EPA United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	November 1-3, 2022	
Media Program:	Air	
Regulatory Program(s)	Clean Air Act Section 112(r) and 40 C.F.R. Part 68 Chemical Accident Prevention Provisions Risk Management Plan (RMP)	
Company Name:	**Syngenta Crop Protection, LLC**	
Facility Name:	**Syngenta Crop Protection, LLC - St. Gabriel Plant**	
Facility Physical Location:	3905 Highway 75	
(city, state, zip code)	St. Gabriel, Louisiana 70776	
Mailing address:	P.O. Box 11	
(city, state, zip code)	St. Gabriel, Louisiana 70776	
County/Parish:	Iberville Parish	
Facility Phone Number	(225) 642-1100	
Facility Contact:	Todd Bartow	HSES Lead
	Todd.bartow@syngenta.com	
FRS Number:	110000597426	
Identification/Permit Number:	Air Operating Permit ID: 2898,2904,2931	
Media Identifier Number:	RMP ID: 1000 0009 2614	
NAICS:	32518 (Other Basic Inorganic Chemical Manufacturing); 32532 (Pesticide and Other Agricultural Chemical Manufacturing); 325199 (All Other Basic Organic Chemical Manufacturing	
SIC:	2879 (Agricultural Chemicals)	

Personnel participating in inspection:		
Justin McDowell	US EPA Region 6	Lead Inspector
Keri Meyers	Louisiana Department of Environmental Quality (LDEQ)	Inspector
Jamie Vicknair	LDEQ	Inspector
Glen Jenkins	LDEQ	Inspector
Ashley Suarez	LDEQ	Inspector
Todd Bartow	Syngenta Crop Protection, LLC	HSES Lead
Craig Earnest	Syngenta Crop Protection, LLC	Site Manager
Eric Fey	Syngenta Crop Protection, LLC	PSM Lead
Tim King	Syngenta Crop Protection, LLC	PSM Specialist
Kim Pagel	Syngenta Crop Protection, LLC	PSM
Bruce Raff	Syngenta Crop Protection, LLC	Environmental – Air

EPA Lead Inspector Signature/Date	JUSTIN MCDOWELL Digitally signed by JUSTIN MCDOWELL Date: 2023.01.04 17:21:59 -06'00'	
	Justin McDowell	Date
Supervisor Signature/Date	SAMUEL TATES Digitally signed by SAMUEL TATES Date: 2023.01.04 22:57:35 -06'00'	
	Sam Tates	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

United States Environmental Protection Agency (EPA) Region 6 Inspector Justin McDowell, and Louisiana Department of Environmental Quality (LDEQ) Inspectors Keri Meyers, Jamie Vicknair, and Glen Jenkins arrived at the Syngenta Crop Protection, LLC - St. Gabriel Plant (Syngenta) at 9:00 AM on Tuesday, November 1, 2022, for an announced inspection. I met with Todd Bartow and other Syngenta personnel for an opening meeting. I presented my credentials and informed Syngenta personnel that this was an EPA inspection to determine compliance with the federal Chemical Accident Prevention Program. The scope of the inspection was a partial compliance evaluation (PCE), which included an evaluation of the facility's compliance with the Clean Air Act (CAA) Section 112(r), the Chemical Accident Prevention Provisions in 40 C.F.R. Part 68, and the General Duty Clause. Syngenta's Risk Management Plan (RMP) is listed as a Program Level Three (3), Title V facility. I inquired if an employee representative was available pursuant to section 112(r)(6)(L) of the CAA to participate in this inspection and was informed that the Syngenta plant is a non-union facility.

FACILITY DESCRIPTION

The Syngenta St. Gabriel Plant manufactures and formulates pesticides and specialty chemicals. Specific processes include: 1) manufacture, formulation, and packaging of s-triazine herbicides, 2) manufacture of hydrogen cyanide, a raw material, 3) manufacture, formulation, and packaging activities for various other pesticides, herbicides, and specialty chemicals, and 4) supportive activities for the above, which include effluent treatment systems, maintenance, utilities, analytical, and quality control. This manned facility operates twenty-four hours a day, seven days a week.

