

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	06/7-9/22	
Media Program:	Air (CAA)	
Regulatory Program(s)	Risk Management Program (RMP), Clean Air Act (CAA) § 112(r) Accident Prevention Provisions 40 CFR Part 68	
Company Name:	Total Cray Valley USA, LLC	
Facility Name:	Total Energies Cray Valley - Beaumont	
Facility Physical Location:	11455 IH-10	
(city, state, zip code)	Beaumont, TX 77705	
Mailing address:	11455 IH-10	
(city, state, zip code)	Beaumont, TX 77705	
County/Parish:	Jefferson County	
Facility Phone Number	(713) 483-5000	
Facility Contact:	John Padilla	Plant Manager
	John.padilla@totalenergies.com	
FRS Number:	110024599031	
Identification/Permit Number:	Air New Source Review Permit 76852	
Media Identifier Number:	RMP ID: 1000 0019 4602	
NAICS:	325211 Plastics Material and Resin Manufacturing	
SIC:	2821 Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers	
Personnel participating in inspection:		
Daniel Williams	US EPA Region 6	Inspector/Enforcement Officer
Tony Robledo	US EPA Region 6	Inspector/Enforcement Officer
John Padilla	Total Energies	Plant Manager
Gerald Lawrence	Total Energies	Operations Manager
Krystal Dean	Total Energies	QA/QC Manager
Desmond McKnight	Total Energies	Engineering Manager
Brad Hopper	Total Energies/Trinity	EITS Consultant
EPA Lead Inspector Signature/Date		
	Daniel Williams	Date
Supervisor Signature/Date		
	Samuel Tates	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I, United States Environmental Protection Agency (EPA) Region 6 Inspector Daniel Williams, and EPA Region 6 Inspector Tony Robledo arrived at the Total Cray Valley USA, LLC – Total Energies Cray Valley – Beaumont Plant (Total Energies Beaumont) at 9:00 a.m. on Tuesday, June 7, 2022, for an announced inspection. We met with John Padilla (Plant Manager), Gerald Lawrence (Operations Manager), Krystal Dean (QA/QC Manager), Desmond McKnight (Engineering Manager), and Brad Hopper (EITS Consultant) at the opening conference. We presented our credentials to John Padilla and informed him 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) and the Chemical Accident Prevention Provisions in 40 C.F.R. Part 68 and the General Duty Clause. 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 union representatives had elected not to participate, except during the facility walkthrough. Mr. Carey Cotton (Operator and President of the United Steelworkers Union Local 13-243) accompanied us during the facility walkthrough.

FACILITY DESCRIPTION

Originally built in 1969, Total Energies Beaumont produces C5 hydrocarbon resins which have diverse uses. The covered process uses Risk Management Program (RMP) regulated substances including Boron Trifluoride (BF₃), 1,3-Pentadiene, and n-Pentane which are held in quantities that exceed the threshold as described in 40 C.F.R. Part 68. Raw materials are received via railcar and pipeline, are stored onsite in vessels, and used to produce the final product. The facility operates 24 hours a day, has 77 employees, and is unionized (United Steelworkers Union Local 13-243).

Section II - OBSERVATIONS

Accompanied by Total Energies Beaumont personnel, a facility site tour/walkthrough was conducted on Wednesday, June 8, 2022, to observe the facility processes, equipment, and pressure vessels. It was observed that the facility was missing proper markings on piping (e.g., labeling of toxic and flammable chemicals and direction of flow) required by American National Standards Institutes (ANSI)/American Society of Mechanical Engineers (ASME) A13.1. These standards are considered recognized and generally accepted good engineering practices (RAGAGEP). EPA Region 6 Inspector Tony Robledo observed no spills, leaks, or fugitive hydrocarbon emissions with the Forward Looking Infrared (FLIR™) Series GF320 camera. Prior to the facility tour, we watched a safety video and were given instructions on the site's security procedures and required personal protective equipment (PPE). The safety protocols and PPE requirements were observed by all participants on the tour. Additional observations and findings are found on the RMP Program Level 3 Checklist. **(see Appendix 1)**

