EPA United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

Virtual Partial Compliance Evaluation Findings

VPCE Date(s):	9/30/2020 – 11/13/2020	
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 Program (RMP)	
Company Name:	**Mustang Gas Products**	
Facility Name:	**Rodman Gas Plant**	
Facility Physical Location:	18528 S HWY 132	
(city, state, zip code)	Waukomis, Oklahoma 73773	
Mailing address:	9800 N. Oklahoma Ave.	
(city, state, zip code)	Oklahoma City, Oklahoma	
County/Parish:	Garfield	
Facility Phone Number	405-748-9400	
Facility Contact:	Kent Sales	EHS Supervisor
	Kent.Sales@Mustangfuel.com	
FRS Number:	110007385365	
Media Identifier Number:	RMP ID: 1000 0006 4583	
NAICS:	211112	
SIC:	N/A	
Personnel participating in VPCE:		
Kent Sales	Mustang /Rodman Gas Plant	Safety & Health Supervisor
Eric Winscher	Mustang /Rodman Gas Plant	Project Engineer
Raymond Nault	Mustang /Rodman Gas Plant	Plant Supervisor
Mark Diel	Mustang /Rodman Gas Plant	Systems Superintendent
Steve Hoppe	Mustang /Rodman Gas Plant	VP Operations
EPA Lead Inspector Signature/Date	Sherronda Phelps 1/22/2021	
	Sherronda Phelps	
Supervisor Signature/Date	SAMUEL TATES Digitally signed by SAMUEL TATES DN: c=US, o=U.S. Government, ou=Environmental Protection Agency, cn=SAMUEL TATES, 0.9.2342.19200300.100.1.1=68001003655433 Date: 2021.01.25 07:53:47 -06'00'	
	Samuel Tates	

Section I – INTRODUCTION

PURPOSE OF THE VPCE

On September 28, 2020, the United States Environmental Protection Agency (EPA) Region 6 sent an email to facility personnel at the Mustang Gas Products (MGP) Rodman Gas Plant) located in Waukomis, Oklahoma, to announce the initiation of a Clean Air Act (CAA) Risk Management Plan (RMP) Virtual Partial Compliance Evaluation (VPCE). The e-mail informed Rodman personnel of the start of the VPCE which included a Microsoft Teams video opening conference scheduled on September 30, 2020. During the opening conference, Region 6 inspector Sherronda Phelps met with Kent Sales (E, H&S Supervisor). I presented my credentials and informed Rodman personnel that this was an EPA VPCE to determine compliance with the federal Chemical Accident Prevention Program. The scope of the VPCE was to evaluate the facility's compliance with the CAA Section 112(r) and the Chemical Accident Prevention Provisions in 40 C.F.R. Part 68 as well as the General Duty Clause. The EPA inspector discussed general VPCE procedural questions, confidential business information (CBI) procedures, interview schedules, the proposed timeline and the exit conference and final report. This VPCE is a new compliance monitoring tool that EPA Region 6 is utilizing during the COVID-19 Public Health Emergency. This evaluation included reviewing and obtaining copies of documents and records and conducting interviews and taking of statements via video conference. An employee representative was invited to participate; however, this site is a non-union facility.

FACILITY DESCRIPTION

The facility employs 4 employees. The MGP natural gas processing plant is a stationary source as defined in 40 C.F.R. § 68.3. The regulated substances at the facility include flammable chemical mixtures and individual chemicals. Chemicals include natural gas liquids (NGL), an aliphatic and aromatic hydrocarbon mixture consisting of N-pentane, isopentane, N-butane, isobutane, propane, butane, methane and ethane. The chemicals on site have an RMP regulated flammable mixture threshold quantity of 10,000 pounds or greater. The Rodman Gas Plant is located is located at 18528 S. Hwy 132 in Waukomis, Oklahoma.

Section II - OBSERVATIONS
40 C.F.R. Part 68 – Chemical Accident Prevention Provisions
Subpart A-General

40 C.F.R. § 68.10 Applicability – Rodman Gas Plant operates a stationary source that has more than a threshold quantity of a regulated flammable mixture, listed in 40 C.F.R. § 68.130, in a process, and as such is subject to these Chemical Accident Prevention Provisions. Rodman Gas Plant listed the NAICS code (211112) Natural Gas Liquid Extraction, as the process in its RMP. The Rodman Gas Plant process is also subject to the Occupational Safety and Health Administration (OSHA) process safety management standard, 29 C.F.R. § 1910.119. These factors make the process at the Rodman Gas Plant a Program 3 subject to 40 C.F.R. § 68.10(d).

