

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	January 6 - 9, 2026	
Media Program:	Air	
Regulatory Program(s)	Clean Air Act Section 112(r) and 40 Code of Federal Regulations (C.F.R.) Part 68 Chemical Accident Prevention Provisions – Risk Management Program (RMP)	
Company Name:	Delta Petroleum Company, Inc.	
Facility Name:	Delta Baytown	
Facility Physical Location:	233 Delta Parkway	
(city, state, zip code)	Baytown, Texas 77523	
Mailing address:	334 Tidal Road	
(city, state, zip code)	Houston, Texas 77536	
County/Parish:	Chambers County	
Facility Phone Number	281-923-2132	
Facility Contact:	Frank Ingrassia	General Complex Manager
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FRS Number:	110045464519	
Identification/Permit Number:	N/A	
Media Identifier Number:	100000213823	
NAICS:	49319: Other Warehousing and Storage	
SIC:	N/A	
Personnel participating in inspection:		
Charese Simpson	EPA Region 6	Lead Inspector
Robert Andrade	Delta Baytown	Sr. Manager HSE
Tim Thurmond	Delta Baytown	Quality Manager
Evan Dyer	Delta Baytown	HSE Specialist
Thomas Lopez	Delta Baytown	HSE Specialist
Frank Ingrassia	Delta Baytown	Director of Operations
EPA Lead Inspector Signature/Date		
	Charese Simpson	Date
Supervisor Signature/Date		
	Kayla Buchanan	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I, United States Environmental Protection Agency (EPA) Region 6 Inspector, Charese Simpson, arrived at the Delta Petroleum Company, Inc. (Delta Baytown) facility at 9:00 AM on Tuesday, January 6, 2026, for an announced inspection. I met with Frank Ingrassis (Director of Operations) and other Delta Baytown representatives for an opening meeting **[Appendix 1]**. I presented my credentials and informed the Delta Baytown team 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)(1) & (7), the General Duty Clause and the Chemical Accident Prevention Provisions in 40 C.F.R. Part 68. Delta Baytown's Risk Management Plan (RMP) lists the facility as a Program Level Three (3) 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 Delta Baytown is a non-union facility.

FACILITY DESCRIPTION

Delta Baytown is located at 233 Delta Parkway Baytown, Texas, 77523, in Chambers County. Delta Baytown's primary activities are packaging, warehousing, and distribution of chemicals. Delta Baytown receives regulated substances in bulk tanker trucks, rail cars, and iso tanks and transfer them to 55-gallon drums, 320-gallon and 275-gallon totes and other smaller containers. Filled containers are then warehoused or shipped depending on customer specifications. Delta Baytown's regulated process includes one Program Level 3 RMP-Covered Process. The facility handles six regulated, toxic chemicals and six flammable chemicals under the Risk Management Program. Delta Baytown has approximately 70 full-time employees that work at the site.

Section II – OBSERVATIONS

On Wednesday, January 7, 2026, I was accompanied by Robert Andrade, Thomas Lopez, and other representatives from Delta Baytown to conduct a tour of the site, which included the loading area and fill station operation. While on the tour, I observed the covered process, emergency equipment/devices, totes, and other process equipment. Delta Baytown's employees can access standard operating procedures (SOPs) electronically. In addition, the facility obtains up-to-date, hard copies of SOPs to access in case of a power outage or emergency. Prior to the tour, I was provided with piping and instrumentation diagrams (P&IDs) and a block flow diagram of the process that assisted in the tour.

Subpart A – General

40 C.F.R. § 68.10 Applicability – Delta Baytown is subject to the Occupational Safety and Health Administration (OSHA) process safety management (PSM) standard, 29 C.F.R. § 1910.119, and has one

Program Level 3 process under OSHA PSM. In addition, Delta Baytown has more than threshold quantities of regulated substances (toxic and flammable) in its process; therefore, these regulations are applicable.

40 C.F.R. § 68.12 General Requirements – I reviewed Delta Baytown’s RMP registration submitted on January 20, 2023. It listed the toxic and flammable chemicals for its Program 3 process.

40 C.F.R. § 68.15 Management – Delta Baytown developed a management system to oversee the implementation of risk management program elements, documented the positions responsible for implementing the individual requirements of the risk management program, and defined the lines of authority using its RMP Management Organizational Chart.