Section II - OBSERVATIONS

On Wednesday, November 2, 2022, I was accompanied by Syngenta personnel to conduct a driving tour of the site, followed by a walking tour of the HCN and HPF units. These units were the focus of the audit.

Subpart A – General

40 C.F.R. § 68.10 Applicability – Syngenta is the owner/operator of a stationary source that has more than a threshold quantity of six regulated toxic substances: 1) ammonia (anhydrous), 2) sulfur dioxide (anhydrous), 3) hydrocyanic acid, 4) chlorine, 5) toulene 2, 6-diisocynate (Benzene, 1,3-diisocyanato-2-methyl) and 6) toulene 2, 4-diisocynate (Benzene, 2, 4-diisocyanato-1-methyl) and two regulated flammable substances: 1) isopropylamine (2-Propanamine) and 2) ethylamine in a covered process, as listed in 40 C.F.R. § 68.130; therefore, Syngenta is subject to the Chemical Accident Prevention Provisions. Syngenta has 1 CAA Title V Operating Permit and three Air Operating Permits (2898, 2904, and 2931). The facility is covered by the North American Industrial Classification System (NAICS) codes 32518 (Other Basic Inorganic Chemical Manufacturing), 32532 (Pesticide and Other Agricultural Chemical Manufacturing), and 325199 (All Other Basic Organic Chemical Manufacturing). Syngenta is subject to the Occupational Safety and Health Administration (OSHA) Process Safety Management (PSM) standard, 29 C.F.R. § 1910.119.

40 C.F.R. § 68.10 Program Eligibility – Syngenta re-submitted an RMP Voluntary update on June 17, 2021. Syngenta's next registration re-submittal is due on June 17, 2026, unless an update or correction is required by 40 C.F.R. § 68.190 or 40 C.F.R. § 68.195 prior to the five-year renewal date.

40 C.F.R. § 68.12 General requirements – The re-submitted RMP plan requires the facility to: develop and implement a management system; conduct a hazard assessment; implement the prevention requirements of 40 C.F.R. § 68.65 - § 68.67; develop and implement an emergency response program; and include the data elements from 40 C.F.R. § 68.175 in their RMP.

40 C.F.R. § 68.15 Management – Syngenta has developed a management system to oversee the implementation of the Risk Management Program elements. The names or positions of these people are not documented or have the lines of authority been defined through an organization chart or similar document. **[Area of Concern (AOC) 1 – 40 C.F.R. § 68.15 (c)]**

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability – Syngenta has four Program Level 3 processes subject to this subpart. The facility is required to prepare an off-site consequence analysis and complete the five-year accident history.

40 C.F.R. § 68.22 Off-site Consequence Analysis Parameters – Syngenta used RMP*Comp modeling for all of the alternative release scenarios and for the worse-case release scenario. These scenarios provided the endpoints based on the wind speed/ stability class, ambient temperature/ humidity, height of release, surface roughness, gases, and temperature.

40 C.F.R. § 68.25 Worse-case Release Scenario Analysis – Syngenta reported one worst-case release scenario that is estimated to create the greatest distance in any direction to an endpoint resulting from an accidental release of a regulated toxic substance from covered processes under worst-case conditions as well as one worst-case release scenario that is estimated to create the greatest distance in any direction to an endpoint resulting from an accidental release of a regulated flammable substance from covered processes under worst-case conditions.

40 C.F.R. § 68.28 Alternative Release Scenario Analysis – Syngenta identified and analyzed at least one alternative release scenario for each regulated toxic substance held in a covered process and at least one alternative release scenario to represent all flammable substances held in covered processes.

40 C.F.R. § 68.30 Defining Offsite Impacts - Population – Syngenta estimated 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.

40 C.F.R. § 68.33 Defining Offsite Impacts - Environment – Syngenta listed in the RMP environmental receptors within a circle with its center at the point of the release and a radius determined by the distance to the endpoint.

40 C.F.R. § 68.36 Review and Update – Syngenta has reviewed and updated the off-site consequence analyses at least once every five years.