§ **68.12 General Requirements**

Rodman Gas Plant submitted a single RMP with covered processes that are subject to Program 3 requirements. Their last submission was completed on June 21, 2016, as a voluntary update. As a facility with Program 3 processes, Rodman Gas Plant must develop and implement a management system, conduct a hazard assessment, implement the prevention requirements of 40 C.F.R. §§ 68.65 through 68.87, develop and implement an emergency response program, and submit the data elements from 40 C.F.R. § 68.175 in their RMP.

§ **68.15 Management System**

Rodman Gas Plant provided a document titled, "Mustang Gas Products, LLC" which notes the individuals and their associated titles in the organization, but no real break down of the RMP elements and how they are being implemented at the facility. From the information reviewed Rodman Gas Plant has not adequately documented the lines of authority as required by 40 C.F.R. § 68.15(c).

Subpart B – Hazard Assessment

§ **68.20 Applicability**

The Rodman Gas Plant operates a program level 3 process which is subject to this subpart and thus is required to prepare a worst-case release scenario analysis and complete the five-year accident history. I reviewed the documentation provided to make this analysis and identified no area of concern with information pertaining to sections 40 C.F.R. §§ 68.22 – 68.33 or any Offsite Consequence Analysis (OCA) data. The facility used the EPA Model RMP*Comp™.

§ **68.36 Review and Update**

The Rodman Gas Plant indicated their plan to review their OCA at least once every five years as required. The facility made their last RMP submission on June 21,2016, which was a voluntary update at the time. The next update is due June 21, 2021.

§ **68.39 Documentation**

The Rodman Gas Plant maintains documentation describing the vessel selected for review as a worst-case scenario and the assumptions and parameters used. A description of the scenarios identified, assumptions and parameters used, and the rationale for the selection of specific scenarios was documented as well.

§ **68.42 Five Year Accident History**

Rodman Gas Plant reported two incidents from the year 2017, one being a near miss and an employee injury reported in their RMP accident history.

Subpart D – Program 3 Prevention Program

§ **68.65 Process Safety Information**

Rodman Gas Plant provided documentation of process safety information including information pertaining to the hazards of substances in the processes, pertaining to the technology of the process, and pertaining to the equipment in the process. Rodman Gas Plant also provided the maximum intended inventory for the RMP covered process units of interest.

§ **68.67 Process Hazard Analysis**
EPA requested a PHA Schedule, but there was none to reference. The facility provided me with documentation that detailed information on completed PHA's and their corresponding dates. A PHA was conducted on April 23, 2014. I reviewed the PHA's provided for the New Inlet Scrubber in both the Gas Phase and Liquid Phase. Rodman Gas Plant has not conducted a PHA since April 23, 2014 as their documentation noted it was not required. Regarding re-validation of the PHA's Rodman Gas Plant should have conducted this April 23, 2019. As the regulation requires a revalidation is done every five years to the date. From the documentation provided it appears that the Layers of Protection Assessment (LOPA) and What-If methodologies were used to conduct the review. Upon further review, Rodman Gas Plant has addressed all action items and tracked them to completion. The facility PHA's can be accessed via the facility's intranet network.

§ **68.69 Operating Procedures**

I reviewed several operating procedures provided. Rodman provided examples for each phase of operation identified in the rule. Rodman has a procedure in place for the maintaining and handling of operating procedures. The procedures also address the annual certification or review of the operating procedures. EPA requested the last five years of certification. Rodman Gas Plant provided documentation for the years 2016, 2018, 2019, while the year 2020 was still a work in progress. Rodman Gas Plant failed to meet the annual certification requirement of 40 C.F.R. § 68.69(c).

§ **68.71 Training**

I reviewed training documentation for several selected operators on site. Operator qualification includes the following phases: process overview training, process and job specific training and operator initial qualification. Operator training is a combination of classroom, computer based and on-the-job training. From the information reviewed, refresher training occurs every three years as required by the regulation.

§ **68.73 Mechanical Integrity**

Rodman Gas Plant has established and implemented a procedure to maintain the on-going integrity of process equipment. I requested a list of past due/overdue inspections within the last five years of all process equipment. There were none to report at the time of my request. From the documentation reviewed Rodman Gas Plant appears to be implementing their integrity program as prescribed per API recommendations and other corporate procedures. All training was provided of Mechanical Integrity Inspectors and all were up to date.

§ **68.75 Management of Change (MOC)**

The Rodman Gas Plant has established and implemented a procedure to manage changes to process chemicals, technology, equipment, and procedures. I requested several MOC's for review and from the information provided it appears that Rodman Gas Plant is implementing their MOC procedure as required per the regulation.

§ **68.77 Pre-Startup Review (PSSR)**

The Rodman Gas Plant has established and implemented a procedure to perform a pre- startup safety review for new stationary sources and modifications of stationary sources on site when the change is significant enough to require a change in process safety information. This was evaluated alongside the MOC's requested for review from the facility. The procedures for PSSR's are being implemented as required. All necessary signatures and required safety checks were completed depending on the approved work to be completed.