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability – Delta Baytown has one Program Level 3 processes subject to this subpart. Delta Baytown 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 – Delta Baytown employed the parameters specified by EPA in this rule by using the RMP*Comp™ software. I reviewed the offsite consequence analysis and supporting documentation to assure the data was accurate and correct.

40 C.F.R. § 68.25 Worse-Case Release Scenario Analysis – Delta Baytown identified and analyzed at least one worst-case scenario for each toxic and flammable substance in its Program 3 process using the RMP* Comp™ software, thus meeting the requirements of the regulation.

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

40 C.F.R. § 68.30 Defining Off-Site Impacts - Population – Delta Baytown used the most current Census Bureau population data and the distances to endpoints, as specified in the regulation, to calculate the population numbers reported in their RMP.

40 C.F.R. § 68.33 Defining Off-Site Impacts - Environment – Delta Baytown identified environmental receptors in the distance to the endpoint or in the vicinity of the facility, as appropriate, in the area maps used for the modeling.

40 C.F.R. § 68.36 Review and Update – Delta Baytown reviewed and updated the off-site consequence analyses at least once every five years, as required by this subpart.

40 C.F.R. § 68.39 Documentation – Delta Baytown maintained records of the off-site consequence analyses, in accordance with this subpart. These records included:

- documentation of vessels or pipelines;
- substances selected for worse case and alternative release scenarios;
- documentation of estimated quantity released, release rate, and duration of release;
- methodology used to determine distance to endpoint; and,
- data used to estimate population and environmental receptors.

40 C.F.R. § 68.42 Five-year accident history – I reviewed Delta Baytown’s five-year accident history and OSHA 300 Log of Work-Related Injuries and Illnesses logs for 2022 – 2024. I did not identify 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, 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 – Delta Baytown compiled written process safety information, which included information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, and information pertaining to the equipment in the process. Delta Baytown provide Safety Data Sheets (SDSs) for the process chemicals as well as detailed process safety information that contained the following data for the hazards of the substances 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 a block flow diagram, process chemistry, maximum intended inventory, safe upper and lower limits for such items as: temperatures, pressures, flows or compositions, and an evaluation of the consequences of deviation for each covered process. I reviewed documentation pertaining to the equipment of the process, including materials of construction, P&IDs, electrical classification, relief system design and design basis, design codes and standards employed, material and energy balances, and safety systems.

40 C.F.R. § 68.67 Process hazard analysis (PHA) – Delta Baytown has a comprehensive program to help ensure that hazards associated with the various processes are identified and controlled. Within this program, each covered process is systematically examined to identify hazards and ensure that adequate controls are in place to manage these hazards. Delta Baytown primarily uses the “What-If” and checklist methods to perform these evaluations. The analyses are conducted using a team of people who have operating, maintenance, and engineering expertise. The PHA was performed by a team with expertise in engineering and process operations. The team included at least one employee who had experience and knowledge that was specific to the process being evaluated and one employee who was knowledgeable in the specific PHA methodology used.

I reviewed the facility's PHAs dated December 2022 and March 2025 for their process. In addition, I reviewed Delta Baytown's facility siting evaluation and their human factors checklist. Both PHAs addressed the hazards of the process and included: identification of any incident that had a likely potential for catastrophic consequences; engineering and administrative controls applicable to hazards and their interrelationships; human factors; and an evaluation of a range of the possible safety and health effects of failed controls.

Delta Baytown currently utilizes Compliance Management System (CMS), a third-party software system, to track and promptly address the PHA team's findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions. During the inspection, I reviewed the facility's tracking system that contained actions items from their PHAs. I also followed up to ensure the actions were officially closed through the facility's management of change process. All action items are currently closed in the system.

40 C.F.R. § 68.69 Operating Procedures – Delta Baytown developed and implemented written operating procedures that provide instructions or steps for conducting activities associated with each covered process, consistent with the safety information. The SOPs I reviewed addressed: the steps for each operating phase (initial and normal startup, normal operations, temporary operations, emergency operation and shutdown, normal shutdown, and startup following a turnaround or after emergency shutdown); the consequences of deviation and mechanisms to correct and/or avoid deviation; safety and health considerations; the properties of, and hazards presented by, chemicals used in the process; the precautions necessary to prevent exposure; quality control for raw materials; and, the safety systems and their functions. Operating procedures are accessible to process operators, and other employees, electronically. In addition, hard copies of SOPs are kept in the control room and are updated whenever a change is made. Delta Baytown is required to annually certify that operating procedures are current and accurate. I requested Delta Baytown's operating procedure certifications. The facility certified annually that their operating procedures are current and accurate.

