United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	09/20/2022 – 09/22/2022	
Media Program:	Air	
Regulatory Program(s)	Clean Air Act Section 112(r) and 40 Code of Federal Regulations (C.F.R.) Part 68 Chemical Accident Risk Management Plan (RMP)	
Company Name:	**Altivia Specialty Chemicals**	
Facility Name:	**Altivia Chemical Complex**	
Facility Physical Location:	1901 W H Street	
(city, state, zip code)	LaPorte, Texas 77571	
Mailing address:	1100 Louisiana St, Ste. 4800	
(city, state, zip code)	Houston, Texas 77002	
County/Parish:	Harris	
Facility Phone Number	(713) 658-9000	
Facility Contact:	Jeffrey Grimes	Environmental Engineer
	jgrimes@altivia.com	
FRS Number:	110070361699	
Identification/Permit Number:	N/A	
Media Identifier Number:	1000 0002 2334	
NAICS:	325199	
SIC:	N/A	

Personnel participating in inspection:		
Sherronda Phelps	US EPA	Air Inspector
Jeffrey Grimes	Altivia	Environmental Engineer
Derrick Meadows	Altivia	Plant Manager

EPA Lead Inspector Signature/Date	Sherronda Phelps	11/16/2022
	Sherronda Phelps	Date
Supervisor Signature/Date	SAMUEL TATES Digitally signed by SAMUEL TATES Date: 2022.11.16 12:20:59 -06'00'	
	Samuel Tates	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I , Sherronda Phelps, United States Environmental Protection Agency (EPA) Region 6 inspector arrived at Altivia Specialty Chemicals (Altivia) facility at 9:00 AM on September 20, 2022, for an announced inspection. I was greeted by Derrick Meadows, Plant Mgr., and other facility personnel at the opening conference. I presented my credentials to all present and informed them that this was an EPA inspection to determine compliance with the Clean Air Act (CAA) Section 112(r)(1) and 112(r)(7). The scope of the inspection was a partial compliance evaluation (PCE) and included evaluation of the compliance of the facility with 40 C.F.R. Subpart 68 – Chemical Accident Prevention Provisions. An employee representative was invited to participate in the inspection; however, this site is a non-union facility.

FACILITY DESCRIPTION

According to the facility's executive summary, Altivia La Porte plant produces and stores alkyl chloroformates, organic acid chlorides and various specialty chemicals. The facility produces phosgene on demand for use as a raw material in its' manufacturing processes and stores chlorine on-site in railcars. The only chemicals meeting the threshold quantity as determined under 40 CFR § 68.115 is Phosgene and Chlorine. The facility employs approximately 80 full-time employees (FTE's).

Section II – OBSERVATIONS

The initial documentation review began in person with Derrick Meadows (Plant Manager) and Jeffrey Grimes (Environmental Engineer).

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

Subpart A – General

40 C.F.R. § 68.10 Applicability – Altivia is a stationary source that has more than a threshold quantity of regulated substances in their process. The last submittal was made October 17, 2019, due to the five-year resubmission date. Altivia is a RMP Program 3 facility. The facility is subject to the Occupational Safety and Health Administration's (OSHA) Process Safety Management (PSM) Standard (29 CFR § 1910.119).

40 C.F.R. § 68.12 General requirements – Altivia submitted their most recent RMP submission on October 17, 2019. The regulated substance(s) chlorine and phosgene are the regulated substances listed over the threshold quantity for the RMP Program Level 3 processes.

40 C.F.R. § 68.15 Management – Altivia developed a management system to oversee the implementation of the risk management program elements. Altivia provided an organizational chart that outlined the positions to implement the individual elements of the RMP, as required by this subpart.

Subpart B – Hazard Assessment

40 C.F.R. § 68.20 Applicability – Altivia operates an RMP program level 3 process which is subject to this subpart and thus is required to prepare a worst-case release scenario analysis and complete the five-year accident history. I reviewed the documentation provided to make this analysis and identified no areas of concern with this subpart.