Subpart A – General

40 C.F.R. § 68.10 Applicability – Total Energies Beaumont is the owner/operator of a stationary source that has more than threshold quantities of one regulated toxic substance (Boron Trifluoride) and two

regulated flammable substances (1,3-Pentadiene and n-Pentane) in a covered process, as listed in 40 C.F.R. § 68.130, and, as such, is subject to the Chemical Accident Prevention Provisions. Total Energies Beaumont re-submitted an RMP registration, as required under 40 C.F.R. 68.190 (b)(5) after completing a revised process hazard review due to a process change on December 30, 2020. Their next registration re-submittal is due on December 30, 2025, unless an update or correction is required by 40 C.F.R. § 68.190 or 40 C.F.R. § 68.195 prior to the five-year renewal date.

40 C.F.R. § 68.10 Program Eligibility – Total Energies Beaumont has an Air New Source Review Permit #76852 and is classified under the North American Industrial Classification System (NAICS) code 325211 “Plastics Material and Resin Manufacturing.” Total Energies Beaumont is subject to the Occupational Safety and Health Administration (OSHA) process safety management (PSM) standard, 29 C.F.R. § 1910.119, and has two Program Level 3 processes under 40 C.F.R. Part 68.

40 C.F.R. § 68.12 General requirements – As Total Energies Beaumont contains two Program Level 3 processes, the plant is required to develop and implement a management system, conduct a hazard assessment, implement the prevention requirements of 40 C.F.R. § 68.65 - § 68.67, develop and implement an emergency response program, and include the data on prevention program elements for Program Level 3 processes, as provided in 40 C.F.R. § 68.175, in their RMP.

40 C.F.R. § 68.15 Management – Total Energies Beaumont developed a management system to oversee the implementation of the risk management program elements and provided an organization chart. However, the chart failed to demonstrate persons responsible for implementing individual requirements of the risk management program. Moreover, the provided organization chart did not clearly define lines of authority. **[AOC 1 – 40 C.F.R. § 68.15(c)]** After completion of the inspection, on Wednesday, June 15, 2022, Total Energies Beaumont updated the organization chart to include the missing elements.

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability – Total Energies Beaumont has two Program Level 3 processes subject to this subpart. The facility is required to prepare an offsite consequence analysis and complete the five-year accident history.

40 C.F.R. § 68.22 Offsite Consequence Analysis Parameters – Total Energies Beaumont used Areal Locations of Hazardous Atmosphere (ALOHA) to model both the toxic worst-case and toxic alternative release scenarios. For the flammable chemicals contained onsite, Total Energies Beaumont used RMP*Comp™ as the technique for modeling both the worse-case and alternative release scenarios. In all release scenarios involving toxics and flammables respectively, the facility used the endpoints provided in Appendix A of 40 C.F.R. Part 68, appropriate wind speeds and stability classes, ambient temperatures and humidity values, values for height of the release, and surface roughness values for the release scenario analyses.

40 C.F.R. § 68.25 Worse-case Release Scenario Analysis – Total Energies Beaumont analyzed and reported one toxic worst-case release scenario for Boron Trifluoride and one flammable worst-case

release scenario for 1,3-Pentadiene, both of which are estimated to create the greatest distance in any direction to endpoint resulting from an accidental release from a covered processes under worst-case conditions.

40 C.F.R. § 68.28 Alternative Release Scenario Analysis – Total Energies Beaumont analyzed and reported one toxic alternative release scenario for Boron Trifluoride and one flammable alternative release scenario for 1,3-Pentadiene representing all flammable substances held in a covered process.