40 C.F.R. § 68.71 Training – I reviewed Delta Baytown's training program procedure and employee training records. The facility's training program ensured that each employee presently operating the covered process, and each employee newly assigned to a covered process are trained or tested to qualify as competent in an overview of the process and in the operating procedures that pertain to their duties. In addition, Delta Baytown operator(s) must go through a training program, which includes the following: on-the-job training, a testing process that is written and computer-based, and a series of field demonstration tests. I reviewed several individuals' training documents. Delta Baytown is required to provide refresher training every three years, and more often, if necessary, to each employee involved in operating a process to ensure that the employee understands and adheres to the current operating procedures of the process. I requested documentation to ensure that operators understood the training.

Delta Baytown provided sufficient documentation for the means of verification that the operators understood the training.

40 C.F.R. § 68.73 Mechanical Integrity – I reviewed the written procedures Delta Baytown established to maintain the ongoing integrity of its process equipment. I spoke with Mr. Jason Allison who explained the facility's mechanical integrity program and procedures. I reviewed the facility's inspection records for several gaskets, seals, safety valves and other RMP covered equipment. In addition, I requested any overdue inspection or testing on fixed or rotating RMP equipment. Delta Baytown indicated and provided documentation to show that there was no overdue process equipment at the time of the inspection. Delta Baytown utilizes appropriate equipment surveillance and preventative maintenance activities for the process equipment. Delta Baytown uses E-maintenance software for which all preventative maintenance tasks are entered. I observed no areas of concern within this element at the time of the inspection.

40 C.F.R. § 68.75 Management of Change (MOC) – I reviewed Delta Baytown's MOC procedure. The written MOC procedure assured the facility managed changes to process chemicals, technology, equipment, procedures, and changes to stationary sources that affect a covered process. The procedure assured that the following considerations were addressed prior to any change: technical basis for change, impact of change on safety and health, modifications to operating procedures, necessary time period for the change, and authorization requirements for a proposed change. I requested a sample of MOCs. Delta Baytown did not have any MOCs to review during the inspection. I observed no areas of concern within this element at the time of the inspection.

40 C.F.R. § 68.77 Pre-startup Safety Review (PSSR) – I requested Delta Baytown's pre-startup safety reviews for any associated MOCs. There were no PSSRs available to review at the time of the inspection. After implementation of an MOC, the MOC Initiator shall attach all relevant documentation to the MOC record. This could include, but is not limited to, as-built P&IDs, red-lined SOPs, training documentation and the completed PSSR.

40 C.F.R. § 68.79 Compliance Audits – I requested to review two of Delta Baytown's compliance audits. Delta Baytown provided their most recent certified RMP Compliance Audit which they conducted in 2023. The facility failed to provide the previous compliance audit conducted in 2021. **[AOC #1- 40 C.F.R. § 68.79(e)] [Appendix #2]**. However, during the inspection, the facility representatives stated that the next compliance audit would be conducted on January 17, 2026. The facility provided their January 17, 2026, compliance audit post-inspection as supplemental documentation. Both the 2023 and 2026 compliance audits were conducted by at least one person knowledgeable in the process. The audit team consists of Delta Baytown's employees and resources not residing at the facility. When conducting its RMP compliance audits, Delta Baytown uses procedural reviews, interviews, field verifications, and a representative sampling of records which provided insight into the adequacy of the design and implementation of the program relative to the requirements of EPA's RMP rule and OSHA PSM standards. Delta Baytown also provided their compliance audit certifications.

40 C.F.R. § 68.81 Incident Investigation – Delta Baytown did not have any incident investigations that occurred within the past five years. If in the event of an incident, Delta Baytown’s incident investigation team will consist of at least one person knowledgeable in the process involved. Delta Baytown has an incident management standard work practice procedure for both near-miss and incident reporting. Delta Baytown did not have any RMP related incidents that could have resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance.

