



## REGION 1

BOSTON, MA 02109

**Date:** February 1, 2024  
**From:** Leonard Wallace IV, and Andrew Meyer, USEPA Inspectors  
**Through:** Mary Jane O'Donnell, Chief  
Waste and Chemical Compliance Section  
**To:** File

**Subject:** Chemical Accident Investigation and Inspection, Clean Air Act (CAA) Risk Management Plan (RMP) Section 112(r) and General Duty Clause (GDC) Section 112 (r) (1) and Emergency Planning and Community Right-To-Know Act (EPCRA) Sections 302-312, and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 103 of Naturally Potatoes Pineland Farms located in Mars Hill, Maine.

### GENERAL INFORMATION

Facility Name: Pineland Farms Potato Company, Inc.

Dun and Bradstreet Number: 04-833-1474

RMP Number: None

Address: 115 Presque Isle Road  
Mars Hill, Maine 04758

Inspector Names: Leonard B. Wallace IV, U.S. Environmental Protection Agency (EPA) Region 1  
Andrew Meyer, U.S. EPA Region 1  
Amy Federoff, ERG  
Tyler Evans, Weston Solutions  
Charles Colley, U.S. Department of Homeland Security (DHS)

Inspection Date: October 25, 2023

Type of Inspection: Risk Management Plan (RMP) CAA § 112(r); CAA § 112(r)(1) General Duty Clause (GDC), CERCLA § 103, and EPCRA §§ 302-313 Compliance Evaluation Inspection

Purpose of Inspection: This inspection was conducted as a routine EPA CAA § 112(r)(1)/EPCRA compliance evaluation inspection. The Pineland Farms Potato Company in Mars Hill, Maine was selected for inspection because it is not a registered RMP facility but reports storage of 9,800 pounds (lbs) of ammonia onsite via their 2022 reporting year EPCRA § 312 Tier II Chemical Inventory Reports.

Current Owner: Post Holdings, Inc.

Current Operator: Michael Foods, Inc.

Product Trade Name: N/A

Primary NAICS codes: 311991 (Perishable Prepared Food Manufacturing)

Number of full-time employees: approximately 200

Estimated Annual Sales: \$44 Million

Relationship to other firms, parent corporation, subsidiaries, and location of off-site facilities:  
Parent Corporation and current property owner is Post Holdings, Inc. St Louis, MO (headquarter location);  
No other known processing locations owned or operated under the Pineland Farms Potato Company.

## **I. GENERAL FACILITY DESCRIPTION**

The Pineland Farms Potato Company in Mars Hill, ME (Pineland Farms or Facility) peels, cuts, and partially cooks raw potatoes before packaging them into 10-lb portions to be used in the food service industry. The facility also uses cleaned and cooked potatoes to prepare and package mashed potatoes into ready-to-eat, consumer portions. An ammonia refrigeration system is used to cool potato products and surrounding processing areas. A freon refrigeration system cools stored finished products before being shipped out to customers.

In 2010, Pineland Farms bought the 125,000 square-foot potato processing facility, which was originally built in 1997 equipped with an ammonia refrigeration system. The ammonia refrigeration system is maintained by a contractor, but day-to-day Facility operations are managed by onsite Michael Foods employees. Ammonia refrigeration equipment is primarily located in either the Ammonia Machinery Room (AMR) or the High-Pressure Receiver (HPR) room located along the southwest exterior of the building and on the roof of the Facility. Ammonia is supplied to two spiral chillers and two air-handling units used to provide cooling to food preparation areas via dedicated piping.

The Facility self-reported storing 9,800 pounds (lbs) of anhydrous ammonia onsite for use as a refrigerant in its ammonia refrigeration system on their EPCRA Tier II submission for reporting year 2022. The self-reported amount of ammonia onsite is under the 10,000-lb Threshold Quantity for ammonia, so the Facility does not consider the ammonia refrigeration process as an RMP-covered process.

Pineland Farms is in a rural area, approximately 1-mile north of Mars Hill, ME and 4.5-miles west of the U.S.-Canada border. Residential areas surround the Facility to the South and East directions with the closest home located adjacent to the Facility to the South across Route 1. Fort Street Elementary School is located approximately 0.5-miles southeast of the Facility and Central Aroostook High School is located approximately 1-mile southeast.