40 C.F.R. § 68.30 Defining Offsite Impacts - Population – Total Energies Beaumont used the most recent census data to define the affected offsite population. This was estimated within a circle with its center at the point of the release and radius determined by the distance to endpoint defined in the worst-case and alternative release scenarios. The presence of residences, public recreation areas, commercial and industrial offices/buildings, and a church were noted in the RMP.

40 C.F.R. § 68.33 Defining Offsite Impacts - Environment – Total Energies Beaumont does not have any environmental receptors within a circle with its center at the point of the release and a radius determined by the distance to the endpoint defined in the worst-case and alternative release scenarios

40 C.F.R. § 68.36 Review and Update – Total Energies Beaumont has reviewed and updated the offsite consequence analyses at least once every five years.

40 C.F.R. § 68.39 Documentation – For the worst-case and alternative release scenarios, Total Energies Beaumont provided a description of the vessel or pipeline and substance selected, assumptions and parameters used, the rationale for selection, the anticipated effect of the administrative controls and passive mitigation on the release quantity, and the release rate.

40 C.F.R. § 68.42 Five-year accident history – Total Energies Beaumont did not have any accidents listed in the RMP at the time of inspection. An evaluation of incidents at the facility in the last five years found no qualifying RMP accidents to be added. This was further verified by viewing OSHA 300 logs.

Subpart D – Program 3 Prevention Program

40 C.F.R. § 68.65 Process Safety Information – Total Energies Beaumont compiled process safety information that 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. I viewed safety data sheets (SDS) related to both raw materials received from outside of the plant, as well as, SDSs of the products that Total Energies Beaumont manufactures. The SDSs viewed contained the following data for the hazards of the substance 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 viewed information pertaining to the technology of the process which included simplified process flow diagrams, process chemistry, and maximum intended inventories. Total Energies Beaumont did not provide documentation demonstrating that they have

evaluated consequences of deviation and safe upper and lower limits for such items as temperatures, pressures, flows, or compositions. **[AOC 2 - 40 C.F.R. §§ 68.65(c)(1)(iv) & (v)]**

I reviewed documentation pertaining to the equipment of the process including materials of construction, piping and instrumentation diagrams (P&IDs), electrical classification, relief system design and design basis, design codes and standards employed, material and energy balances, and safety systems. Total Energies Beaumont documented that equipment complies with RAGAGEP. However, in the facility walkthrough it was observed that the facility was missing proper markings on piping (e.g., labeling of toxic and flammable chemicals and direction of flow) required by ANSI/ASME A13.1. **[AOC 3 - 40 C.F.R. § 68.65(d)(2)]**

40 C.F.R. § 68.67 Process hazard analysis (PHA) – Total Energies Beaumont provided PHAs for review. The PHAs are appropriate to the complexity of the process and identify, evaluate, and control the hazards involved in the process. The PHAs were performed by a team with expertise in engineering and process operations and the team included at least one employee who had experience and knowledge specific to the process being evaluated. Total Energies Beaumont performs thirteen smaller PHAs for its covered processes rather than one large PHA. Using the Hazard and Operability Study (HAZOP) methodology, Total Energies Beaumont performed initial PHAs that identified, evaluated, and controlled the hazards involved in the processes. While the PHAs are staggered to spread the workload out, each of the PHAs are performed on a five-year cycle from the previous PHA. The PHAs address the hazards of the process, engineering and administrative controls applicable to the hazards, and their interrelationships such as: appropriate application of detection methodologies to provide early warning of releases, consequences of failure of engineering and administrative controls, stationary source siting, human factors, and a qualitative evaluation of a range of the possible safety and health effects of failure of controls.

40 C.F.R. § 68.69 Operating Procedures – Total Energies Beaumont has developed and implemented written operating procedures that provide clear instructions for safely conducting most activities involved in each covered process consistent with the process safety information. Steps for each operating phase included initial startup, normal operations, emergency shutdown, emergency operations, and normal shutdown. Temporary operating conditions are managed through the “Downgraded Situation Operation Procedure” and management of change. Operating procedures included safety and health considerations such as: properties of and hazards presented by the chemicals used in the process, precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment, control measures to be taken if physical contact or airborne exposure occurs, quality control for raw materials, and control of hazardous chemical inventory levels. Operating procedures are contained in Total Energies Beaumont’s quality management system software called TMS and are available to operators.

