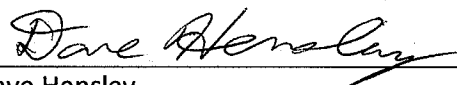
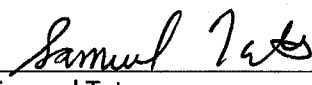


**Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT**

Inspection Date(s):	02/02-05/2015		
Media:	Air		
Regulatory Program(s)	RMP		
Company Name:	Western Refining Company, L. P.		
Facility Name:	Western Refining		
Facility Physical Location:	6501 Trowbridge Dr.		
(city, state, zip code)	El Paso, TX 79905		
Mailing address:	212 N. Clark Street		
(city, state, zip code)	El Paso, TX 79905		
County/Parish:	El Paso		
Facility Contact:	Wes Waida	Environmental Manager	
	Wes.Waida@wnr.com		
FRS Number:	110042061238		
Identification/Permit Number:	RMP ID # = 1000 0014 8119		
Media Number:	AFS # = 48-141-00004		
NAICS:	32411		
Personnel participating in inspection:			
Forrest Lauher	Western Refining	Vice President Refining	(915) 775-3411
Wes Waida	Western Refining	Environmental Manager	(915) 775-3411
Joe Mendoza, PE, CSP	Western Refining	Corporate Process Safety Manager	(915) 775-3411
Hector A. Clemente	Western Refining	Union Health and Safety Representative	(915) 775-3411
Ray Ralph	Western Refining	Field Safety/PSM Supervisor	(915) 775-3411
Daniel J. Statile, CMRP	Western Refining	Vice President, Safety & Reliability	(915) 775-3411
Dave Hensley	EPA/6EN-AS	Physical Scientist (Environmental)	(214) 665-6739
EPA Lead Inspector Signature/Date			3-3-2015
	Dave Hensley		Date
Supervisor Signature/Date			3/2/2015
	Samuel Tates		Date

Section I - INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector Dave Hensley (I) arrived at the Western Refining Company, L. P. / Western Refining at 1:00 PM Mountain Time on February 02, 2015, for an announced inspection. We met with Forrest Lauher / Vice President Refining, Wes Waida / Environmental Manager, Joe Mendoza, PE, CSP / Corporate Process Safety Manager, and Hector A. Clemente / Union Health and Safety Representative. I presented my credentials to those present and informed them that this was an EPA inspection to determine compliance with the Clean Air Act Section 112(r) and the Chemical Accident Prevention Provisions 40 CFR part 68. The scope of the inspection was a partial compliance evaluation (PCE) and included an evaluation of the compliance of the facility with the CAA Section 112(r) and 40 CFR part 68. An employee representative was invited to participate in the inspection. Hector A. Clemente, Union Health and Safety Representative participated in the inspection.

FACILITY DESCRIPTION

The El Paso refinery is located about three miles east of downtown El Paso, Texas on approximately 555 acres. The refinery was originally two facilities but the two were combined in 1993. The north refinery was originally built by Standard Oil Company (later Chevron) in 1928 and was significantly modernized in 1957. The south refinery was originally built by the Texas Company (later Texaco) in 1931 and was significantly modernized in 1954. The refinery has crude capacity of approximately 128,000 barrels per day. Sweet and sour crude oil is delivered to our El Paso refinery via a 450-mile crude oil pipeline. Products are shipped from the refinery by truck, rail, and pipeline. <http://www.wnr.com/ElPaso.aspx>

Section II - OBSERVATIONS

40 C.F.R. Part 68 – CHEMICAL ACCIDENT PREVENTION PROVISIONS

Subpart A – General

40 C.F.R. § 68.10 Applicability - I observed that Western Refining (Western) is a stationary source that has Air Operating Permits O-01264 and O-02298. More than a threshold quantity of a regulated substance, listed in 40 C.F.R. § 68.130, is held ten processes, listed below in Table 1. Therefore, these regulations are applicable. Western submitted a Risk Management Plan (RMP) that describes these ten processes containing flammable chemicals held above threshold quantities. The processes are Program 3 due to the NAIC code of 32411 Petroleum Refineries and the facility is subject to OSHA's Process Safety Management Standard (29 CFR 1910.119).

40 C.F.R. § 68.12 General requirements – I reviewed the Risk Management Plan (RMP) submitted by western on January 17, 2011, flammable mixture in the ten processes, as detailed below.