The Facility has approximately 200 employees that continuously operate the facility 24 hours per day and 7 days per week. There are no labor unions at the Facility. Attachment 1 is a Google Earth aerial photograph of the Pineland Farms Potato Company in Mars Hill, ME.

## **II. IN-BRIEF/OPENING CONFERENCE**

The EPA inspection team including Leonard Wallace, IV, Andrew Meyer, Amy Federoff (EPA contract inspector), Tyler Evans (EPA contract air monitoring specialist), and Charles Colley, U.S. DHS, Cybersecurity and Infrastructure Security Agency entered the Facility at approximately 10:00 a.m. The inspection team was supported by Kelly Langley of Maine Department of Environmental Protection (ME DEP). The inspection team presented identification to Mr. Shawn Lovley, Director of Operations, and Inspector Wallace subsequently conducted the opening meeting and explained the reason and scope of the inspection. Inspector Wallace presented the EPCRA Notice of Inspection to Mr. Lovley, who signed as the

Recipient of the Notice. Mr. Lovley did not attempt to deny facility entry to the inspectors and did not invoke any claims of Confidential Business Information (CBI) for purposes of the inspection.

The facility has no unions.

**Facility Representatives:**

Name	Title/Company	Phone Number	E-mail
Shawn P. Lovley	Director of Operations Michael Foods Inc	(207) 316-6692	<a href="mailto:Shawn.lovley@michaelfoods.com">Shawn.lovley@michaelfoods.com</a>
Paul L. Jacques	Pineland Farms FSQA Manager	(207) 425-7033	<a href="mailto:Paul.jacques@michaelfoods.com">Paul.jacques@michaelfoods.com</a>
Adam Hall	Pineland Farms Plant Manager	(207) 425-7029	<a href="mailto:Adam.hall@michaelfoods.com">Adam.hall@michaelfoods.com</a>
Daniel Michaud	Engineer In Charge	(207) 425-7088	<a href="mailto:Daniel.Michaud@michaelfoods.com">Daniel.Michaud@michaelfoods.com</a>
Gregory McCrum	Procurement and Environmental Manager	(207) 227-2434	<a href="mailto:Greg.McCrum@michaelfoods.com">Greg.McCrum@michaelfoods.com</a>
Malissa Bragdon		(207) 361-7827	<a href="mailto:Malissa.Bragdon@michaelfoods.com">Malissa.Bragdon@michaelfoods.com</a>

Inspector Wallace shared the following guidance documents with facility representatives:

1. Guide to the Emergency Planning and Community Right-to-Know Act (Fall 2020)
2. EPCRA Quick Reference Fact Sheet (Fall 2020)
3. Small Business Resource Information Sheet (February 2020, EPA-300-F-20-002)
4. *National Response Center Oil and Chemical Spill Reporting flyer*
5. *Chemicals in Your Community* brochure (EPA 550-K-99-001, December 1999)
6. *CAMEO Chemicals software. Explained the mobile app and the desktop program formats can be used offline, and the desktop program can share information with other CAMEO suite programs.*

Inspector Wallace stated that after the opening meeting, the inspectors would do a walk-through inspection of the refrigeration process and all associated chemical storage areas. He stated the inspection team would be taking photographs of items and areas of interest and a copy of all photographs taken would be sent to the Facility representatives after the inspection.

**III. PHYSICAL INSPECTION**

The EPA inspection team conducted a walk-through of the following areas at the Facility:

1. Ammonia Machinery Room (AMR)
2. High-Pressure Receiver (HPR) Room
3. Chemical Storage Room and Acid Storage Area
4. Line 2 spiral freezer coils
5. Lead-acid battery storage at the Facility

6. Roof Area
7. Outdoor Ammonia Equipment
8. Facility Exterior

Inspector Wallace took a total of 171 digital photographs during the inspection to provide reference documentation of conditions observed. The photographs are referenced throughout the document.

The following include areas of concern identified in each of the areas during the physical inspection.

#### AMR

The EPA inspection team began their inspection at Pineland Farms observing the ammonia refrigeration system alarm status and equipment operating status at the remote-control panel located in an adjacent room to the AMR. The AMR at Pineland Farms is an interior room of the main building at the Facility and is accessed through either the primary or secondary doors inside of the Facility. The AMR contains five screw compressors and the recirculatory vessel (PR-1) for the ammonia refrigeration system. The AMR also houses an air compressor and the associated compressed air storage tank, along with multiple electrical panels for the Facility's electrical system.