Associated with operating procedures, Total Energies Beaumont failed to include operating limits that trigger consequences of deviation and the steps to correct or avoid deviation. **[AOC 4 -- 40 C.F.R. §§ 68.69(a)(2)(i) & (ii)]** At the time of the inspection, Total Energies Beaumont had identified this as an

issue and provided examples of how they have been updating procedures to include those missing items.

40 C.F.R. § 68.71 Training – Total Energies Beaumont provided an overview of their training program requirements for their operators. Operators must qualify by completing a minimum of 120 hours of on-the-job (OJT) training and up to 240 hours, they must be approved by the shift supervisor and production manager, and then they must obtain certification which requires up to 1,000 hours of working independently on the job over 12 months. They also must pass various tests with a score over 80% which includes hand drawing the process flow diagram. Operators are required to work a minimum of 36 hours per calendar year in their role to maintain certification and they also (per the *Production Operator Training Policy*) are required to complete all electronically delivered refresher trainings in each job function for which they are certified. The training policies provided meets the requirements of training in an overview of the process and in the operating procedures. It also meets the requirements for including an emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. However, it was difficult to determine whether operators had been given refresher training. Total Energies Beaumont has had significant turnover in operators since 2020 and the COVID-19 pandemic losing 12 of the 38 operators to retirement. Only 18 operators have been employed with the company for more than three years and many of them moved into the operator position from other positions. This means that most of the training records I viewed had demonstrated initial training as employees job roles changed; however, they would not have been required to have refresher training yet. Total Energies Beaumont provided documents that track shifts for employees to demonstrate that operators have met their 36-hour recertification requirement each year; however, there is no associated documentation showing that operators completed electronically delivered refresher training in each job function as described in the *Production Operator Training Policy*. [AOC 5 - 40 C.F.R. § 68.71(b)]

40 C.F.R. § 68.73 Mechanical Integrity – Total Energies Beaumont has developed written procedures to maintain the on-going integrity of process equipment which includes pressure vessels and storage tanks, piping systems, relief and vent system devices, emergency shutdown systems, controls, and pumps. Maintenance activities are performed by third-party contractors and inspection and testing procedures are stated to follow RAGAGEP.

EPA reviewed mechanical integrity inspection documents for vessels 7F-3001 and 7F-3001B. Total Energies Beaumont kept records for both vessels on inspections and tests completed, along with a schedule and frequency for inspection/testing. Total Energies Beaumont follows the American Petroleum Institute (API) 510 standards for minimum inspection intervals which requires external inspections every 5 years, internal inspections every 10 years, and thickness testing every 10 years. Upon examination of vessel 7F-3001 documents, there was no supporting documentation to show that the required June 1, 2019, external inspection was completed. Included in the documents viewed was an *Inspection Deferral Form* completed and signed on May 25, 2022. The external inspection was subsequently performed on the vessel on June 10, 2022, which is over two years late. Moreover, upon examination of vessel 7F-3001B documents, there was no supporting documentation to show that the required internal inspection was completed by the due date of April 3, 2022, and there was no

documentation to demonstrate that the required external inspection was completed by the due date of April 3, 2017. Included in the documents viewed was an *Inspection Deferral Form* completed and signed on May 25, 2022. The external inspection was subsequently performed on the vessel on June 10, 2022, which is over two years late. However, there is still no documentation that the required internal inspection has been performed yet, as it was deferred to the end of the second quarter of 2022. **[AOC 6 - 40 C.F.R. § 68.73(d)(4)]**