40 C.F.R. § 68.83 Employee Participation – Delta Baytown developed a written plan of action regarding the implementation of the employee participation required by this section, which is integrated into the program elements. The written plan describes how they consult with employees on the performance and development of process hazard analyses, and on the development of the other elements of process safety management required under the rule. The action plan provides employees access to process hazard analyses and to all other information that must be developed under this rule.

40 C.F.R. § 68.85 Hot Work Permit – Delta Baytown provided their hot work and safe work procedure that detailed guidance for hot work/safe work activities at the site. The facility discussed the process for conducting hot work onsite. I requested and reviewed a sample of hot work permits. One hot work permit (#03703) dated 12/8/25 in the warehouse failed to document that a Firewatch was present after the work. The hot work did indicate that a spark-producing tool was used during the work. The permit shall document that fire prevention and protection requirements 29 CFR 1910.25(a) have been implemented. The permit shall document that the fire prevention and protection requirements in 29 CFR 1910.252(a) have been implemented prior to beginning the hot work operations; it shall indicate the date(s) authorized for hot work; and identify the object on which hot work is to be performed. **[AOC #2- 40 C.F.R. § 68.85(b)] [Appendix #3].**

40 C.F.R. § 68.87 Contractors – I reviewed Delta Baytown’s contractor procedure. Delta Baytown evaluates contractors through their contractor packet. The packet consists of pre-qualification forms, evaluations, and screening questions to appropriately select the contractor. Their system requires each contractor to be evaluated based on the risk category of their work. All contractors that will perform work at the facility shall receive and maintain the following training prior to work: OSHA Training, Houston Area Safety Council Training, Unit Specific Training, and Contractor Specific Training. Contractors are also informed of known potential hazards, provisions of the Emergency Action Plan (EAP), and health and safety procedures through the work permit procedure. The facility implements safe work practices consistent with 40 C.F.R. § 68.69(d), to control the entrance and exit of the contract employees via the security gate.

Subpart E – Emergency Response

40 C.F.R. § 68.90 Applicability – Delta Baytown is designated as a “non-responding” stationary source in case of an accidental release of a regulated substance; therefore, the facility need not comply with the requirements of 40 C.F.R. § 68.95.

40 C.F.R. § 68.93 Emergency Response Coordination Activities – I reviewed Delta Baytown’s Emergency Action Plan (EAP). The EAP indicates that it is intended to provide a standard for preparing for a fire, explosion and chemical release to ensure the safety of associates. I requested coordination documentation with the local fire department and other local emergency planning and response organizations. Delta Baytown failed to provide documentation of coordination of response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance. This includes coordination documentation with Delta Baytown’s LEPC that includes 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. While Delta Baytown provided scheduled fire drill documentation, this documentation does not meet the requirements of 68.93(b) or (c). **[AOC #3 - 40 C.F.R. § 68.93(b) and (c)] [Appendix #4].**

40 C.F.R. § 68.96 Emergency Response Exercises – As part of coordination with local emergency response officials, required by §68.93, Delta Baytown failed to conduct emergency response exercises testing notification mechanisms. In addition, the facility failed to provide any documentation of notification exercises being implemented. At least once each calendar year, the owner or operator of a stationary source with any Program 2 or Program 3 process shall conduct an exercise of the stationary source's emergency response notification mechanisms required under § 68.90(b)(3) or § 68.95(a)(1)(i), as appropriate, before December 19, 2024, and annually thereafter. Owners or operators of responding stationary sources may perform the notification exercise as part of the tabletop and field exercises required in paragraph (b) of this section. The owner/operator shall maintain a written record of each notification exercise conducted over the last five years **[AOC #3 - 40 C.F.R. § 68.96(a)]**. Delta Baytown also failed to conduct and document emergency response exercises that test response to the release of RMP regulated substances, including simulated ambient air release scenarios and associated notification exercises, as required by 68.96(b). Fire drills conducted by the facility, even with fire department participation, do not test chemical-specific emergency response actions and do not demonstrate compliance with the RMP exercise requirements. The facility was unable to provide documentation of any emergency response exercises involving simulated releases of RMP regulated chemicals. Although the facility has emergency response procedures in place, the absence of documented emergency response exercises testing chemical release scenarios indicated that the facility has not demonstrated the implementation of their EAP **[AOC #4 - 40 C.F.R. § 68.96(b)]**.