On the day of the inspection, the EPA inspection team noticed a strong ammonia odor when walking through the AMR. Mr. Evans of Weston used a multi-gas meter to determine the approximate source of the release to be from the pressure relief valve connection off of the RC-2 Compressor. Mr. Evans observed measured ammonia levels as high as 29 ppm. Upon discovery and detection of the ammonia leak, the EPA inspection team immediately evacuated the AMR.

EPA inspectors identified the following areas of concern based on a tour of the area:

- The primary and secondary door to the AMR were not tight-fitting (see Photographs P1130753, P1130754 and P1130756).
- It was unclear whether the glass panel in the door leading to the AMR was heat and impact resistant (see Photograph P1130754).
- The secondary door to the AMR contained permanently open vents allowing airflow between the AMR and the adjacent hallway (see Photographs P1130753 and P1130754).
- Primary and secondary egress doors from the AMR were not equipped with panic hardware (see Photographs P1130761 and P1130792).
- The Emergency Eyewash Shower station was not clearly identified to its location in the hallway. It was set back from the hallway (see Photograph P1130758).
- The Ammonia Emergency Audio Visual Alarms in the hallway did not have proper signage (see Photographs P1130753, P1130754, P1130755 and P1130759).
- Emergency shutdown procedures, including precautions to be observed in case of a breakdown or leak, were not displayed adjacent to the primary entry door to the AMR (see Photographs P1130753, P1130754 and P1130756).
- Piping and instrumentation diagrams (P&IDs) showing clearly identified critical valves for use in emergency situations were not posted in the AMR or outside the primary door into the AMR (see Photographs P1130753, P1130754 and P1130756).
- The refrigeration system did not contain a permanent sign, securely attached and easily accessible, indicating the name and address of the installer, the refrigerant number and amount of refrigerant, the lubricant identity and amount, and the field test pressure applied to the ammonia refrigeration system (see Photographs P1130753, P1130754, P1130756, P1130761 and P1130792).
- Multiple drums of waste oil were stored inside of the AMR (see Photographs P1130760, P1130765, P1130767 and P1130768).

- Ice build-up on piping and valves associated with Recirculator PR-1 was observed (see Photographs P1130763, P1130772 and P1130773).
- Access to the emergency eyewash and safety shower located inside of the AMR was obstructed by drums and a trash bin (see Photograph P1130764).
- An ammonia pipe in the AMR was not capped or equipped with lock out/tag out on the pipe valves (see Photograph P1130780).
- There were pipes penetrating the AMR wall and not sealed (see Photographs P1130780 and P1130790).
- Pipe labeling was not consistently installed on ammonia and steam piping in the AMR to indicate the piping contents and direction of flow (see Photographs P1130769, P1130780, P1130781, P1130786, and P1130790).
- The facility does not have a system to provide uninterruptible power to the ammonia detection system and Emergency Ventilation system in case of a loss of power.
- All three of the ammonia detectors were approximately 7 feet off the floor level and none were located near the ceiling which is approximately 40 feet high (see Photographs P1130777, P1130778, P1130779, and P1130785).
- There were open electrical wires, not properly sealed inside electrical boxes (see Photograph P1130781).
- Not all ammonia piping was provided with adequate protection against bumps and impacts in the AMR (see Photographs P1130762, P1130763, P1130771, P1130781, P1130786, and P1130794).
- The Facility used multiple colors (Yellow, Orange, and Grey) to denote ammonia system piping (see Photographs P1130782 and P1130783).
- The AMR's Ammonia Audio Visual Alarm was not labeled (see Photograph P1130783).
- On the day of the inspection, an active release of ammonia was identified in the AMR from a pressure relief valve off the RC-2 compressor. EPA inspectors observed measured ammonia levels as high as 29 ppm (see Photographs P1130795 and P1130796). The inspection Team withdrew from the AMR because the ammonia reading was above 25 ppm.