40 C.F.R. § 68.75 Management of Change (MOC) – Total Energies Beaumont has established and implemented written procedures to manage changes to process chemicals, technology, equipment, procedures, and changes to stationary sources that affect a covered process. Total Energies Beaumont uses FrontLine (training tracker and MOC system) to track MOCs. EPA reviewed many MOCs in the system which demonstrated the technical basis for the proposed change, impact of change on safety and health, modifications to operating procedures, the necessary time period for the change, and authorization requirements for the proposed change were all accounted for. Furthermore, EPA reviewed training records associated with MOCs which demonstrated that employees involved in operating a process and maintenance and contract employees whose job tasks would be affected by a change in the process were informed of and trained regarding the change prior to start-up of the process or affected part of the process.

40 C.F.R. § 68.77 Pre-startup Safety Review – Total Energies Beaumont tracks pre-startup safety reviews (PSSR) in the TMS system which is closely tied to MOCs. EPA reviewed several MOCs with associated PSSRs. The review demonstrated that PSSRs were completed whenever there was a modification significant enough to require a change in the process safety information. Total Energies Beaumont's PSSRs confirmed that prior to the introduction of regulated substances to a process: construction and equipment is in accordance with design specifications, safety, operating, maintenance, and emergency procedures are in place and are adequate, that modified stationary sources met the requirements contained in management of change, and that training of each employee involved in operating a process had been completed.

40 C.F.R. § 68.79 Compliance Audits – Total Energies Beaumont certified that they evaluated compliance with the provisions of this subpart at least every three years to verify that procedures and practices developed under this subpart are adequate and are being followed. Total Energies Beaumont's two most recent reports were completed on September 19, 2016, and August 19 - 23, 2019. The audits were performed by a team which included at least one employee who was knowledgeable in the process and a report was developed for each compliance audit. Total Energies Beaumont failed to document those deficiencies have been corrected because there were seven repeat findings from the 2016 to the 2019 compliance audits. **[AOC 7 - 40 C.F.R. § 68.79(d)]**

40 C.F.R. § 68.81 Incident Investigation – Total Energies Beaumont tracks incidents in their electronic system called Incident Management Preventive Action Correction Tool (IMPACT). The facility investigated each incident which resulted in, or could reasonably have resulted in, a catastrophic release. The investigations begin immediately to gather witness statements. The investigation team consists of at least one person knowledgeable in the process involved (including a contract employee if

the incident involved work of the contractor) and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident. Total Energies Beaumont also uses IMPACT as a system to promptly address, resolve, and document the incident report findings and recommendations.

40 C.F.R. § 68.83 Employee Participation – EPA reviewed Total Energies Beaumont’s written plan of action regarding the implementation of employee participation required by the regulations. Total Energies Beaumont consults with employees and their representatives on the conducting and development of process hazards analyses and on the development of the other elements of process safety management in this rule. Total Energies Beaumont provided employees and their representatives access to process hazard analyses and to all other information required to be developed under the rule.

40 C.F.R. § 68.85 Hot Work Permit – Total Energies Beaumont issues hot work permits for hot work operations conducted on or near a covered process. Total Energies Beaumont documented that the fire prevention and protection requirements in 29 C.F.R. § 1910.252(a) have been implemented prior to beginning the hot work operations; likewise, that the permit indicates the date(s) authorized for hot work and identifies the object on which hot work is to be performed. Total Energies Beaumont keeps hot work permits on file until completion of the hot work operations. EPA reviewed hot work permits and found them to be adequate and compliant with this subpart.

40 C.F.R. § 68.87 Contractors – Total Energies Beaumont uses ISNetWorld to obtain and evaluate information regarding the contract owner or operator’s safety performance and programs when selecting a contractor. Total Energies Beaumont selects from contractors graded high but there is a variance process in emergency procedures that can mitigate any risks associated with ungraded or low graded contractors, if rare circumstances arise. Contractors receive safety training onsite to review known potential fire, explosion, or toxic release hazards related to the contractor's work and the process. Total Energies Beaumont has developed and implemented safe work practices consistent with 40 C.F.R. § 68.69(d), to control the entrance, presence, and exit of the contractor employees in covered process areas.