§ **68.79 Compliance Audits**

I requested the two most recent compliance audits conducted from the facility. Rodman Gas Plant conducted a compliance audits October 2014 and October 2017. The Audit for 2020 has yet to be completed due to the current COVID-19 Pandemic. I reviewed all elements for the last and most recent compliance audits. After reviewing such documentation, it appeared that the facility was reviewing all the elements of the RMP finding recommendations and assigning these details through staff. All action items created from the recommendations of these audits were assigned and tracked to completion.

§ **68.81 Incident Investigation**

Rodman Gas Plant investigated all incidents promptly and assigned personnel to the recommendations and findings, however, there were none to be reported in the last 3 years. All reports are retained for a minimum of 5 years.

§ **68.83 Employee Participation**

Rodman Gas Plant has developed a written plan of action regarding the implementation of employee participation. I was provided a copy, and upon review, it met all conditions as required. I also reviewed other documentation such as sign-in logs from safety meetings conducted, and the attendance log from the 2014 PHA conducted on the Inlet Gas Scrubber.

§ **68.85 Hot Work Permit**

Rodman Gas Plant implements a Hot Work Permit Program procedure for the permitting of hot work on site. I requested several hot work permits to review and there were no areas of concerns noted from the review. A log is also maintained to track illness and injury of contractors.

§ **68.87 Contractors**

The process of bringing on contractors was explained, and the site safety procedure referenced for this element was shared. Rodman Gas Plant makes use of their "Pre-Qualification Questionnaire" to perform audits along with selecting contractors for onsite work. Field performance evaluations are done during their work to satisfy the periodic checks required by the regulation by using a "Contractor Evaluation Form". Contractors are required to sign in and out daily.

Subpart E – Emergency Response

§ **68.90 Applicability**

Rodman Gas Plant is a stationary source with program 3 processes subject to this subpart and is thus required to comply with the requirements of 40 C.F.R. § 68.95. Rodman has an emergency response team that will respond to incidents on site.

§ **68.95 Emergency Response Program**

Rodman Gas Plant provided me with their Emergency Response Plan and Procedures. This emergency plan includes procedures for informing the public and local emergency response agencies about accidental releases. Mustang employees are trained, but participation is voluntary. It was also noted as the facility is not a first responder in the event of an incident and neither are the employees. According to their Emergency Response Plan all employees are trained to respond in a defensive manner, meaning at no time will an employee put themselves at risk during emergency operations. The emergency plan includes procedures for informing the public and local emergency response agencies in the event of.

Subpart G – Risk Management Plan

§ **68.150 Submission**

Rodman Gas Plant has submitted a single RMP which includes the information required in 40 C.F.R. § 68.150.

Section III – AREAS OF CONCERN (AOC)

Closing Meeting – EPA convened a closing meeting on November 3, 2020, to discuss the Areas of Concern (AOC) noted during the VCPE, the evaluation report completion process, and answer questions from MPG (Rodman Gas Plant) personnel. It should be noted that Rodman Gas Plant provided additional information regarding the areas of concern noted via email November 2nd and 5th, 2020, that information shall be evaluated accordingly.

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 facility had no reference of the RMP regulation; or persons responsible for each implement was noted.

AOC 2 – 40 C.F.R § 68.67 (f) Process Hazard Analysis (PHA)

(f) At least every five (5) years after the completion of the initial PHA, the PHA shall be updated and revalidated by a team meeting the requirements in paragraph (d) of this section, to assure that the PHA is consistent with the current process. Updated and revalidated PHA completed to comply with 29 C.F.R. § 1910.119(e) are acceptable to meet the requirements of this paragraph.

Rodman Gas Plant has not conducted a PHA since April 23, 2014. Re-validation of the PHA at Rodman Gas Plant was due April 23, 2019, per the five-year requirement.

AOC 3 – 40 C.F.R § 68.69 (c) Operating Procedures

(c) The operating procedures shall be reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources. The owner or operator shall certify annually that these operating procedures are current and accurate.

AOC 4 – 40 C.F.R § 68.87 Contractors

Application. This section applies to contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process. It does not apply to contractors providing incidental services which do not influence process safety, such as janitorial work, food and drink services, laundry, delivery or other supply services.

There was no reference of the RMP regulation in any of the documentation including the evaluation form.

AOC 5 – 40 C.F.R § 68.95 Emergency Response

(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;

Failure to document of proper first aid and emergency medical treatment necessary to treat human exposure.

AOC 6 – 40 C.F.R § 68.95 Emergency Response

(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;

The facility had no details on updating; no details on inspection /testing and maintenance of emergency response equipment or reference of the RMP**.**