40 C.F.R. § 68.22 Offsite Consequence Analysis Parameters – Altivia employed the parameters specified by EPA in this rule by using the RMP*Comp™ software. I reviewed the offsite consequence analysis and supporting documentation to assure the data was accurate and correct.

40 C.F.R. § 68.25 Worse-case release scenario analysis – Altivia identified and analyzed at least one worst-case scenario in its Program 3 processes using the RMP* Comp™ software, thus meeting the requirements of the regulation.

40 C.F.R. § 68.28 Alternative Release Scenario Analysis – Altivia identified and analyzed at least one alternative release scenario in its Program 3 processes using the RMP* Comp™ software, thus meeting the requirements of the regulation.

40 C.F.R. § 68.30 Defining offsite impacts- Population – Altivia used the most current Census Bureau population data and the distances to endpoints, as specified in the regulation, to calculate the population numbers reported in their RMP.

40 C.F.R. § 68.33 Defining offsite impacts- Environment – Altivia used US Geological Survey maps data to determine the environmental receptors and the distances to endpoints.

40 C.F.R. § 68.36 Review and update - Altivia understands documentation associated with the worst-case scenarios that should be updated and reviewed at least every five years and are anticipating a review in 2024.

40 C.F.R. § 68.39 Documentation - Altivia operates a RMP program level 3 process which is subject to this subpart and thus is required to prepare a worst-case release scenario analysis and complete the five-year accident history. I reviewed the documentation provided to make this analysis and identified no areas of concern with information pertaining to this subpart to include the Offsite Consequence Analysis (OCA) data. The facility used the EPA Model RMP*Comp™.

40 C.F.R. § 68.42 Five-year accident history – Altivia did not report any accidental release(s) in their RMP that resulted in deaths, injuries, or property damage.

Subpart D – Program 3 Prevention Program

40 C.F.R. § 68.65 Process safety information (PSI) - I reviewed various sections of the process safety information (PSI) for the RMP covered process at Altivia. There were no areas of concern identified.

40 C.F.R. § 68.67 Process Hazard Analysis (PHA) – Altivia provided me with their PHA Schedule detailing completion dates and due dates. All revalidation dates were met per the regulation. I reviewed the PHA's conducted for Reactor 400, Area A and Area B processes. The next revalidation is due in the year 2027. The PHA study was conducted using the Hazard and Operability Analysis (HAZOP) method along with the use of PHA Works. No areas of concern were observed.

40 C.F.R. § 68.69 Operating procedures - I reviewed several operating procedures for the covered process. I reviewed and discussed with Altivia personnel operating procedures, which included the Standard Operating Procedure (SOP) certification procedure, confined space entry, and lockout/tag out procedures. Altivia certified that the operating procedures were current, accurate, and that the procedures were reviewed as often as necessary, as required by this subpart, and used a single certification document for operating procedures annually. The master copy is the hard copy, and a new copy is printed after each revision is made. Operating procedures are available to the operators via Electronic Data Management System. No areas of concerns were identified with this subpart.

40 C.F.R. § 68.71 Training – Operator Training consists of both On the Job Training and Computer Based Training. As a new hire, at least four to six months is allocated to initial job training. Refresher training is required every three years per the regulation or sooner. I requested training records for review and was provided the files for several employees at different experience levels. Of the employee files I reviewed, all took the initial training to operate within the unit and should be up for refresher training later this year while others are scheduled to refresh well into the year 2023. Training was a combination of classroom and hands on. There were no areas of concern identified.

40 C.F.R. § 68.73 Mechanical integrity – EPA reviewed mechanical integrity records for randomly selected inspections of RMP covered process equipment and the written procedure for maintaining the integrity of the process. EPA also requested a list of past due/overdue MI inspections. Of that request, there were 10 items to populate from that query: 2 internal vessel inspections and 8 on the rotating equipment side. The frequency of the inspections vary between 30 days and even up to 2 years. It should be noted the facility mentioned their "*Preventative Maintenance Process Procedure – MNTQ-0017 Section 2.3 – Preventative Maintenance Scheduling shall be completed with enough advance inspections are to be completed in the month they are due".* At least 4 of the 10 inspections past due were due in August and were not completed at the time of EPA's site visit. Altivia has failed to meet the scheduled due date per the recommended frequency of testing and inspections set forth as listed via the query requested by the EPA.