#### High Pressure Receiver Room Area

The High-Pressure Receiver (HPR High) for the ammonia refrigeration system at the Facility is in an open room adjacent to, but separate from, the primary AMR. The auto-purger for the ammonia refrigeration system, multiple electrical panels, and water system pumps and piping are also located in area of the HPR room. The HPR room area was not engineered to be isolated from other activities thereby enabling an ammonia release to spread through other parts of the building. Additionally, the HPR room is not equipped with any emergency ventilation equipment. Access to the HPR requires walking through the Old Peeler Room, which is commonly occupied by employees. EPA inspectors identified the following areas of concern based on a tour of the area:

- The worker entrance to the old peeler room and HPR room were not posted with National Fire Protection Association (NFPA) signage to indicate the presence of chemical hazards.
- There was no door to the HPR room to restrict and separate airflow from other occupied areas of the Facility.
- The HPR room was not marked with a permanent sign to indicate that only authorized personnel are permitted to enter the room.
- The HPR room did not contain any mechanical ventilation for normal operation or emergency operation (see Photographs P1130805, P1130811, and P1130812).
- Piping was used to support other piping near the HPR (see Photograph P1130812).
- Not all ammonia piping was provided with adequate protection against bumps and impacts around the HPR (see Photograph P1130804).

- The Facility used multiple colors (Yellow, Orange, and Grey) to denote ammonia system piping (see Photographs P1130799 and P1130805).
- One of the two Emergency Isolation Valves (i.e., King Valves) off the HPR was not labeled to identify it for use during an emergency shutdown (see Photographs P1130801 and P1130804).
- The Emergency Isolation Valves (i.e., King Valves) off the HPR were not accessible from the floor (see Photographs P1130799 and P1130801).
- The audio and visual alarms inside of the HPR room area was not labeled (see Photograph P1130814).
- Acid containers were stored without secondary containment under the conveyor belt in the old peeler room (see Photograph P1130816).
- There were no audio and visual alarms outside the HPR room area (see Photograph P1130819).

#### Chemical Storage Room and Acid Storage Area

The EPA inspection team walk through the Facility's chemical storage room, which is used to store and formulate cleaning solutions from chemicals in 55-gallon drums and smaller chemical containers. The chemical storage room is an interior room of the main building at the Facility with a metal rack to store pallets of chemical drums and multiple smaller plastic racks to store chemical containers. This area also has open drums connected to a filling station to mix and dispense chemicals into cleaning solutions. On the day of the inspection, additional chemical drums and totes were stored in the hallway around the corner from the chemical storage room in a heavy-traffic forklift area. The EPA inspection team also observed storage of chemical drums in the Old Peeler Room, adjacent to the chemical storage area. The drums were inside of a storage cage labeled as containing acids. EPA inspectors identified the following areas of concern based on a tour of the area:

- Multiple rows of chemical drums were stored directly next to each other in the bulk chemical storage area without the required separation for accessibility (see Photograph P1130820).
- Totes of chemicals stored in the hallway next to the bulk chemical storage area were not protected from impact in a heavy-traffic forklift area (see Photograph P1130833).
- The cage around the acid storage area was not posted with NFPA signage to indicate the presence of chemical hazards (see Photograph P1130837).
- The worker entrance to the chemical storage room was not posted with NFPA signage to indicate the presence of chemical hazards (see Photograph P1130818).

#### Line 2 Spiral Freezer

The EPA inspection team toured the inside of the Line 2 Spiral Freezer. This area contained an ammonia surge drum, labeled as SD-1, and ammonia piping. EPA inspectors identified the following areas of concern based on a tour of the area:

- Ammonia piping off the SD-1 was not affixed with ammonia pipe labeling (see Photographs P1130843 and P1130844).
- The audio and visual alarms near the Spiral Freezer was not labeled (see Photograph P1130845).

#### Lead-Acid Battery Storage

The EPA inspection team visited the lead-acid battery storage area and charging stations at the Facility. Two battery charging areas are located across from each other in the final product storage and warehouse at the Facility. EPA inspectors identified the following areas of concern based on a tour of the area:

- The battery charging area did not have ventilation or hydrogen gas detectors (see Photograph P1130847).

### Roof Area

The EPA inspectors toured the roof of the Facility to observe the conditions of the ammonia piping and valves running along the top of the building. The exhaust point for the common pressure relief valve (PRV) ammonia header was located on the roof as well as the exhaust point for the AMR's emergency ventilation system. The roof is accessed by one set of stairs located near the spiral freezers. EPA inspectors identified the following areas of concern based on a tour of the area:

- Insulation on the ammonia piping on the roof of the facility was either damaged or missing (see Photographs P1130855, P1130856, P1130857 and P1130860).
- No windsocks were installed on the roof of the facility (see Photographs P1130851, P1130852, P1130853 and P1130860).
- There was only one means of egress from the roof of the facility (see Photographs P1130861 and P1130862).
- The exhaust point for the common PRV header was directed downward towards the roof of the facility (see Photographs P1130859 and P1130883).
- The heat trace mats on the roof were not clearly labeled to warn firefighters of an electrical hazard (see Photographs P1130862 and P1130863).
- Labeling of the ammonia piping on the roof were faded and illegible. Some of the ammonia piping was not labeled (see Photographs P1130858, P1130859, P1130865, and P1130866).