40 C.F.R. § 68.39 Documentation – Syngenta failed to maintain the data used to estimate population and environmental receptors potentially affected for the offsite consequence analyses. Occurrences: Ammonia (anhydrous) worst-case scenario, Ammonia (anhydrous) alternate release scenario, Isopropylamine [2-Propanamine] worst-case scenario, Isopropylamine [2-Propanamine] alternate release scenario, and Ethylamine [Ethanamine] alternate release scenario. **[AOC 2 – 40 C.F.R. § 68.39(e)]**

40 C.F.R. § 68.42 Five-year accident history – Syngenta has not reported any accidental releases from the covered process that resulted in one or more of the following: on-site deaths, injuries, significant property damage on-site, known off-site deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage in its accident history.

Subpart D – Program 3 Prevention Program

40 C.F.R. § 68.65 Process Safety Information – Syngenta compiled written process safety information, which includes 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. I reviewed the Safety Data Sheets (SDSs) that detailed process safety information that includes the following data for the hazards of the substance used: toxicity information, permissible exposure limits, physical data, reactivity data, corrosivity data, thermal and chemical stability data, and the hazardous effects of inadvertent mixing of materials that could foreseeably occur. I reviewed documentation concerning the technology of the process, which included: the process chemistry, selected block flow diagrams, maximum intended inventory, safe upper and lower limits for such parameters as temperature, pressure, flow, or composition, and an evaluation of the consequences of deviation. I reviewed documentation pertaining to the equipment of the process including materials of construction, piping and instrumentation diagrams (P&IDs), electrical classification, relief system design, design basis for pressure safety valve (PSV) systems, design codes and standards employed, material and energy balances, and safety systems (i.e., process interlocks and safety instrumentation systems).

40 C.F.R. § 68.67 Process hazard analysis (PHA) – Syngenta has performed initial PHAs that identified, evaluated, and controlled the hazards involved in the processes. The facility completes each RMP PHA based on the five-year cycle from the previous PHA date. The facility uses the *Hazard and Operability Study (HAZOP)* methodology to determine and evaluate the hazards of the processes being analyzed. The PHAs reviewed were performed by a team with expertise in engineering and process operations, as well as experience and knowledge specific to the process being evaluated. PHAs have been revalidated at least every five years after the completion of the initial or previous PHA. The facility has retained the PHA updates and revalidations for the life of each process.

40 C.F.R. § 68.69 Operating Procedures – Syngenta has developed and implemented written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and which addresses the required elements. Syngenta's Emergency Shutdown procedures do not address the conditions under which emergency shutdown is required and do not assign shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner. **[AOC 3 – 40 C.F.R. § 68.69(a)(1)(iv)]** The procedures also do not address the properties of and hazards presented by the chemicals used in the process. **[AOC 4 – 40 C.F.R. § 68.69(a)(3)(i)]** The procedures also do not address the control measures to be taken if physical contact or airborne exposure occurs. **[AOC 5 – 40 C.F.R. § 68.69(a)(3)(iii)]**

40 C.F.R. § 68.71 Training – Syngenta provided an overview of their training program. Each employee involved in operating a process and each employee before being involved in operating a newly assigned process, has been initially trained in an overview of the process and in the operating procedures. The initial training includes an emphasis on safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job task. Refresher training has been provided at least every three years to the employees whose files were reviewed.

40 C.F.R. § 68.73 Mechanical Integrity (MI) – Syngenta provided these MI procedures for EPA's review:

- MNT-PDM-MNL-0095- Above Ground Storage Tanks – Mechanical Integrity Inspection Procedure
- MNT-PDM-MNL-0003- Mechanical Integrity Maintenance Quality Inspections
- MNT-PDM-MNL-0004- Piping Mechanical Integrity Inspection Procedure
- MNT-PDM-MNL-0051- Inspection, Testing, Preventative Maintenance (ITPM) Program Development
- MNT-PDM-MNL-0002- Mechanical Integrity Inspectors
- MNT-PDM-MNL-0005-Vewssels- Mechanical Integrity Inspection Procedure
- MNT-PDM-MNL-0066-Vibration Measurements, and
- MNT-PDM-MNL-0092- Equipment Lubrication Management.

