



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

348 COURTLAND STREET
ATLANTA, GEORGIA 30368

RECEIVED

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

A. T. DIGLIO

Mr. Dexter Baker
Chief Executive Officer
Air Products & Chemicals, Inc.
P. O. Box 18195
Allentown, PA 18067

Re: Request for Information Pursuant to Section 3007 of the Resource Conservation and Recovery Act, and Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act, as Amended, Pertaining to the Releases of Hazardous Materials from the Air Products and Chemicals, Inc. Facility in Calvert City, Kentucky

Dear Mr. Baker:

The United States Environmental Protection Agency (EPA) is presently investigating the circumstances surrounding the releases of hazardous materials and/or other substances from the above-referenced facility as outlined below:

Release Occurring
On or About:

Chemical
Released:

April 21, 1987
April 28, 1987

Vinyl chloride
Vinyl chloride

Our investigation concerns the actions that have been taken as a result of the release and the potential for future releases from the above-referenced facility which may endanger public health or the environment.

We request that you provide us with all information and copies of documents described below. Please be advised that this information is being requested pursuant to the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6927, as amended, and Section 104 of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. Section 9604, as amended by the Superfund Amendments and Reauthorization Act, P.L. 99-499. To the extent that one or more of the releases referenced above was a release to or in the air, or any navigable waters, or the environment, this information is also being requested pursuant to the authority of Section 114 of the Clean Air Act, 42 U.S.C. Section 7414, as amended, or Section 308 of the Federal Water Pollution Control Act (also known as the Clean Water Act), 33 U.S.C. Section 1318, as amended.

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Section 101 of CERCLA as amended, defines release as follows:

"'release' means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (A) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (B) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (C) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act, or, for the purposes of section 104 of this title or any other response action, any release of source byproduct, or special nuclear material from any processing site designated under section 102(a)(1) of the Uranium Mill Tailings Radiation Control Act of 1978, and (D) the normal application of fertilizer;"

Section 3007 of RCRA and Section 104 of CERCLA authorize the Administrator of the EPA to require any person who generates, stores, treats, transports, disposes of, or otherwise handles hazardous substances, including hazardous waste, to furnish information related to such substances for the purpose of regulation, enforcement, or determining the need to respond to releases of hazardous substances.

Pursuant to these statutory provisions, you are hereby directed to answer the questions and otherwise provide the information set out in the enclosed "Release Prevention Questionnaires". Some of the questions asked in the questionnaire are asked in order to confirm information received at the time the releases were reported. A separate questionnaire should be submitted for each release. You may reproduce the questionnaire locally, or you may submit a computer printout that provides the requested information in the same format as the questionnaire for each individual release cited in the first paragraph of this letter. Your response should include all information which is in your possession, custody or control, or which is in the possession, custody, or control of any of your employees, officers, agents, contractors, or attorneys. Your responses must be sent to EPA within thirty (30) calendar days of your receipt of this letter.

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Under Section 3008 of RCRA (42 U.S.C Section 6928), failure to comply with the request for information may result in an order requiring compliance and assessing civil penalties of up to \$25,000 per day for each day of non-compliance. You may also be liable for civil penalties under CERCLA, as amended, or, where appropriate, under the Clean Water Act, or the Clean Air Act. There may also be criminal penalties under CERCLA or RCRA or both for any person who knowingly omits material information, or makes any false material representation, or knowingly destroys, mutilates, erases, disposes of, conceals, or otherwise renders unavailable any records or documents relating to any release.

You are entitled to assert a claim of confidentiality for any information produced that if disclosed to persons other than officers, employees, or duly authorized representatives of the United States concerned with carrying out statutory authority would divulge information entitled to protection under Section 1905 of Title 18 of the United States Code. The information required hereby must be produced notwithstanding its possible characterization as confidential information or trade secrets. Any information entitled to protection as trade secrets will be maintained as confidential pursuant to procedures set forth in 40 Code of Federal Regulations, Part 2, Subpart B. Any request for confidentiality must be made when the information is produced, since any information not so identified cannot be accorded this protection by the Agency and may be made available to the public without further notice.