### Outdoor Ammonia Equipment

Along the southwest exterior of the building, there are two elevated platforms supporting three ammonia condensers, EC-1, EC-2, and EC-3. One platform supports condensers EC-1 and EC-2 and the other platform supports EC-3. EPA inspectors identified the following areas of concern based on a tour of the area:

- The ammonia piping from the condensers displayed multiple areas of surface corrosion and flaking paint (see Photographs P1130874, P1130875, P1130876, P1130878, P1130879, P1130882, P1130884, and P1130885).
- The ammonia piping behind the condensers had missing labeling (see Photographs P1130874, P1130875, P1130876, P1130878, P1130879, P1130882, P1130884, and P1130885).
- One of the condensers tops that could be observed had damaged labeling (see Photograph P1130881).
- All the ammonia PRV discharge header pipes point downward (see Photographs P1130859, P1130872, and P1130882).
- The rooftop condensers had only one way on and off and some of the egress ladders were blocked (see Photographs P1130873, P1130880, and P1130886).

### Facility Exterior

The EPA inspection team toured the Facility exterior and focused on the north and northeast areas of the Facility since they were the location of additional chemical storage. The northern portion of the Facility includes a fenced area surrounding three compressed natural gas trailers and their associated equipment and piping. The fenced area is directly next to the Peel Building, which houses a water storage vessel, pumps, and piping. There is also a propane tank on the exterior of the Peel Building.

In the northeast area of the Facility, there are two diesel storage tanks surrounded by a cement dike and fencing. Along the northeast exterior of the main building, there is a fenced area surrounding a liquid carbon dioxide storage vessel and its associated piping. The carbon dioxide piping runs along the exterior of the main building before penetrating the wall and entering into the processing areas. The northeast side of the building exterior also houses the shipping and receiving docks.

Four freon refrigeration system units are located along the southeast exterior of the main building. The Facility has a separate administrative building and is located southeast from the main building at the Facility.

EPA inspectors identified the following areas of concern based on a tour of the Facility exterior:

- NFPA signage was not affixed to the doors into the Facility (see Photographs P1130870, P1130871, and P1130892).
- Pipe labeling to indicate the contents and direction of flow for the natural gas piping and carbon dioxide piping were missing (see Photographs P1130902, P1130903, P1130904, P1130911, and P1130912).
- No polychlorinated biphenyl (PCB) status labeling was affixed to the electrical transformer located outside of the southwest portion of the main building of the Facility (see Photographs P1130890, P1130891, and P1130892).
- Vegetation was growing inside of the fenced area for the compressed natural gas truck storage (see Photographs P1130903 and P1130904).
- The entrances to the fence around the compressed natural gas truck storage, diesel tanks, and carbon dioxide tank were not posted with NFPA signage to indicate the presence of chemical hazards (see Photographs P1130893, P1130900, P1130907, P1130909, and P1130915).
- A lower explosive limit (LEL) detector was not observed in the compressed natural gas truck storage area (see Photographs P1130901 and P1130902).
- There were no steps to access the elevated gate in the fence above the cement containment dike around the diesel storage tanks (see Photograph P1130908).
- Gates for the diesel storage tanks are not equipped with panic hardware (see Photograph P1130908).
- The diesel storage tanks were not labeled to indicate contents (see Photographs P1130906 and P1130907).
- The piping for the freon refrigeration system was not labeled to indicate piping contents and direction of flow (see Photographs P1130914, P1130915, and P1130916).
- No NFPA signage was posted on the freon refrigeration system units (see Photographs P1130914, P1130915, and P1130916).

## **V. OUT-BRIEF/CLOSING CONFERENCE**

Due to COVID 19, an in-person out-brief/closing conference was not conducted at the conclusion of the on-site inspection. Inspector Wallace emailed a copy of the inspection teams' preliminary areas of concern identified during the inspection on November 20, 2023, to Mr. Lovley. The inspection team met virtually with representatives from the Pineland Farms Potato Company on November 21, 2023, at 1:30 pm to review the preliminary observations, discuss additional document requests, and explain the next steps in the enforcement process.