40 C.F.R. § 68.75 Management of change (MOC) – EPA discussed Altivia's written procedure for MOC and the documentation with site personnel. The MOCs were implemented using an electronic System, Reliance. I reviewed several MOCs to evaluate the implementation of the procedures in place. No areas of concern were identified.

40 C.F.R. § 68.77 Pre-startup safety review – Altivia provided documentation regarding pre-startup safety review which accompanied several MOC's reviewed. All PSSR requirements were satisfied before startup.

40 C.F.R. § 68.79 Compliance audits – EPA requested the two most recent compliance audits for review. Altivia provided compliance audit reports completed in March 2021 and March 2018. Action Items from the audit were placed in the electronic tracking system titled, Frontline. I followed up on several items from the most recent audit to observe Altivia's follow through, and implementation of each action item created. Altivia brought each action item to a close in a timely manner as required by the regulation.

40 C.F.R. § 68.81 Incident investigation - I reviewed a list of incident reports/investigations for all incidents, which resulted in, or could have reasonably resulted in, a catastrophic release of a regulated substance for the last five years. All incident investigations appear to have been conducted as required per the subpart.

40 C.F.R. § 68.83 Employee participation – Altivia implemented the requirements of this subpart.

40 C.F.R. § 68.85 Hot work permit - Altivia discussed the process for conducting hot work onsite and several hot work permits were reviewed. All hot work permits are retained for one year upon completion of work.

40 C.F.R. § 68.87 Contractors – Altivia hires contractors on occasion to conduct specific maintenance and construction activities. Prior to selecting a contractor, a thorough evaluation of safety performance of the contractor is carried out. The company has a strict policy of informing the contractors of known potential hazards related the contractor's work and the processes. Contractors are also informed of all the procedures for emergency response should an accidental release of a regulated substance occur. No areas of concern were identified.

Subpart E – Emergency Response

40 C.F.R. § 68.90 Applicability – Altivia is a first responder stationary source in case of an accidental release of a regulated substance, therefore, the facility need not comply with the requirements of part 68.95.

40 C.F.R. § 68.93 Emergency Response Coordination Activities – Altivia coordinates with the local emergency planning and response organizations to ensure that local response organization are aware of the regulated substances of the stationary source. I reviewed Altivia's coordination notification documentation which included the names of the individuals involved, their contact information, dates of the coordination activities, and the nature of the coordination activities. Altivia coordinates with the local authorities in the city at least annually. I reviewed the facility's Emergency Response Drill forms. The facility conducts drills on a quarterly basis that consist of exercises such as: air monitoring, entry control, medical checks, decontamination, and HAZMAT immediate control.

40 C.F.R § 68.96 Emergency response exercises – As part of coordination with local emergency response officials required by §68.93, Altivia consult with officials to establish an appropriate frequency for tabletop exercises. In addition, Altivia provided notification exercises dates and indicated that notification exercises are conducted on an annual basis.

Subpart G – Risk Management Plan (RMP)

40 C.F.R. § 68.190 Updates – There have been no recent additions or upgrades to the unit that would have triggered an update to the Risk Management Plan.

40 C.F.R. § 68.195 Required corrections -The next RMP re-submission is due by October 17, 2024, unless an update or correction is required by 40 C.F.R. § 68.190 and § 68.195.

Section III – AREAS OF CONCERN (AOC)

1) 40 C.F.R. § 68.73 (d)(3), Altivia failed to meet the scheduled due date per the recommended frequency of testing and inspections set forth for 10 inspections as listed via the query requested by the EPA.

EPA Region 6 inspector, Sherronda Phelps, conducted a closing conference at Altivia Specialty Chemicals on September 22, 2022, for the inspection. During the closing conference, Sherronda Phelps, reviewed the area of concern and other recommendations made during the inspection.

Section IV – FOLLOW UP

There was no follow up information provided after completion of inspection.

Section V – LIST OF APPENDICES

Appendix A – List of Past Due/Overdue Inspections