This request for information is continuing, and to the extent that your responses may be modified as a result of information acquired by you subsequent to your reply, you are requested to promptly supplement your answers reflecting such changes.

Your response should be sent to:

Mr. Henry T. Hudson, Chief
Preparedness and Planning Unit
Emergency Response and Control Section
Waste Management Division
U.S. Environmental Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365

A copy of each response or portion of a response you make which is not claimed as confidential business information or a trade secret should be sent to:

Mrs. Charlotte E. Baldwin, Secretary
Kentucky Natural Resources and
Environmental Protection Cabinet
Capital Plaza Tower
Frankfort, KY 40601

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If you need further information or have any questions, please contact Mr. Henry Hudson or Ms. Cynthia Peurifoy at 404/347-3931.

Sincerely yours,

for Lee A. DeHihns, III
Lee A. DeHihns, III
Acting Regional Administrator

Enclosure

cc: Mr. H. Ortega, Plant Manager
Air Products & Chemicals, Inc.
Calvert City, Kentucky

Mrs. Charlotte E. Baldwin, Secretary
Kentucky Natural Resources and
Environmental Protection Cabinet

Colonel James H. Molloy
Chairman, KY Emergency Response Commission

AP00036852

OMB #: 2050-0065
Expires: March 31, 1988

U.S. Environmental Protection Agency

Release Prevention Questionnaire

Instructions

General Instructions

This questionnaire requests information to supplement reports you may have submitted to the National Response Center and other federal, state, or local authorities. The instructions below explain the questionnaire organization, define key words used in the questions, and give specific examples of responses to each type of question.

Please read the instructions and examples before you answer the questions. When you complete the questionnaire, place the completed form in the addressed envelope. If you need further assistance, please contact the person identified in the cover letter.

Organization

The questionnaire is divided into three sections. All questions must be answered.

Section I-Facility Profile: This section asks several general questions about your facility: location, age, ownership and current status of operations.

Section II-Hazardous Substance Release Profile: This section asks several key questions concerning the reported release. It is important that you respond as accurately as you can based on the information available to you. If additional comments would clarify your response, please note your comments on additional sheets of paper.

Section III-Cleanup and Prevention Profile: This section concludes the questionnaire with several questions concerning your efforts to respond to the release. These questions ask you to provide, in your own words, your assessment of the effectiveness of prevention plans and equipment at your facility and any changes that will be initiated because releases occurred. While space is provided for your response, clarity and specificity should not be sacrificed for brevity; attach additional pages if necessary.

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Definitions

The questionnaire uses certain terms in precise senses. Please refer to the definitions below to clarify the meaning of terms in the questionnaire.

Owner: The legally designated individual, partnership, corporation, or parties that own the facility.

Standard Industrial Classification: The federal government categories of business activity. See Standard Industrial Classification Manual, Office of Management and Budget, U.S. Government Printing Office, Washington, D. C.

Release: Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

Hazardous substance: Any element, compound, mixture, solution, or substance designated under section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act or section 3001 of the Solid Waste Disposal Act.

Local authority: Any local government official with some responsibility for activities related to hazardous substance releases (e.g., fire department).

State authority: Any state government official responsible for remedial or related activities connected with a hazardous substance release (e.g., state transportation office).

Federal authority: Any federal government official delegated responsibility under the Superfund statute for activities related to hazardous substance releases (e.g., National Response Center, Environmental Protection Agency and its regional offices).

General public: Persons not present within the facility boundaries at the time the release occurred (e.g., residents near the facility).

Process vessel: A tank, vat, or other container in which substances are either blended to form a mixture or reacted to convert them to some other final product or form.

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Storage vessel: Any container (e.g. tank, drum, bottle, tankcar, cylinder) used to hold a raw or input material, a product, or a by-product at ambient conditions or at an elevated or reduced temperature or pressure.

Equipment failure: Failure of equipment which allows a situation where substances may be released from the equipment.

Operator error: A mistake (e.g., leaving a valve open, failure to respond to process alarms, failure to maintain process variables or conditions at set points) made during operation of a process by the operator resulting in a potential release of feedstocks, by-products, or products.