Subpart E – Emergency Response

40 C.F.R. § 68.90 Applicability – Total Energies Beaumont is designated as a responding stationary source.

40 C.F.R. § 68.93 Emergency Response Coordination Activities – Total Energies Beaumont belongs to the local emergency planning committee (LEPC) and coordinates their response needs with them to determine how the stationary source is addressed in the community emergency response plan 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. Total Energies Beaumont attends monthly meetings with the LEPC and have provided their emergency response plan to the LEPC.

40 C.F.R. § 68.95 Emergency Response Program – Total Energies Beaumont has developed and implemented an emergency response program (*Crisis Management Plan – Beaumont, TX*) for the purpose of protecting public health and the environment that is maintained at the facility and includes procedures for informing the public and the appropriate federal, state, and local emergency response agencies about accidental releases, documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposure, and procedures and measures for emergency response after an accidental release of a regulated substance. The *Crisis Management Plan – Beaumont, TX* does not include procedures for the use of emergency response equipment and for its inspection, testing, and maintenance. [AOC 8 - 40 C.F.R. § 68.95(a)(2)] Additionally, the emergency response program did not include procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes. [AOC 9 - 40 C.F.R. § 68.95(a)(4)]

40 C.F.R. § 68.96 Emergency Response Exercises – Total Energies Beaumont conducts multiple drills each year to test its emergency response program. Some of these drills are coordinated with the neighboring fence line facility and/or the local fire department. The drills involve various mock situations including an oily polymer spill, hurricane emergency, bomb threat, fire drill, and others.

Subpart G – Risk Management Plan

40 C.F.R. § 68.190 Updates – Total Energies Beaumont's RMP was last submitted on December 30, 2020, after a revised PHA/Hazard review due to a process change as required by 40 CFR 68.190(b)(5).

40 C.F.R. § 68.195 Required corrections – Total Energies Beaumont's next RMP registration re-submission is due by December 30, 2025, unless an update or correction is required by 40 C.F.R. 68.190 or 40 C.F.R. 68.195 prior to the five-year renewal deadline.

Subpart H—Other Requirements

40 C.F.R. § 68.200 Recordkeeping – Total Energies Beaumont provided requested documentation and complied with the rule requiring an owner or operator to maintain records supporting the implementation of 40 C.F.R. Part 68 at the stationary source for five years, unless otherwise provided in Subpart D.

Section III – AREAS OF CONCERN (AOCs)

AOC 1 – 40 CFR § 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.

Total Energies Beaumont provided an organization chart. However, it failed to demonstrate lines of authority as it related to RMP and did not outline who had responsibilities for the various parts of the program.

AOC 2 – 40 CFR § 68.65(c)(1)(iv) & (v) Process Safety Information

(c) Information pertaining to the technology of the process. (1) Information concerning the technology of the process shall include at least the following: (iv) Safe upper and lower limits for such items as temperatures, pressures, flows or compositions; and, (v) An evaluation of the consequences of deviations.

Total Energies Beaumont did not provide documentation demonstrating that they have evaluated consequences of deviation and safe upper and lower limits for such items as: temperatures, pressures, flows or compositions. Total Energies Beaumont is aware of this deficiency and is working to update this information.

AOC 3 – 40 CFR § 68.65(d)(2) Process Safety Information

(d) Information pertaining to the equipment in the process. (2) The owner or operator shall document that equipment complies with recognized and generally accepted good engineering practices.

Total Energies Beaumont failed to label piping for process equipment as required by American National Standards Institutes (ANSI)/American Society of Mechanical Engineers (ASME) A13.1

AOC 4 – 40 CFR §§ 68.69(a)(2)(i) & (ii) Operating Procedures

(a) The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements. (2) Operating limits: (i) Consequences of deviation; and (ii) Steps required to correct or avoid deviation.