The facility conducts both time-based and risk-based inspections, in accordance with the American Petroleum Institute (API) guidelines. Contractors conduct maintenance inspections of process equipment. The facility has a list of inspections that have been deferred in RMP covered process areas, including in the HCN units, that are beyond the inspection timeframe. **[AOC 6 – 40 C.F.R. § 68.73(e)]**

Table 1

Deferral List Description
PM-30SP10496 FLM ARRES. 3003F MEOH TK-M3
PM-21SP2110HA ARRESTER WEAK ACID TK VENT
PM-21PSV2103CAS RELIEF VALVE- SPEC.M3
PM-21SP2110H ARRESTER HCN STG TANK FLARE
PM-21SP2124 FOR 2107F MEOH STORAGE TANK
PM-2101FA HCN STORAGE TANK
PM-2101FB HCN STORAGE TANK

40 C.F.R. § 68.75 Management of Change (MOC) – Syngenta has established written procedures to manage changes, except for "replacements in kind", to process chemicals, technology, equipment, procedures, and for other changes to the stationary source that may affect a covered process. The MOCs reviewed assured that the following considerations are addressed prior to any change: (1) the technical basis for the proposed change; (2) impact of change on safety and health; (3) modifications to operating procedures; (4) necessary time period for the change; and, (5) authorization requirements for the proposed change. Employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process, are informed of and trained in, the change prior to start-up of the process or affected part of the process.

40 C.F.R. § 68.77 Pre-Startup Safety Review (PSSR) – Syngenta provided pre-startup safety review records for the associated MOCs reviewed. The PSSRs documented that, when the facility installed a

new process at the stationary source, or significantly modified a process at an existing source, a review was conducted prior to the introduction of the newly regulated substances. The PSSRs included the appropriate required communication and notification elements to affected employees and contractors.

40 C.F.R. § 68.79 Compliance Audits – Syngenta has not certified that they 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. **[AOC 7 – 40 C.F.R. § 68.79(a)]** The facility has not promptly determined and documented an appropriate response to each of the findings of the audit and documented that the deficiencies have been corrected. **[AOC 8 – 40 C.F.R. § 68.79(d)]**

40 C.F.R. § 68.81 Incident Investigation – Syngenta provided its Incident Investigation – Analysis and Reporting Plant Procedure C-1.09. Incident investigations are entered and tracked in the Intelex database. The facility provided the following incident investigations for review: March 15, 2022, October 2, 2022, February 3, 2021, April 14, 2021, and July 7, 2022. . Monthly safety focus meetings are used for the larger incident reviews. The facility emails the unit as well as the entire plant and corporation for notification.

40 C.F.R. § 68.83 Employee Participation – Syngenta has developed a written plan of action regarding the implementation of the employee participation required by this section.

40 C.F.R. § 68.85 Hot Work Permit – Syngenta's permits are kept for a minimum of 2 months by the issuing unit. High Risk Hot Work requires a fire watch or continuous air monitoring throughout the job. Low Risk Hot Work does not require a fire watch or continuous air monitoring. Permits expire at the designated time or end of shift, whichever is first. Permits can be extended to last a total of 24 hours but must be terminated at the end of the night shift (6am). At that time, if hot work needs to continue, a new permit must be issued. Approximately 10 permits were reviewed, including one in the field. All hot work permits were completed properly.

40 C.F.R. § 68.87 Contractors – Syngenta uses ISNetworld to obtain and evaluate information regarding the contractor's safety performance. Those rated A or B can be used. Any contract worker with a grade of C must have approval from the site HSES Manager before being allowed to perform work on the site. An MOC must be developed to document the use of the C rated contractor. An MOC must also be developed for contractors not in ISNetworld due to company size or companies that are highly specialized and the only contractor performing the required service. The contract workers get Basic Operator Plus (BOP+) and site-specific training at the Alliance Safety Council. Resident contract workers must present their current training card from Alliance along with a current Transportation Workers Identification Card (TWIC) card to obtain a security badge that allows access to the plant. If either of the trainings or the TWIC card expires, the security badge is deactivated until current credentials can be obtained. Non-resident workers go through the same process. In addition, they will receive extra safety training when they come on-site because they are not on-site every day. Non-resident workers also must check-in every day at Gate 7 to receive their security badge. If either of the two trainings or the TWIC card have expired, they are not issued a security badge. The facility periodically evaluates contract workers using the Safety Observation Form to ensure that they are following safe work practices and are wearing the proper PPE. This form is a checklist and if they receive an At-Risk rating for any item work is stopped and the unsafe activity is immediately corrected.