Bypass: A pipe or channel providing an alternate pathway for gas or liquid streams that avoids the main pathway by detouring around it.

Upset: A malfunction or failure of process controls, alarms, or backup systems due to operator error, mechanical or equipment failure, or impingement by unexpected events such as fire, explosion, power loss, or water loss.

Spill: The unintentional or accidental release or flow of a substance from a container causing a loss of the substance.

Vapor release: Escape of a gas from a storage or process vessel or from the vaporization of volatile liquids.

Migration: The movement of a substance from one place to another in air, water, soil, or other media.

Facility boundary: Fence line or property line marking the perimeter of a facility.

Containment system: A series of curbs, vaults, ponds, and the like which serve to collect and temporarily hold spilled materials until such time as they are removed or transferred to a secure storage vessel.

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Examples of Questions

Example A

Several questions require a simple marked response to a precoded answer. The example below shows a correct response.

6a. Check the item below that best describes the status of facility operations at the time of release.

- a. ☒ In operation
- b. ☐ Temporarily inactive
- c. ☐ Permanently closed

Example B

Several questions require you to answer with data. A correct response is shown in the example below.

7. Indicate the date release occurred.

[0] [6] - [1] [1] - [8] [6]
(month) (day) (year)

Example C

Some questions require you to describe an answer because the available answers to the question do not cover your situation.

15. Please check the one item below that best describes the location of the release within your facility.

- ☐ Process vessel
- ☐ Storage vessel
- ☐ Valves
- ☐ Piping
- ☐ Unknown
- ☒ Other (please describe)

Secondary containment vault

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Example D

A few questions require you to fill in tables with data or information from your facility. One example is shown below. Other tables are similar.

- 24.a. Identify in the table below the name of each hazardous substance released, the quantity released, and the concentration and physical state at the time of release.

	<u>NAME</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>PHYSICAL STATE</u>	<u>CONCENTRATION</u>
1.	Anhydrous Ammonia	50	lbs	solid	95%
2.					
3.					
4.					

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Expires: March 31, 1988

U.S. ENVIRONMENTAL PROTECTION AGENCY
RELEASE PREVENTION QUESTIONNAIRE

INITIAL REPORT

SECTION 1. FACILITY PROFILE

1. FACILITY NAME: _____

2. FACILITY ADDRESS: _____
_____ Street
_____ City
_____ State
_____ Zip Code

3. NAME OF OWNER: _____

4. ADDRESS OF OWNER: _____
_____ Street
_____ City
_____ State
_____ Zip Code

5. RESPONDENT: _____
_____ Name
_____ Title
_____ Street
_____ City
_____ State
_____ Zip Code
()
Telephone

AP00036858

6. Please indicate the year facility operations began.

[] [] [] [] []

7. Identify the four-digit Standard Industrial Classification (SIC) that best describes your facility operations and the primary product or service of this facility.

[] [] [] [] []

a. SIC code

b. Primary product or service: _____

8a. Check the item below that best describes the status of facility operations at the time of release.

a. ☐ In operation

b. ☐ Temporarily inactive

c. ☐ Permanently closed

8b. Check the item below that best describes the current status of facility operations.

a. ☐ In operation

b. ☐ Temporarily inactive

c. ☐ Permanently closed

If Item a is marked, go to Section II Hazardous Substance Release Profile.
If Item b or c is marked, answer Question 8.c. below.

8c. Is the shut down of operations at your facility related to the accidental release of hazardous substances?

☐ Yes

☐ No

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SECTION II. HAZARDOUS SUBSTANCE RELEASE PROFILE

The following section asks several questions concerning the accidental release of hazardous substances. If exact responses cannot be provided, please provide estimates using your best professional judgment.

9. Indicate the date release occurred.

[] [] - [] [] - [] []
(month) (day) (year)

10. Indicate the time of day release occurred.

[] [] : [] []
[] A.M.
[] P.M.