Table 1: Western Refining RMP Chemicals and Processes

Process	Program Level	Chemical Name	CAS Number	Quantity (lbs)	Flammable/ Toxic
Light Ends Recovery	3	Flammable Mixture	00-11-11	470,000	Flammable
Crude Unit (No. 6)	3	Flammable Mixture	00-11-11	910,000	Flammable
Rheniformer Unit	3	Flammable Mixture	00-11-11	21,000	Flammable
Tankfield (South)	3	Flammable Mixture	00-11-11	14,000,000	Flammable
FCC Unit	3	Flammable Mixture	00-11-11	2,400,000	Flammable
Butamer	3	Flammable Mixture	00-11-11	980,000	Flammable
Alkylation Unit	3	Flammable Mixture	00-11-11	2,600,000	Flammable
Poly Unit	3	Flammable Mixture	00-11-11	210,000	Flammable
Crude Unit (CPS)	3	Flammable Mixture	00-11-11	81,000	Flammable
Tankfield (North)	3	Flammable Mixture	00-11-11	8,100,000	Flammable

(RMP)

40 C.F.R. § 68.15 Management – Western has developed a management system to oversee the implementation of the risk management program elements that assigned qualified persons or positions overall responsibility for the development, implementation, and integration of the risk management program elements.

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability - Western prepared a worst-case release scenario analysis and completed the five-year accident history. Since Western processes are Program 3 processes, they must comply with all sections in this subpart for these processes.

40 C.F.R. § 68.22 Offsite consequence analysis parameters – I observed that Western used the parameters required in this part to calculate flammable worst case and alternative case release scenarios.

40 C.F.R. § 68.25 Worst-case release scenario analysis – The RMP report and documentation I reviewed during the inspection shows that Western analyzed and reported in its RMP a worst case flammable releases. Western used the EPA's RMP*Comp to calculate their flammable worst case scenario.

40 C.F.R. § 68.28 Alternative release scenario analysis – Western analyzed and reported in their RMP one flammable alternative case release. I reviewed documentation that was in the processes hazard analysis that showed that Western used the appropriate factors and EPA's RMP*Comp to determine their alternative case scenario.

40 C.F.R. § 68.30 Defining offsite impacts – Population – I talked with Western staff about the offsite consequences analysis. They related that appropriate Census Bureau population and the distance to endpoints was used to calculate the population numbers reported in their RMP. I checked these numbers with data from the Census Bureau web site and found agreement.

40 C.F.R. § 68.33 Defining offsite impacts – Environment – Documentation provide by Western and discussions with Western's staff showed me that USGS Data was used to determine environmental receptors in the distance to endpoints. I reviewed maps of the area and located Ascarate Park and

Ascarate Lake that appear to be within the flammable worst case scenario distance. These may need to be included in the list of environmental receptors submitted in the Western RMP.

40 C.F.R. § 68.36 Review and update – Western stated that the review and update of the offsite consequences occur at least every five years. Western staff told me that there is currently an analysis underway to update the offsite consequences analysis associated with the five-year resubmission of their RMP due January 17, 2016.

40 C.F.R. § 68.39 Documentation – I reviewed documentation that records the offsite consequence analyses for worst-case and alternative case scenarios. It included a description of the vessel and substance selected as worst case, assumptions and parameters used, and the rationale for selection; likewise, assumptions shall include use of any administrative controls and any passive mitigation that were assumed to limit the quantity that could be released, estimated quantity released, release rate, and duration of release. Methodology used to determine distance to endpoints was documented in the facility's RMP. The data used to estimate population and environmental receptors potentially affected was reviewed.

40 C.F.R. § 68.42 Five year accident history – Western had reported no accidental releases in their RMP of January 17, 2011. I reviewed the National Reporting Center (NRC) and State of Texas Environmental Electronic Reporting System (STEERS) for incidents that may have required addition to Western's five year accident history and did not discover any.

Subpart D – Program 3 Prevention Program

40 C.F.R. § 68.65 Process safety information – I requested, was provided, and reviewed selected process safety information for RMP units at Western. The process safety information was maintained in an organized manner.

40 C.F.R. § 68.67 Process hazard analysis – I requested and reviewed the last two PHAs for the Tankfield (South) and Alkylation Unit RMP processes. They appeared to cover the hazards of the process. I reviewed the PHA schedule and all the PHAs were done within the time frame of five years as required.

40 C.F.R. § 68.69 Operating procedures – I reviewed several operating procedures and they appeared to meet the requirements of 68.69.

