

Clean Air Act - Section 112(r) Risk Management Program and EPCRA 312 – Tier II Facility Desk Audit Report

FACILITY INFORMATION:

Name: McGregor Lewiston, ID 37
Physical Address: 32278 Waha Road, Lewiston, ID 83501
County: Nez Perce
Phone Number: (509) 397-4355
Latitude/Longitude: 46.324361/-116.892389
EPA Facility ID# 1000 0006 9301

CONTACT INFORMATION (RMP Implementation):

Name: Arthur Harber, Business Unit Manager
Phone Number: 509-595-5005
E-mail: Arthur.Harber@mcgregor.com

EMERGENCY CONTACT INFORMATION:

Name: Kevin Finnell
Phone (24-hr): Service Manager
E-mail: kevin.finnell@mcgregor.com

AUDIT DETAILS:

Contact Date: August 23, 2022
Inspectors: Peter Phillips, US EPA Region 10 SEE Grantee, RMP Inspector

DATE AND PROGRAM LEVELS OF SUBMITTED RMP:

Initial Submission Date: June 21, 1999
Date of Latest Update: June 10, 2019

Process Program 2 as reported in RMP:

Process ID	Description	Process Chemical ID	NAICS Code	Program Level	Chemical Name CAS Number	Quantity (lbs)
1000096593	Ammonia Storage	1000120943	42491	2	Ammonia, Anhydrous (7664-41-7)	560,000

PURPOSE:

The purpose of this document review was to determine whether this facility is in compliance with Section 112(r) of the Clean Air Act and Title 40 Code of Federal Regulations (CFR) Part 68, Chemical Accident Prevention Provisions and compliance with Section 312 of the Emergency Planning and Community Right to Know Act (EPCRA) which requires the Tier II Chemical Inventory Reports to be submitted annually. EPA Region 10 RMP inspectors are conducting offsite compliance monitoring when warranted for the RMP facility.

- The facility has been previously inspected in the past 5 years: No ☒ Yes ☐
- Is the emergency contact information current? No ☐ Yes ☒
- The facility is High Risk: No ☒ Yes ☐
- Joint EPCRA inspection: No ☐ Yes ☒

CAA Title V Air Permit:

Does the facility have a CAA Title V Permit?

No ☒Yes ☐**RELEASE/ACCIDENT HISTORY:**

Did the facility have a reportable release in the past 5 years?

No ☒Yes ☐**EPCRA TIER II REPORTING:**

Did the facility submit their 2022 Tier II report to the SERC?

No ☐Yes ☒*If Yes, Date the Tier II was submitted:* 1/8/2022

Did the facility submit a Tier II to the LEPC and local fire department?

No ☐Yes ☒*If Yes, Date the Tier II was submitted:* 1/8/2022**GENERAL INFORMATION:**

The facility is regulated under the Risk Management Program as a Program Level 2 process and is owned and operated by The McGregor Company. The primary purpose of the facility is the storage and distribution of anhydrous ammonia to farmers as an agricultural crop nutrient. The facility reported in their June 10, 2019, RMP an ammonia inventory of 560,000 pound (exceeds the threshold quantity of 10,000 pounds). The ammonia storage and distribution process comprised of a single 30,000-gallon storage tank and two truck loading/unloading docks (one on each end of the tank). Anhydrous ammonia is delivered to the facility by truck and is transferred to the storage tank. The ammonia is delivered to the end user by vehicles owned and operated by The McGregor Company. The facility's business is 100 percent retail sales. There are five full-time employees on site that are process operators.

The facility is staffed Monday – Friday, 07:00 – 16:00 hours during off-season, and 07:00 – dusk during busy season. The facility is secured by a perimeter fence and gate and is patrolled by the Nez Perce Sheriff's Department. The facility relies upon the Lewiston Fire Department HazMat Team in the event of an anhydrous ammonia release.

INFORMATION REQUESTED FROM FACILITY:

1. **Hazard Review** – A copy of the last two Hazard Reviews with recommendations and tracking sheets.
2. **Compliance Audit** – A copy of the last two Compliance Audits with recommendations and tracking sheets.
3. **Training** – Training records for each process operator
 - a. **Initial Training Records:** Training in the overview of the process and in the operating procedures, emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks.
 - b. **Refresher Training Records:** Training of each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process.
 - c. **Training Documentation:** Records which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training.
 - d. Fill in **Facility Training Summary** sheet.

