

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

FACILITY INFORMATION:

Name: The McGregor Company - Genesee, ID 35
Physical Address: 2045 Genesee-Juliaetta Road, Genesee, Idaho 83832
Phone Number: (509) 397-4355
Latitude/Longitude: 46.548929/-116.908422
EPA Facility ID# 1000 0006 8464

CONTACT INFORMATION (RMP Implementation):

Name: Clark Capwell
Phone Number: (208) 285-1151
E-mail: clark.capwell@mcgregor.com

EMERGENCY CONTACT INFORMATION:

Name: Kyle Hamilton, Service Manager
Phone (24-hr): (208) 669-0682
E-mail: kyle.hamilton@mcgregor.com
Website: <https://www.mcgregor.com/about/risk-management/>

AUDIT DETAILS:

Contact Date: August 18, 2022
Inspectors: Terry Garcia, US EPA Region 10 SEE Grantee, Lead RMP Inspector

DATE AND PROGRAM LEVELS OF SUBMITTED RMP:

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

Process (Program 1, 2, 3) as reported in RMP:

Process ID	Description	Process Chemical ID	NAICS Code	Program Level	Chemical Name CAS Number	Quantity (lbs.)
1000096586	Storage and Transfer	1000120936	42491	2	Ammonia, Anhydrous (7664-41-7)	270,000

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 2021 Tier II report to the SERC?

No ☐Yes ☒*If Yes, Date the Tier II was submitted:* January 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:* January 8, 2022; LEPC, Latah County; Fire District, Genesee Rural Fire Protection District**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.[Why does the facility use/store the regulated chemicals on site?] The primary activity at this facility is the storage and handling of anhydrous ammonia for sale to farmers. Anhydrous ammonia is received, stored and distributed for direct application to the soil as a crop production nutrient. Total Maximum Inventory is 270000 lbs. There are 12 full-time employees on site. Facility hours of operation at this site vary seasonally but typically are Monday - Friday, 7 am – 4 pm.

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 provided a 2014 and 2018 Hazard Reviews for review performed by Rick Zenner. The 2014 Hazard Review was signed and dated on 5/1/2014 by Rick Zenner. The 2018 Hazard Review was signed and dated 10/17/2018 by Mr. Rick Zenner. No findings and recommendations were identified as a result of hazard reviews. The hazard reviews are being performed at least every five years as required by 40 CFR § 68.50.
2. **Compliance Audit:** The facility provided a 10/18/2018 and 10/15/2021 Compliance Audits (CA) for review. The 2018 CA was performed by Bill Krick, Business Unit Manager and certified by Rick Zenner. The 2021 CA was conducted by Bill Krick and signed/certified by Kyle Hamilton. No deficiencies were found as a result of both audits. The compliance audits are being performed at least every three years as required by 40 CFR § 68.58.
3. **Training:** The facility provided initial and refresher training documentation for thier five operators for review.
 - a. Initial Training Records: Initial training documents were provided for all five operators.
 - b. Refresher Training Records: The refresher training documentation shows that refresher training is consistent with the requirements under 40 CFR § 68.54.
 - c. Training Documentation: Training certificates provided demonstrate that their operator has sufficiently understood the training under 40 CFR § 68.54.
 - d. Facility Training Summary: The facility provided a complete training summary sheet with operator training and qualification certificates and refresher training information for the following five operators: Kyle Hamilton, Ethan Augustus Akerland, Eric Thomas Knox, Samuel Schumacher and Bill Krick. In addition, the facility indicated that operators are trained to perform maintenance. The operator's training are certified and verified by facility representatives, Cody Baily, Bill Krick or Rick Zenner.
4. **Emergency Response Coordination (Annually after 9/21/18):** The facility provided emails to demonstrate coordination of Tier II reports with Latah County LEPC and Fire. Mr. Bill Krick, facility manager is also the Fire Chief in the area, confirmed by Clark Capwell in a phone conversation. Mr. Capwell stated they are lacking documentation of annual coordination with local responders since September 21, 2018.
5. **Tier II Reporting:** The Tier II report was submitted on 1/7/2022 for the reporting period of January 1 to December 31, 2021. The Tier II report was filed by Encamp, Inc. on behalf of The McGregor Company. Tier II report was submitted to all regulatory entities as required; LEPC: Latah County and Fire District: Genesee Rural Fire Protection District. Mr. Capwell EHS Manager provided delivery confirmation for the Genesee Tier II reports and attached mailing or e-mail confirmations in email dated 9/23/2022.

AREAS OF CONCERNS:

1. The McGregor Company Genesee facility was unable to provide documentation of emergency response coordination since 2018. The facility stated that the COVID pandemic in rural areas hindered their coordination with local responders. The facility is planning for future emergency response coordination.

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

AUDIT REPORT CERTIFICATION:

This is to certify that I, Terry Garcia, 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