40 C.F.R. § 68.71 Training – I requested and was provided the training files for 6 individuals. During my initial review, I found no area of concerns associated with these training files.

40 C.F.R. § 68.73 Mechanical integrity – I reviewed Western's written procedure for mechanical integrity. I interviewed Western staff knowledgeable of their mechanical integrity program for fixed equipment and rotating equipment. Upon requesting a list of any overdue mechanical integrity inspections, I was provided a list of several vessels. It was determined that four (4) process vessels in RMP units were overdue at the time of this inspection. Western staff stated that the inspection interval for these 4 vessels are set at ten years as per American Petroleum Institute (API) 510 "Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and Alteration". Section 6.5.1.1 of this document sets the period between internal or on-stream inspections at one half the remaining life of the vessel or 10 years, whichever is less. I asked for and was provided documentation of these four vessels overdue status. This documentation was claimed confidential business information and is held in a secure file as required. These 4 vessels did have external inspections done on schedule. Additionally, Western has a

fixed infrared camera mounted in such a manner to observe these and other pressure vessels on site. This infrared camera can be utilized as a level verification and release identification tool.

40 C.F.R. § 68.75 Management of Change – I ask for and was given a list of the management of changes (MOC) done in RMP units at the facility for the last year and the written procedure for management of change. I reviewed Western's written procedure for MOC and interviewed western staff knowledgeable on their MOC process. Also, I reviewed documentation for MOCs 6190, 6247, 6303, 6386, 6459, 6670, and 6658. I found no areas of concern associated with MOCs.

40 C.F.R. § 68.77 Pre-startup review – Western included pre-startup review with the MOC documentation that I reviewed and met the requirements.

40 C.F.R. § 68.79 Compliance audits – I attached a request for documentation including the last two risk management program compliance audits to my inspection announcement email. During the inspection, Western provided me with copies of the last two process safety management / risk management program audits. These covered all the elements of the risk management program. They each identified several findings. These findings are managed in a system utilizing excel and databases to assign target dates and responsible personnel and due dates. These systems also insure resolution of findings in a timely manner.

40 C.F.R. § 68.81 Incident investigation – I requested the incident investigations associated with releases on December 6, 2014, October 27, 2014, July 23, 2014, and November 20, 2011 that I had identified from the National Response Center and State of Texas Environmental Electronic Reporting System (STEERS). The investigations were appropriate to this incident investigation regulation.

40 C.F.R. § 68.83 Employee participation – I reviewed the employee participation plan during this inspection. It appears to meet the regulation. A union representative participated in the inspection from the opening meeting to the closing meeting.

40 C.F.R. § 68.85 Hot work permit – I reviewed several hot work permits that met the requirements of this regulation.

40 C.F.R. § 68.87 Contractors – I observed that contractors and visitors entry into the facility is controlled. Contractors are required to have offsite and site specific training prior to working at the facility.

Subpart E – Emergency Response –

40 C.F.R. § 68.90 Applicability – Western does provide first responders that respond to fires and releases on site.

40 C.F.R. § 68.95 Emergency response program – I requested and was provided the Emergency Response Plan for Western Refining. I reviewed this plan on site during the inspection. The plan was developed to meet the requirements of this part.

40 C.F.R. § 68.190 Updates – The original RMP for this facility was submitted on June 25, 1999 under the facility name El Paso Refinery (Chevron South). There has been 3 resubmissions since then, all within five

years of each other. The most recent submission was on January 11, 2011. Another submission for the five year resubmission will be due on January 11, 2016.

40 C.F.R. § 68.195 Required corrections – There is no new accident history or change in emergency contact information. There has been a change in the name and title of person or position responsible for Part 68 (RMP) Implementation. This does require a correction.

Section III – AREAS OF CONCERN

- 1) **40 C.F.R. § 68.73(d)(3) frequency of inspections** – Four (4) process vessel in RMP units are overdue at the time of this inspection. I asked for and was provide documentation of these four vessels overdue status. This documentation was claimed confidential business information and is held in a secure file as required.

“(d) Inspection and testing. ... (3) The frequency of inspections and tests of process equipment shall be consistent with applicable manufacturers’ recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience.”

Section IV – FOLLOW UP

During the inspection and at the closing conference I requested Western provide me with the date the four process vessel inspections do occur.

Section V – LIST OF APPENDICES

Appendix 1: List of Overdue Inspections - Confidential Business Information (not included in published version of the report)