Subpart E – Emergency Response

40 C.F.R. § 68.90 Applicability – Syngenta is designated as a responding stationary source and is subject to the requirements of 40 C.F.R. § 68.93 - 68.95.

40 C.F.R. § 68.93 Emergency Response Coordination Activities – Syngenta failed to coordinate response needs with the local emergency planning committee in 2019 and fire department in 2019 and 2021. The facility did not provide any documentation of the annual emergency response coordination activity or documentation that the stationary source's Contingency Plan was provided to the local emergency planning committee and local fire department in 2019. In 2021, the facility did not perform the annual emergency response coordination activity with the local fire department, nor provide the Contingency Plan to the local fire department. The facility failed to request an opportunity to meet with the local emergency planning committee in 2020 and local fire department in 2020 and 2022 to review and discuss emergency response materials. Only the certified mail receipt was provided to show that the stationary source handed the Contingency Plan to the local emergency planning committee in 2020 and fire department in 2020 and 2022. Syngenta failed to provide the local emergency planning committee the stationary source's emergency response plan; updated emergency contact information; and other information necessary for developing and implementing the local emergency response plan in 2021. **[AOC 9 – 40 C.F.R. § 68.93(a)(b)(c)]**

40 C.F.R. § 68.95 Emergency Response Program – Syngenta failed to develop and implement an emergency response program for the purpose of protecting public health and the environment by failing to have documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures within the emergency response plan. Syngenta Medical Guidelines and Medical Directives for the Emergency Care of Occupational and Non-occupational Injuries and Illnesses document contains thorough emergency medical treatment necessary to treat accidental human exposures; however, it is not contained within the Contingency Plan. Syngenta stated that they will incorporate proper first-aid and emergency medical treatment necessary to treat accidental human exposures within their plan. **[AOC 10 – 40 C.F.R. § 68.95(a)(1)(ii)]**

Syngenta failed to develop and implement procedures for the use of emergency response equipment and for its inspection, testing, and maintenance. Syngenta's Contingency Plan Section 7 "Emergency Equipment" has references to the facility's emergency response equipment; however, it does not contain the inspection testing and maintenance procedures for the equipment. The facility provided the past five years of inspections of the fire hoses, level A suits, and sprinklers. **[AOC 11 – 40 C.F.R. § 68.95(a)(2)]**

Syngenta failed to implement training for all employees in relevant procedures. Syngenta uses the H-3A Emergency Team Position Training Matrix but failed to meet the frequency of training requirements that have been outlined in the Contingency Plan. **[AOC 12 – 40 C.F.R. § 68.95(a)(3)]**

40 C.F.R. § 68.96 Emergency Response Exercises – Syngenta plans to begin conducting tabletop drills and exercises in coordination with local emergency planning and response organizations before the deadline specified in the rule.

Subpart G – Risk Management Plan

40 C.F.R. § 68.190 Updates – Syngenta RMP registration renewal was re-submitted on June 17, 2021 (Voluntary update), pursuant to 40 C.F.R. § 68.190 (b)(1).

40 C.F.R. § 68.195 Required corrections – Syngenta's next RMP registration re-submission is due by June 17, 2026, unless an update or correction is required by 40 C.F.R. § 68.190 or 40 C.F.R. § 68.195 prior to the five-year renewal deadline. Syngenta's hazard assessment update will require a correction.

Closing Meeting – I, EPA Region 6 inspector Justin McDowell, conducted a closing conference on the last day of the inspection (November 3, 2022), during which I presented the areas of concern identified during the inspection.