4. **Emergency Response** – A copy of emails, letters, or notes on meetings with LEPC and local responders including contact information (individual names, phone numbers, email addresses, organization name), dates, and coordination activities.
5. **Tier II Reporting** - Evidence of submission of a Tier II as described in 40 C.F.R. Part 370 to the State Emergency Response Commission (“SERC”), the Local Emergency Response Commission (“LEPC”), and the fire department with jurisdiction over the facility.

ANALYSIS OF DOCUMENTATION SUBMITTED:

1. Hazard Review Analysis:

- The facility submitted their 2016 and 2019 Hazard Reviews for review.
- The 2016 Hazard Review was conducted by John Boyer, Service Manager and Clint Suebert, Service Technician on 2/16/2016. No deficiencies were identified in this hazard review.
- The 2019 Hazard Review was conducted by Marcus Cooper (McGregor) on 7/31/2019. No deficiencies were identified in this hazard review.
- Documents submitted by the facility indicates that hazard reviews are being performed at least every 5 years as required by 40 CFR, § 68.50.

2. Compliance Audit:

- The facility submitted their 2018 and 2021 Compliance Audits for review.
- The 2018 Compliance Audit was conducted by Doug Wendt (McGregor) on 10/23/2018. No deficiencies were identified in this compliance audit.
- The 2021 Compliance Audit was conducted by Kevin Finnell (McGregor) on 10/21/2021. No deficiencies were identified in this compliance audit.
- Documents submitted by the facility indicates that compliance audits are being performed at least every 3 years as required by 40 CFR, § 68.58.

3. Training:

Operator Initial and Refresher Training

Name	Initial	Refresher	Refresher	Refresher	Refresher
Kevin Finnell	2/11/2016	12/6/2017	5/18/2020	12/7/2021	8/1/2022
Shan Hanan	3/25/2016	12/6/2017	5/18/2020	12/7/2021	8/1/2022
Cole Senefsky	7/19/2019	11/27/2019	5/18/2020	12/7/2021	8/1/2022
Arthur Harber	2/11/2016	11/21/2019	8/1/2022		
Jasson Webster	12/16/2017	11/27/2019	8/1/2022		

Training Documentation:

- Training in operating procedures and safe workplace practices were corroborated by a written training certificate signed by the operator and his/her supervisor. Observation was used to validate the training that the operators received.

- The documentation reviewed indicates that initial and review training is consistent with the training requirements under 40 CFR § 68.54.

4. Emergency Response Coordination (annually after 9/21/18):

- The facility's Emergency Response Plan was reviewed and exercised on 8/17/2022. Participants included Kevin Finnell, McGregor; Joshua Hall, Chief, Perce County Rural Fire Department; Clark Philip, Nez Perce County LEPC; and Bryce Scrimsher, Sheriff, Nes Perce County.
- No documented was submitted to support Emergency Response coordination prior to 2022.

5. Tier II Reporting:

- The Tier II report was submitted on 1/8/2022 for the reporting period of January 1 to December 31, 2021. The report was filed by Encamp, Inc. on behalf of The McGregor Company.

AREAS OF CONCERNS:

1. **Emergency Response:** The McGregor Company did not perform annual emergency response coordination activities required under 40 CFR § 68.93. The McGregor Company could not produce documentation that emergency response coordination activities were conducted prior to 2022. This requirement has been in effect since September 21, 2018.

The findings in this report will be discussed with the facility via telephone and email after certification of this report.

DOCUMENTS REQUESTED ON FOLLOW-UP:

The following documents were requested after the initial submission of documents. These documents will still be reviewed to determine compliance with Section 112(r) of the Clean Air Act.

No additional documents were requested.

AUDIT REPORT CERTIFICATION:

This is to certify that I, Peter Phillips, was the lead inspector at this facility and that I have verified the accuracy of the observations in this inspection report:

Signature

Date

RMP Coordinator/Approval

Date

EPCRA Coordinator/Approval

Date

Land Enforcement Section Chief/Approval

Date