11. Indicate date release ceased.

[] [] - [] [] - [] []
(month) (day) (year)

12. Indicate time of day release ceased.

[] [] : [] []
[] A.M.
[] P.M.

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13. Were federal authorities notified?

☐ Yes ☐ No

a. If yes, identify all federal authorities notified regarding the release.

(If more than one, please attach list on separate page)

(Name)

(City)

(State)

(Telephone)

b. Indicate the date and time of day federal authorities were notified.

[] [] - [] [] - [] [] (Date)
(month) (day) (year)

[] [] : [] [] (Time)
[] A.M.
[] P.M.

14. Were state authorities notified?

☐ Yes ☐ No

a. If yes, identify all state authorities notified concerning the release.
(If more than one, please attach list on separate page)

(Name)

(City)

(State)

(Telephone)

AP00036861

b. Indicate the date and time of day state authorities were notified.

[] [] [] - [] [] [] - [] [] [] (Date)
(month) (day) (year)

[] [] [] : [] [] [] (Time)
[] A.M.
[] P.M.

15. Were local authorities notified?

[] Yes [] No

a. If yes, identify all local authorities notified concerning the release.
(If more than one, please attach list on separate page)

(Name)

(City)

(State)

()

(Telephone)

b. Indicate the date and time of day local authorities were notified.

[] [] [] - [] [] [] - [] [] [] (Date)
(month) (day) (year)

[] [] [] : [] [] [] [] [] [] (Time)
[] A.M.
[] P.M.

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16. Was the general public notified?

☐ Yes ☐ No

a. If yes, indicate the person that notified the general public of release.

(If more than one, please attach list on separate page)

(Name)

(Title)

(Company or Government Office)

(Telephone)

b. Indicate the date and time of day the general public was notified.

[] [] - [] [] - [] [] (Date)
(month) (day) (year)

[] [] : [] [] (Time)
[] A.M.
[] P.M.

17. Were members of the general public evacuated?

☐ Yes ☐ No

a. If yes, please indicate number evacuated.

[] [] [] [] [] [] []

b. Please indicate date and time of day evacuation began.

[] [] - [] [] - [] [] (Date)
(month) (day) (year)

[] [] : [] [] (Time)
[] A.M.
[] P.M.

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18. To the best of your ability, indicate the weather conditions at the time of release for each item below. Approximations are acceptable.

- a. Wind Speed (miles per hour) ☐ ☐ ☐ ☐ ☐
- b. Wind Direction ☐ ☐ ☐
- c. Humidity (percent) ☐ ☐ ☐
- d. Temperature (Fahrenheit) ☐ ☐ ☐ ☐ ☐
- e. Precipitation? ☐ Yes ☐ No

19. Please check the one item below that best describes the location of the release within your facility.

- ☐ ☐ Process vessel (please check one item only)
- ☐ ☐ Storage vessel
- ☐ ☐ Valves
- ☐ ☐ Piping
- ☐ ☐ Unknown
- ☐ ☐ Other (please describe)

20. Please check the one item below that best describes the operational condition of releasing equipment at the time of the release.

- ☐ ☐ Process startup (please check one item only)
- ☐ ☐ Process shutdown
- ☐ ☐ Loading
- ☐ ☐ Unloading
- ☐ ☐ Batch operation
- ☐ ☐ Maintenance
- ☐ ☐ Continuing operations
- ☐ ☐ Unknown
- ☐ ☐ Other (please describe)

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21. Please check the one item below that best describes the primary cause of the release event.

- ☐ Equipment failure (please check one item only)
- ☐ Operator error
- ☐ Bypass condition
- ☐ Upset condition
- ☐ Fire
- ☐ Unknown
- ☐ Other (Please describe)

22. Please check any items below that describe additional causes of the release event.

- ☐ Equipment failure (check as many items as apply)
- ☐ Operator error
- ☐ Bypass condition
- ☐ Upset condition
- ☐ Fire
- ☐ Unknown
- ☐ Other (Please describe)

23. Check the items below that describe the end effects of the release event.

- ☐ Spill (check as many items as apply)
- ☐ Vapor release
- ☐ Explosion
- ☐ Fire
- ☐ Other (Please describe)

- 24.a. Identify in the table below the name of each hazardous substance released, the quantity released, and the concentration and physical state at the time of release.