The following preliminary areas of concern were identified during the inspection at the Facility:

1. No NFPA signage was posted on the doors into the facility.
2. The primary and secondary door to the AMR were not tight-fitting.
3. The secondary door to the AMR contained permanently open vents allowing airflow between the AMR and the facility hallway.
4. Both doors to the AMR were not equipped with panic hardware.

5. Emergency shutdown procedures, including precautions to be observed in case of a breakdown or leak, were not displayed adjacent to the door to the AMR.
6. No P&ID showing critical valve identified, that would be used in emergency were posted.
7. The refrigeration system did not contain a permanent sign, securely attached and easily accessible, indicating the name and address of the installer, the refrigerant number and amount of refrigerant, the lubricant identity and amount, and the field test pressure applied.
8. Multiple drums of ammonia waste oil were stored inside of the AMR.
9. Ice build-up on piping and valves associated with Recirculator PR-1 were observed.
10. The emergency eye wash shower station located inside of the AMR was obstructed by drums and a trash bin.
11. Pipe labels to indicate the contents and direction of flow for some of the ammonia piping in the AMR, ammonia piping off of the surge drum for line 2 spiral freezer, ammonia piping behind the condensers, steam piping in the AMR, natural gas piping, and carbon dioxide piping were missing. Pipe labels to indicate the contents and direction of flow for the ammonia piping on the roof were faded and illegible.
12. On the day of the inspection, an active release of ammonia was identified in the AMR from a pressure relief valve off of the RC-2 compressor. EPA inspectors observed measured ammonia levels as high as 29 ppm. EPA and the inspection team left the AMR because it was above the 25-ppm action level.
13. The facility does not have a system to provide uninterrupted power to the ammonia detection system in case of a loss of power.
14. The High-Pressure Receiver (HPR), auto-purger, and associated piping was in an enclosed room of the facility separate from the AMR. The room did not follow AMR design requirements such as restricting access, providing at least two means of egress, normal and emergency mechanical ventilation, restricting airflow from the room, and access to a minimum of two eyewash/safety shower units.
15. No audio and visual alarms were observed inside or outside of the room that held the HPR.
16. Piping was used to support other piping near the high-pressure receiver.
17. Not all ammonia piping were protected against bump and impacts in the AMR and around the HPR.
18. The Facility used multiple colors on the ammonia system piping (Yellow, Orange, and Grey).
19. One of the two Emergency Isolation Valves (King Valves) off the high-pressure receiver was not labeled to identify it for use during an emergency shutdown.
20. The Emergency Isolation Valves (King Valves) off the high-pressure receiver was not accessible from the floor.
21. Acid containers were stored without secondary containment under the conveyor belt in the old peeler room.
22. Multiple rows of chemical drums were stored directly next to each other in the bulk chemical storage area without the required separation for accessibility.
23. Totes of chemicals stored in the hallway next to the bulk chemical storage area were not protected from impact in a heavy-traffic forklift area.
24. The cage around the acid storage area was not posted with NFPA signage to indicate the presence of chemical hazards.

25. Multiple doors at the facility (old peeler room and chemical storage room) were not posted with NFPA signage to indicate the presence of chemical hazards.
26. Insulation on the ammonia piping on the roof of the facility was either damaged or missing.
27. The battery recharge area did not have ventilation or hydrogen gas detectors.
28. No windsocks were installed on the roof of the facility.
29. There was only one means of egress from the roof of the facility.
30. The ammonia relief header piping was directed downward towards the roof of the facility.
31. The ammonia piping from the condensers displayed multiple areas of surface corrosion and flaking paint.
32. The heat trace mats on the roof were not clearly labeled. Any pipe that is wrapped with heat trace cable and covered in insulation must have a caution label on the outside of the insulation every 10 feet. This is to warn firefighters of an electrical hazard.
33. No PCB status labeling was affixed to the electrical transformer located outside of the southwest portion of the main building of the facility.
34. Vegetation was growing inside of the fenced area for the compressed natural gas truck storage.
35. The entrances to the fence around the compressed natural gas truck storage, diesel tanks, and carbon dioxide tank were not posted with NFPA signage to indicate the presence of chemical and piping not properly labelled.
36. A LEL detector was not observed in the compressed natural gas truck storage area.
37. There were no steps to access the elevated gate in the fence above the cement containment dike around the diesel storage tanks.
38. Gates for the diesel storage tanks are not equipped with panic hardware.
39. The diesel storage tanks were not labeled to indicate the contents being stored.
40. The Non ammonia refrigeration systems piping not labeled and no NFPA signage on the units.

