was corrected on RMP*Info in CDX on May 23, 2024, and I have verified this correction.

EPCRA TIER II REPORTING

In preparation for this inspection, I received and reviewed Tier IIs from the Missouri Emergency Response Commission for the years 2021 through 2023. During the inspection we reviewed the Tier IIs for 2021 through 2023 and took copies of those reports (CBI Appendix 20).

I asked how they track the amount of chemicals that they report annually to Tier II and was told that they track annual quantities through purchase records.

For more details about EPCRA requirements, please visit EPA's [EPCRA Hazardous Chemical Inventory Reporting](#).

CLOSING CONFERENCE

The closing conference was conducted on May 16 at 2:34 p.m. with the following AECL staff in attendance: Mr. Halstead, Mr. Davis, Mr. Wells, Mr. Jordan Lawyer, Maintenance Manager, Mr. Kevin Morris, Assistance Coal Yard Manager, and Mr. Scott Northern, Operations Manager. I thanked everyone for their cooperation and asked Mr. Wells if he had a chance to review the US EPA CBI Notice of Questions and Answers and he answered affirmatively. I asked if any of the documents or images would need to be considered CBI. He answered that there were none. I handed Mr. Wells the United States Environmental Protection Agency Proprietary and Confidential Business Information Form and asked him to complete it and indicate that they were claiming no CBI at the time of the inspection (Appendix 2). I then presented Mr. Wells with the Receipt of Samples and Documents form and we both signed the document (Appendix 2) and Mr. Wells received a yellow copy.

Next, I went over the Preliminary Findings written on the Preliminary Findings form and discussed next steps in our process. I explained the report issuance timeline and that there were some items I would be researching once I was back in the office. I explained that I would also continue my review of the documents and photos that I had taken, and that additional findings could be added in the report or some of the preliminary findings could change. I encouraged them to start on items that could be corrected. I asked that they send correspondence of those corrections to me as soon as possible and I would include the information in the report. I explained that I would email the report to Mr. Cofas and that the report would also be mailed to the Registered Agent for the company based on information obtained from the Missouri Secretary of State's Office.

I asked if there were any additional questions for me. After no further questions, Mr. Wells and I signed the Notice of Preliminary Findings (Appendix 2) and I provided Mr. Wells with a yellow copy.

LYNELLE
LADD

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Lynelle Ladd
Compliance Inspector

DAVE
HENSLEY

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Date: 2024.08.06
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Dave Hensley
Chemical Accident Prevention
Section Chief

APPENDICES

- 1 – Photo Log and Site Map
- 2 – Inspection Forms
- 3 – Advanced Notice of Inspection Email
- 4 – RMP Report
- 5 – RMP Management Hierarchy
- 6 – Anhydrous Ammonia SDS
- 7 – Mass Energy Balance
- 8 – Process Safety Information
- 9 – Standard Operating Procedures
10. – Employee Training
- 11 – Mechanical Integrity
- 12 – Work Orders 512488, 489263 and Anhydrous Ammonia Analyzer Testing
- 13 – Management of Change
- 14 – Pre-Startup Safety Review
- 15 – Incident Investigation
- 16 – Employee Participation
- 17 – Hot Work Permit
- 18 - Contractors
- 19 – Emergency Response
- 20 – CBI Documents – Not Publicly Available

Appendix 2
Associated Electric Cooperative, Inc.
NOTICE OF PRELIMINARY FINDINGS

FIRM NAME: Associated Electric Cooperative, Inc. +

RMP/TRI NO: 100000163039

FIRM ADDRESS: 41 St. Jude Industrial Park Road

Marston, New Madrid Co., MO 63866

INSPECTOR: Lynelle Ladd

DATE: 5/16/2024

An inspection of the above facility has just been completed. The purpose of the inspection was to determine compliance with the requirements of the Clean Air Act Section 112r and Emergency Planning Community Right-to-Know Act. The following potential violations were identified:

<u>CITATION</u>	<u>DESCRIPTION</u>
1 40 CFR 68.10(d)	Failed to develop plans for conducting emergency response exercises by December 19, 2023.
2 40 CFR 68.39(a)	Worst case scenario record maintained on-site did not match the information submitted in CDX RMP Info
3 40 CFR 68.93(a-a)	Failed to coordinate annually with LEPC (KY, TN); Failed to provide Emergency Response or Action Plan to LEPC (KY, TN); and Failed to document coordination with local authorities (2020, 2023).
4 40 CFR 68.190(b)(5)	Failed to update RMP within 6 months of revising the PHA - 2023 PHA for new unloading system.

This Notice is provided to call your attention to those areas of potential noncompliance at the earliest possible time. This Notice does not constitute a Notice of Violation, Order, or Civil Action pursuant to the Emergency Planning Community Right-to-Know Act of 1986 (SARA Title III) or Section 113 of the Clean Air Act (CAA), and may not be a complete listing of all violations which may be identified as a result of this inspection.

You are encouraged to take corrective action to address these preliminary findings. Please submit the actions you take and/or a schedule of the actions to EPA in writing as soon as possible.

Lynelle Ladd

Phone: (913) 551-7138

U.S. Environmental Protection Agency
11201 Renner Blvd.
Lenexa, Kansas 66219

Corrective actions you have taken may be considered in any subsequent U.S. EPA enforcement follow-up, to the extent allowed by Agency regulations, guidance, and policies.

The undersigned hereby acknowledges receipt of a copy of this Notice.

PRINTED NAME: Jay Wells

TITLE: EHS Manager

SIGNATURE: J. Wells

DATE: 5/16/2024