

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	October 25-28, 2022	
Media Program:	Air	
Regulatory Program(s)	RMP	
Company Name:	Formosa Plastics Corp., LA	
Facility Name:	Formosa Plastics Corp., USA	
Facility Physical Location:	End of GSU Road	
(city, state, zip code)	Baton Rouge, Louisiana, 70805	
Mailing address:	End of GSU Road	
(city, state, zip code)	Baton Rouge, Louisiana, 70805	
County/Parish:	East Baton Rouge Parish	
Facility Phone Number	(225) 356-3341	
Facility Contact:	Brandon Bencaz	Environmental Manager
	bbencaz@flbr.fpcusa.com	
FRS Number:	110000597444	
Identification/Permit Number:	Air Operating Permit ID: 1004-V3	
Media Identifier Number:	RMP: 100000132812	
NAICS:	32511: Petrochemical Manufacturing, 325211: Plastics Material and Resin Manufacturing	
SIC:	2821, 2869	
Personnel participating in inspection:		
Dan Kats	Formosa Plastics Corp.	Corporate Process Safety Manager (PSM) Coordinator
Dan Wilczynski	Formosa Plastics Corp.	PSM Consultant
Robert Swann	Formosa Plastics Corp.	Staff Manager
Robert Hillman	Formosa Plastics Corp.	Corporate PSM Engineer
Todd Cicero	Formosa Plastics Corp.	Environmental/Safety (E/S) Department
Harold Demmer	Formosa Plastics Corp.	E/S Engineer
Brandon Bercz	Formosa Plastics Corp.	Environmental Manager
Rusty Dagle	Formosa Plastics Corp.	Safety Manager
Randy Lindsly	Formosa Plastics Corp.	Polyvinyl Chloride Operations Manager
Paul Xu	Formosa Plastics Corp.	Maintenance Director
Keri Meyers	LDEQ	Chemical Accident Prevention Program (CAPP) Inspector
Jamie Vicknair	LDEQ	Chemical Accident Prevention Program (CAPP) Inspector
Ashley Suarez	LDEQ	Chemical Accident Prevention Program (CAPP) Inspector
Glen Jenkins	LDEQ	Chemical Accident Prevention Program (CAPP) Inspector
EPA Lead Inspector Signature/Date		
	Kayla Buchanan	Date
Supervisor Signature/Date		
	Samuel Tates	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I, Environmental Protection Agency (EPA) Region 6 inspector Kayla Buchanan, arrived at Formosa Plastics Corp., LA (Formosa Baton Rouge) at 9:00 AM on October 25, 2022, for an announced inspection. Louisiana Department of Environmental Quality (LDEQ) Chemical Accident Prevention Program (CAPP) inspectors and an LDEQ enforcement officer also attended and participated in the inspection. EPA convened an opening conference and met with several representatives from the facility (**notated on page 1**). Kayla presented her credentials to the opening conference attendees and informed them that this was an EPA inspection to determine Formosa Baton Rouge's compliance with Section 112r (1) and (7) (the General Duty Clause and Risk Management Program requirements).

FACILITY DESCRIPTION

Formosa Plastics, LA located at the End of GSU Road in Baton Rouge, Louisiana, 70805, is a producer of basic industrial chemicals and materials. Formosa Baton Rouge employs approximately 236 employees and approximately 90 full-time contractors. Chlorine, ethylene dichloride, anhydrous hydrogen chloride, and vinyl chloride are the major materials used and/or produced at the facility. The primary commodity produced at the facility is polyvinyl chloride resin. Polyvinyl chloride is used to manufacture food wrap, children's toys, medical devices, garden hoses, piping, vinyl siding, floor tiles, roofing shingles, electrical wiring insulation, furniture, clothing articles, automotive parts, etc. The facility has five RMP-covered materials on site exceeding the RMP-specified regulatory threshold quantities. These materials are chlorine, anhydrous hydrogen chloride, vinyl chloride, propylene, and chloroform. The Baton Rouge plant includes two RMP Program Level 3 processes which are covered under the Risk Management regulation. These are Polyvinyl Chloride (PVC) and Vinyl Chloride Monomer (VCM).

Section II - OBSERVATIONS

On October 22, 2022. EPA and LDEQ inspectors participated in a tour of Formosa Baton Rouge. Formosa Baton's E/S Engineer, Harold Demmer, and Corporate PSM Engineer, Robert Hillman, accompanied us. EPA observed the covered processes, equipment, operations, control rooms, and emergency equipment. EPA and LDEQ interviewed operators and asked questions about their training, the Management of Change (MOC) and Process Hazard Analysis (PHA) processes, and the facility's regular operating and emergency procedures.