	<u>NAME</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>PHYSICAL STATE</u>	<u>CONCENTRATION</u>
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

- b. Please check the items below that describe your methods or source of information for your responses in Question 24.a.

- [] on-line instrument
[] process records
[] engineering calculation
[] estimate
[] other (please describe)

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25.a. In the table below, please estimate the quantity of substances listed in Question 24.a released to each media. Be sure to specify the measurement unit.

<u>NAME</u>	<u>MEDIA</u>	<u>QUANTITY</u>	<u>UNIT</u>
1. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
2. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
3. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
4. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____

b. Please check the items below that describe your methods or source of information for your responses in Question 25.a.

- ☐ physical properties
- ☐ observation
- ☐ on-line instrument
- ☐ engineering estimate
- ☐ other (please describe)

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26.a. Did any substances identified in Questions 24 and 25, migrate beyond the legal boundaries of your facility (for example, a vapor release was carried by prevailing wind beyond the fence line of your facility)?

- ☐ Yes (If yes, please answer Question 26.b)
☐ No (If no, skip Question 26.b and answer Question 27)

b. In the table below specify the quantities of substances that migrated past your facility boundaries.

<u>NAME</u>	<u>MEDIA</u>	<u>QUANTITY</u>	<u>UNIT</u>
1. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
2. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
3. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____
4. _____	Air	_____	_____
	Surface Water	_____	_____
	Land	_____	_____
	Ground Water	_____	_____

c. Please check the items below that describe your methods or source of information for your responses in Question 26.b.

- ☐ physical properties and ambient conditions
☐ observation
☐ on-line instrument
☐ engineering estimate
☐ other (please describe)

27. Did injuries occur among facility employees as a result of the event?

- ☐ Yes
- ☐ No
- ☐ Don't know

a. If yes, please indicate number of injuries.

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ Number of injuries unknown

28. Did injuries occur among the general public as a result of the event?

- ☐ Yes
- ☐ No
- ☐ Don't know

a. If yes, please indicate number of injuries.

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ Number of injuries unknown

29. Did deaths occur among facility employees as a result of the event?

- ☐ Yes
- ☐ No
- ☐ Don't know

a. If yes, please indicate number of deaths.

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ Number of deaths unknown

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30. Did deaths occur among the general public as a result of the event?

- ☐ Yes
- ☐ No
- ☐ Don't Know

a. If yes, please indicate number of deaths.

[] [] [] [] [] [] [] []

[] Number of deaths unknown

31. Did environmental effects occur as a result of the event?

- ☐ Yes
- ☐ No
- ☐ Don't Know

a. If yes, please describe the impact.

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SECTION III. CLEANUP AND PREVENTION PROFILE

32. Did your facility undertake cleanup of the release?

- ☐ Yes (If yes, please answer Question 32)
☐ No (If no, please answer Question 33)

33. Has cleanup of the release been completed?

- ☐ Yes (If yes, please answer Questions 32.a and 32.b)
☐ No (If no, please answer Questions 32.a and 32.c)

a. Please supply the name and address of the party responsible for cleanup.

(Name)

(Title)

(Address)

(City, State)

(Telephone)

b. Indicate the date cleanup activity ceased.

[] [] - [] [] - [] []
(month) (day) (year)

c. Please indicate the approximate date completion of cleanup activity is expected.

[] [] - [] [] - [] []
(month) (day) (year)

34. Please describe the immediate response activities taken to contain or minimize the release.

35. As simply as possible, describe release prevention practices and policies (backup systems, containment system, training programs) utilized at the facility when the release occurred.

36. Please indicate which of the prevention practices and policies listed in Question 35, if any, were ineffective in preventing the release from reaching the environment.

37. Describe equipment repairs and/or replacements (management practices, operational changes, etc.) made as a result of the release.

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38. What additional preventative measure(s) will be taken to minimize the possibility of recurrence?

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