Section III – AREAS OF CONCERN

AOC 1 – Compliance Audits – 40 C.F.R. § 68.79(e) *The owner or operator shall retain the two (2) most recent compliance audit reports.*

Delta Baytown failed to provide the previous compliance audit conducted in 2021 at the time of the inspection.

AOC 2 – Hot Work Permit – 40 C.F.R. § 68.85(b) *The permit shall document that the fire prevention and protection requirements in 29 CFR 1910.252(a) have been implemented prior to beginning the hot work operations; it shall indicate the date(s) authorized for hot work; and identify the object on which hot work is to be performed.*

Delta Baytown failed to document on hot permit #03703 that a Firewatch was present after the work. The hot work permit did indicate that a spark-producing tool was used during the work. The permit shall document that fire prevention and protection requirements 29 CFR 1910.25(a) have been implemented. The permit shall document that the fire prevention and protection requirements in 29 CFR 1910.252(a) have been implemented prior to beginning the hot work operations; it shall indicate the date(s) authorized for hot work; and identify the object on which hot work is to be performed.

AOC 3 – Emergency Response Coordination Activities – 40 C.F.R. § 68.93(b) and (c) *The owner or operator of a stationary source shall coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance.*

(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.

Delta Baytown failed to provide documentation of coordination of response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance. This includes coordination documentation with Delta Baytown's LEPC that includes 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. While Delta Baytown provided scheduled fire drill documentation, this documentation does not meet the requirements of 68.93(b) or (c).

AOC 4 – Emergency Response Exercises – 40 C.F.R. § 68.96(a) *Notification exercises. At least once each calendar year, the owner or operator of a stationary source with any Program 2 or Program 3 process shall conduct an exercise of the stationary source's emergency response notification mechanisms required under § 68.90(b)(3) or § 68.95(a)(1)(i), as appropriate, before December 19, 2024, and annually thereafter. Owners or operators of responding stationary sources may perform the notification exercise as part of the tabletop and field exercises required in paragraph (b) of this section. The owner/operator shall maintain a written record of each notification exercise conducted over the last five years.*

Delta failed to conduct emergency response exercises testing notification mechanisms. The facility failed to provide any documentation of notification exercises being implemented.

AOC 5 – Emergency Response Exercises – 40 C.F.R. § 68.96(b) *Emergency response exercise program. The owner or operator of a stationary source subject to the requirements of § 68.95 shall develop and implement an exercise program for its emergency response program, including the plan required under § 68.95(a)(1). Exercises shall involve facility emergency response personnel and, as appropriate, emergency response contractors. When planning emergency response field and tabletop exercises, the owner or operator shall coordinate with local public emergency response officials and invite them to participate in the exercise.*

Delta failed to conduct and document emergency response exercises that test response to the release of RMP regulated substances, including simulated ambient air release scenarios and associated notification exercises, as required by 68.96(b). Fire drills conducted by the facility, even with fire department participation, do not test chemical-specific emergency response actions and do not demonstrate compliance with the RMP exercise requirements. The facility was unable to provide documentation of any emergency response exercises involving simulated releases of RMP regulated chemicals.

The facility conducts fire drills with participation from the local fire department; however, these drills are limited to fire response and employee evacuation and do not include simulated releases of RMP regulated substances, such as ambient air release scenarios. In addition, the facility was unable to provide documentation demonstrating that emergency response exercises involving simulated chemical

releases have been conducted, including exercises that test emergency notification and coordination for their RMP covered process and chemicals.

Although the facility has emergency response procedures in place, the absence of documented emergency response exercises testing chemical release scenarios indicated that the facility has not demonstrated the implementation of their Emergency Action Plan.

Closing Conference

EPA Region 6 inspector, Charese Simpson (I), conducted a closing conference at Delta Baytown on January 9, 2026. During the closing conference, I reviewed the areas of concern noted above. There were field questions from Delta Baytown's personnel, and I provided information about the next steps in the inspection process.

Section IV – FOLLOW UP

Delta Baytown provided their compliance audit dated January 13, 2026, as supplemental documentation.

Section V – LIST OF APPENDICES (Confidential Business Information (CBI) appendices are not included in published version of the report)

- Appendix 1 – Opening/Closing Sign-in Sheet
- Appendix 2 – January 2026 Compliance Audit
- Appendix 3 – Hot Work Permit #03703 and Hot Work Program Procedure
- Appendix 4 – Emergency Action Plan and scheduled fire drills documentation