Total Energies Beaumont failed to include consequences of deviation and steps to correct or avoid deviation in their operating procedures.

AOC 5 – 40 CFR § 68.71(b) Training

(b) Refresher training. Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The owner or operator, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training.

The record provided by Total Energies Beaumont do not clearly demonstrate that refresher training has been given to operators that have been working in the role for more than three years. There is no documentation showing that operators completed electronically delivered refresher training in each job function as described in the *Production Operator Training Policy*.

AOC 6 – 40 CFR § 68.73(d)(4) Mechanical Integrity

(d) Inspection and testing. (4) The owner or operator shall document each inspection and test that has been performed on process equipment. The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test.

Total Energies Beaumont provided mechanical integrity documents for vessels 7F-3001 and 7F-3001B. To meet the 5-year inspection requirement outlined in API 570, the external inspection for 7F-3001 was scheduled for June 1, 2019. The inspection was not performed until June 10, 2022, making it over two years late. For 7F-3001B, the external inspection date was scheduled for April 3, 2017, but was not inspected until June 10, 2022, making it over two years late. Furthermore, the internal inspection for 7F-3001B was scheduled for April 3, 2022, but has been deferred until late in the second quarter of 2022.

AOC 7 – 40 CFR § 68.79(d) Compliance Audits

(d) The owner or operator shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.

Between the 2016 and 2019 compliance audits performed at the facility, Total Energies Beaumont had seven repeat findings. This means that those deficiencies were not corrected or resolved from the 2016 audit.

AOC 8 – 40 CFR § 68.95(a)(2) Emergency Response Program

(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;

Total Energies Beaumont provided emergency response program procedures titled *Crisis Management Plan – Beaumont, TX* and *Beaumont Response to Plant Alarms*. These documents contained no procedures for the use of emergency response equipment and for its inspections, testing, and maintenance.

AOC 9 – 40 CFR § 68.95(a)(4) Emergency Response Program

(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: (4) Procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes. The owner or operator shall review and update the plan as appropriate based on changes at the stationary source or new information obtained from coordination activities, emergency response exercises, incident investigations, or other available information, and ensure that employees are informed of the changes.

Total Energies Beaumont provided its emergency response program procedures titled *Crisis Management Plan – Beaumont, TX* and *Beaumont Response to Plant Alarms*. These documents contained no procedures to review and update the emergency response plan when a change, such as new information obtained from coordination activities, emergency response exercises, incident investigations, or other available information occurs at the facility.

EPA Region 6 inspectors Daniel Williams and Tony Robledo conducted a closing conference at Total Energies Cray Valley – Beaumont at 9:00 am on June 9, 2022, for the inspection. During the closing conference, we reviewed Areas of Concern 1 and 3 – 7 noted in the inspection report. Additionally, AOC 2 and 9 were determined after the conclusion of the inspection and were not included in the closing conference. EPA’s findings from the inspection are also summarized in the completed RMP Program Level 3 checklist. **(see Appendix 1)**

Section IV – FOLLOW UP

The following information was received by EPA through July 8, 2022, after exiting the Facility on June 9, 2022: Documents showing how Total Energies Beaumont is adding operating limits and consequences of deviation to their operating procedures, photos showing some of the labels associated with piping in the process, and an updated RMP Organization chart to include lines of authority for the implementation of individual RMP elements. Furthermore, Total Energies Beaumont provided examples of action items that resulted from incident critiques and a “Lessons Learned” methodology as a way to demonstrate how the facility actively reviews and updates their emergency response strategies based on its experience with incidents and near misses.

Section V – LIST OF APPENDICES

Appendix 1 - RMP Program Level 3 Checklist

Inspection Symbol Key: Y - Yes, N - No, N/A - Not Applicable