Section III – AREAS OF CONCERN

AOC 1 – 40 C.F.R. § 68.15(c) Management

"(c) When responsibility for implementing individual requirements of this part is assigned to persons other than the person identified under paragraph (b) of this section, the names or positions of these people shall be documented, and the lines of authority defined through an organization chart or similar document."

The names or positions of these people are not documented or have the lines of authority been defined through an organization chart or similar document.

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AOC 2 – 40 C.F.R. § 68.39(e) Documentation

"(e) The owner or operator shall maintain the following records on the offsite consequence analyses: (e) Data used to estimate population and environmental receptors potentially affected."

The owner or operator failed to maintain the data used to estimate population and environmental receptors potentially affected for the offsite consequence analyses. Occurrences: Ammonia (anhydrous) worst-case scenario, Ammonia (anhydrous) alternate release scenario, Isopropylamine [2-Propanamine] worst-case scenario, Isopropylamine [2-Propanamine] alternate release scenario, and Ethylamine [Ethanamine] alternate release scenario.

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AOC 3 – 40 C.F.R. § 68.69(a)(1)(iv) Operating Procedures

"(a) The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements. (1) Steps for each operating phase: (iv) Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner."
Emergency Shutdown procedures do not address the conditions under which emergency shutdown is required and do not assign shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner.

- MMU-HER-EMR-7006 – Emergency Shutdown of R-1010
  Does not state the conditions under which the emergency shutdown is required.

Does not state who is responsible for the shutdown

- MMU-HER-EMR-7029 – Thermal Oxidizer (TO-100) Emergency Shutdown
  Does not state the conditions under which the emergency shutdown is required.
  *** It does state who is responsible for the shutdown (Karate Control Room)

AOC 4 – 40 C.F.R. § 68.69(a)(3)(i) Operating Procedures

"(a) The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements. (3) Safety and health considerations: (i) Properties of, and hazards presented by, the chemicals used in the process."

Procedures do not address the properties of and hazards presented by the chemicals used in the process. Most procedures reviewed do not have this. Only the three TDI unloading procedures addressed the hazards of TDI and also instructed operators to view the SDS.

For procedures that involve Dichloro, operators are instructed during training to look at the Dichloro Safety Manual for this information, but it is not referenced in the procedure.

AOC 5 – 40 C.F.R. § 68.69(a)(3)(iii) Operating Procedures

"(a) The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements. (3) Safety and health considerations: (iii) Control measures to be taken if physical contact or airborne exposure occurs."

Procedures do not address the control measures to be taken if physical contact or airborne exposure occurs. Most procedures reviewed do not have this. Only the three TDI unloading procedures addressed the hazards of TDI and instructed operators to view the SDS. For procedures that involve Dichloro, operators are instructed during training to look at the Dichloro Safety Manual for this information, but it is not referenced in the procedure.

AOC 6 – 40 C.F.R. § 68.73(e) Mechanical Integrity

"(e) ***Equipment deficiencies.*** The owner or operator shall 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."

Deferred inspections in the RMP Covered units (i.e. HPF unit) are beyond the inspection timeframes.

Deferral List Description
PM-30SP10496 FLM ARRES. 3003F MEOH TK-M3
PM-21SP2110HA ARRESTER WEAK ACID TK VENT
PM-21PSV2103CAS RELIEF VALVE- SPEC.M3
PM-21SP2110H ARRESTER HCN STG TANK FLARE
PM-21SP2124 FOR 2107F MEOH STORAGE TANK
PM-2101FA HCN STORAGE TANK
PM-2101FB HCN STORAGE TANK

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AOC 7 – 40 C.F.R. § 68.79(a) Compliance Audits

"(a) The owner or operator shall certify that they have 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."

Syngenta has not certified that they 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.
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AOC 8 – 40 C.F.R §68.79 (d) Compliance Audits

"(d) The owner or operator shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected."
The facility has not promptly determined and documented an appropriate response to each of the findings of the audit and documented that the deficiencies had been corrected.

The 2021 audit notes 3 repeat findings from the 2018 CA.