SUBPART A – General

40 C.F.R. § 68.10 Applicability – Formosa Baton Rouge is the owner/operator of a stationary source that has more than the threshold quantities of three flammable (VCM, Vinyl Chloride, Propylene) and three toxic (Chloroform, Hydrogen Chloride, Chloride) regulated substances in its processes; therefore, the RMP regulations are applicable. Formosa Baton Rouge has a Clean Air Act (CAA) Title V permit and an Air Operating Permit and is classified under the North American Industrial Classification System (NAICS) Codes 32511 (Petroleum Refining) and 325211 {Plastics Material and Resin Manufacturing}. In addition, this facility is subject to the Occupational Safety and Health Administration's (OSHA) Process Safety Management (PSM) Standard (29 C.F.R. § 1910.119), which categorizes Formosa Baton Rouge as a Program Level 3 facility. Formosa Baton Rouge last submitted a RMP registration update to EPA on

August 25, 2021, which describes the two processes containing the regulated substances at more than threshold quantities.

40 C.F.R. § 68.12 General requirements – The owner or operator of a stationary source subject to this regulation shall submit a single RMP, as provided in 40 CFR §§ 68.150 to 68.185. The RMP shall include a registration that reflects all covered processes. EPA reviewed the re-submission of Formosa Baton Rouge’s RMP. It listed the three flammable and three toxic regulated chemicals and the two associated Program 3 processes.

40 C.F.R. § 68.15 Management – Formosa Baton Rouge developed a management system to oversee the implementation of the risk management program elements. It assigned a qualified person or position that has overall responsibility for the development, implementation, and integration of the risk management program elements. Responsibility for implementing individual requirements of this part was assigned to persons other than the person identified, so the names or positions of these people were documented, and the lines of authority were defined through an organization chart or similar document.

SUBPART B – Hazard Assessment - 40 C.F.R. § 68.20 - 40 C.F.R. § 68.42

EPA and LDEQ noted areas of concern for the following elements within this subpart:

40 C.F.R. § 68.25 Worse-case release scenario analysis -The worst-case release quantity release scenario for substances in a vessel must be the greatest amount held in a single vessel, taking into account administrative controls that limit the maximum quantity. Formosa Baton Rouge did not consider administrative controls when determining its worst-case toxic scenario [**AOC #1 - 40 C.F.R. § 68.25(b)**].

SUBPART D – Program 3 Prevention Program - 40 C.F.R. § 68.65 - 40 C.F.R. § 68.8

EPA and LDEQ did not note any areas of concern within this subpart.

SUBPART E – Emergency Response 40 - C.F.R. § 68.90 - 40 C.F.R. § 68.96

EPA and LDEQ noted areas of concern for the following elements within this subpart:

40 C.F.R. § 68.93 – Emergency response coordination activities – Formosa Baton Rouge must annually coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and 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. Formosa Baton Rouge did not provide any records of meetings with the LEPC [**AOC #2 - 40 C.F.R. § 68.93**]. Formosa Baton Rouge updated its emergency response plan to state that it “will conduct and coordinate an annual response meeting with the LEPC to discuss the site Emergency Response Plant. A copy of the FPC Emergency

Response Plan will be submitted to the LEPC on an annual basis or when significant changes are made to said plan. A record of this meeting will be filed in the E/S Department.”

Section III – AREAS OF CONCERN

EPA Region 6 inspector Kayla Buchanan and LDEQ inspectors Jamie Vicknair, Glen Jenkins, and Ashley Suarez conducted a closing conference at Formosa Baton Rouge at 4:00 PM on October 27, 2022, for the inspection. During the closing conference, we reviewed the Areas of Concern noted.

- Formosa Baton Rouge did not consider administrative controls when determining its worst-case toxic scenario **[AOC #1 - 40 C.F.R. § 68.25(b)]**.
- Formosa Baton Rouge did not provide any records of meetings with the LEPC **[AOC #2 - 40 C.F.R. § 68.93]**.

Section IV – FOLLOW UP

The following information was received by EPA on November 3, 2022, after exiting the Facility October 27, 2022:

- Emergency Response Documentation
- Mechanical Integrity Records
- MOCs
- Requested Operating Procedures
- PHA PVC and VCM Recommendations
- Training Records