## **VI. FACILITY COMPLIANCE STATUS AND ELEMENTS OF PROOF - EPCRA**

### **EPCRA § 302**

(1) Does facility have on-site, at any one time, extremely hazardous substances (EHS) at or above the TPQ? The Facility reported storage of 9,800-lbs of ammonia, 990-lbs of nitric acid, and 6,010- lbs of sulfuric acid.

The facility failed to identify Peracetic Acid Chemical Abstracts Service (CAS) number 79-21-0 on the 2022 Tier II form as EHS and supply the CAS number.

(2) List or obtain documentation: Inspectors' observations; RY 2022 Tier II report.

(3) How was maximum quantity on-site determined or calculated? Inspectors' observations; RY 2022 Tier II report. Chemical inventory data is used to determine the amount of chemicals on site.

### **EPCRA § 303**

(1) Facility Coordinator identified per Sec. 303 and date LEPC was notified? Unknown

**EPCRA § 311**

(1) Is facility required to maintain SDSs under the OSHA Hazard Communication Standard 29 CFR 1910.1200.? Yes

(2) Has the facility conducted a comprehensive audit to identify SDS chemicals on-site and to determine if 500 lb./10,000 lb./TPQ thresholds were exceeded? Unknown

(3) List of OSHA chemicals manufactured, processed, used/stored, and obtained? Yes, requested facility SDSs and chemical inventory data for all chemicals at the facility.

(4) How were the maximum amounts determined? Inspectors' observations. Chemical inventory data requested to determine the amount of stored chemicals on site.

(5) Section 311 info supplied to the:

SERC (Y/N): Unknown  
LEPC (Y/N): Unknown  
Local Fire Department(Y/N): Unknown  
Date: Unknown  
Chemical List: Unknown, requested chemical inventory data

SDSs: Yes

(6) Have any new hazardous chemicals, mixtures, or substances been introduced into the facility in the last 5 years? Unknown

(7) If yes, has the facility submitted updated lists or SDSs? Unknown

**EPCRA § 312** (due March 1 of year following reporting calendar year)

(1) Was Tier II form submitted for all required chemicals? Unknown. Chemical inventory data requested to confirm most recent tier II submission includes all required chemicals.

(2) What procedures are used to update Section 312 information for annual submittal and to ensure additional or new chemical data is submitted within 90 days? Unknown.

(3) Was facility aware of annual reporting requirements under Section 312? Yes.

(4) Had the facility completed and signed a list of all reportable chemicals on site on date of the inspection? No, chemical inventory data requested to review post-inspection.

(5) Table of EPCRA 312 Reportable Substances:

CAS #	Chemical	Approx. Max. Wt. on Site (pounds)	TPQ/RQ (pounds)	Approx. Ratio (Actual/TPQ)
7664-41-7	Ammonia	9,800	500	19.6
124-38-9	Carbon Dioxide	24,000	10,000	2.4
8006-14-2	Natural Gas, Compressed	32,000	10,000	3.2

7697-37-2	Nitric Acid	990	1,000/500	0.99/1.98
79-21-0	Peracetic Acid	990	500	1.98
68476-30-2	Petroleum Hydrocarbon #2	135,000	10,000	13.5
7681-52-9	Sodium Hypochlorite	4,986	10,000	.49
7664-93-9	Sulfuric Acid	6,010	1,000/500	6/12.2

Source: RY 2022 EPCRA Tier II Report

## VII. ENFORCEMENT HISTORY

A search of EPA's ECHO database found an identified Clean Water Act (CWA) violation at the Pineland farms Potato Company for releasing amounts of total nitrates in their water effluent above their average limit from April-June 2022. The ECHO database also shows a Significant/Category 1 Noncompliance event from October 2020 to September 2021 because the Facility did not report their effluent releases to EPA's Discharge Monitoring Report (DMR) program.

## VIII. ENVIRONMENTAL JUSTICE

The ECHO and EJSCREEN data indicate that the Facility is not in an area of Environmental Justice (EJ) interest based on the levels shown for relevant EJ indices.

Attachment 1

Google Earth Image of The Pineland Farms Potato Company