1. Finding 00005 in the 2021 CA relates to the 00017 and 00018 findings in the 2018 PHA.
2. Finding 00014 in the 2021 CA relates to the 00023 finding in the 2018 PHA.
3. Finding 00018 in the 2021 CA relates to the 00024 finding in the 2018 PHA.

The 2018 audit notes 2 repeat findings from the 2016 CA. Also, there are 12 findings that were completed after the facility's due date.

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AOC 9 – 40 C.F.R § 68.93(a), (b), and (c) Emergency response coordination activities

"(a) Coordination shall 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."

"(b) Coordination shall include providing to the local emergency planning and response organizations: The stationary source's emergency response plan if one exists; emergency action plan; updated emergency contact information; and other information necessary for developing and implementing the local emergency response plan. For responding stationary sources, coordination shall also include

consulting with local emergency response officials to establish appropriate schedules and plans for field and tabletop exercises required under § 68.96(b). The owner or operator shall request an opportunity to meet with the local emergency planning committee (or equivalent) and/or local fire department as appropriate to review and discuss those materials."

"(c) The owner or operator shall 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."

Syngenta failed to coordinate response needs with the local emergency planning committee in 2019 and fire department in 2019 and 2021. The facility did not provide any documentation of the annual emergency response coordination activity or documentation that the stationary source's Contingency Plan was provided to the local emergency planning committee and local fire department in 2019. In 2021, the facility did not perform the annual emergency response coordination activity with the local fire department, nor provide the Contingency Plan to the local fire department.

The facility failed to request an opportunity to meet with the local emergency planning committee in 2020 and local fire department in 2020 and 2022 to review and discuss emergency response materials. Only the certified mail receipt was provided to shown that the stationary source handed the Contingency Plan to the local emergency planning committee in 2020 and fire department in 2020 and 2022.

Syngenta failed to provide the local emergency planning the stationary source's emergency response plan; updated emergency contact information; and other information necessary for developing and implementing the local emergency response plan in 2021.

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AOC 10 – 40 C.F.R § 68.95 (a)(1)(ii) Emergency Response Program

"(a) The owner or operator shall develop and implement an emergency response program for the purpose of protecting public health and the environment. Such program shall include the following elements: (1) An emergency response plan, which shall be maintained at the stationary source and contain at least the following elements: (ii) Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures."

The owner or operator failed to develop and implement an emergency response program for the purpose of protecting public health and the environment by failing to have documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures within the emergency response plan.

Syngenta Medical Guidelines and Medical Directives for the Emergency Care of Occupational and Non-occupational Injuries and Illnesses document contains thorough emergency medical treatment necessary to treat accidental human exposures; however, it is not contained within the Contingency plan. Josh stated that they will incorporate proper first-aid and emergency medical treatment necessary to treat accidental human exposures within their plan.

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AOC 11 – 40 C.F.R § 68.95(a)(2) Emergency Response Program

"(a) The owner or operator shall develop and implement an emergency response program for the purpose of protecting public health and the environment. Such program shall include the following elements: (2) Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance."

Syngenta failed to develop and implement procedures for the use of emergency response equipment and for its inspection, testing, and maintenance. Syngenta's Contingency Plan Section 7 "Emergency Equipment" has references to the facility's emergency response equipment; however, it does not contain the inspection testing and maintenance procedures for the equipment. The facility provided the past five years of inspections for fire hoses, level A suits, and sprinklers.
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AOC 12 – 40 C.F.R § 68.95(a)(3) Emergency Response Program

"(a) The owner or operator shall develop and implement an emergency response program for the purpose of protecting public health and the environment. Such program shall include the following elements: (3) Training for all employees in relevant procedures."

Syngenta failed to implement training for all employees in relevant procedures. Syngenta uses the H-3A Emergency Team Position Training Matrix but failed to meet the frequency of training requirements that have been outlined in the Contingency Plan.
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Section IV – FOLLOW UP

The following information was received by EPA on November 29, 2022, after exiting the Facility on November 3, 2022: Confidential Business Information and additional supporting data related to the Areas of Concern documented in this report.

Section V – LIST OF APPENDICES

There are no photos, videos, or other appendices in this report.