



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7 10 MAY -3 AM 9:03
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

EXPEDITED SETTLEMENT AGREEMENT (ESA)

DOCKET NO.: CAA-07-2010-0013

This ESA is issued to: Chemstar Products Company

At: 503 West Hayes, McPherson, Kansas 67460

for violating Section 112(r)(7) of the Clean Air Act.

The United States Environmental Protection Agency, Region 7 (EPA) and Chemstar Products Company, 503 West Hayes, McPherson, Kansas 67460 (Respondent), have agreed to a settlement of this action before filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(B)(2) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. §§ 22.13(b), 22.18(b)(2).

The Complainant, by delegation of the Administrator of EPA, is the Director of the Air, and Waste Management Division. The Respondent is Chemstar Products Company, 503 West Hayes, McPherson, Kansas 67460.

This is an administrative action for the assessment of civil penalties instituted pursuant to Section 113(d) of the Clean Air Act. Pursuant to Section 113(d) of the Clean Air Act, 42 U.S.C. § 7413(d), the Administrator and the Department of Justice jointly determined that in cases where the first alleged date of violation occurred more than one year before initiation of an administrative action and which meets the criteria set forth in EPA's policy entitled "Use of Expedited Settlements in Addressing Violations of the Clean Air Act Chemical Accident Prevention Provision, 40 C.F.R. Part 68," dated January 5, 2004, are appropriate for administrative penalty action.

ALLEGED VIOLATIONS

Facilities that produce, handle, process, distribute, or store certain chemicals are required to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the RMP to EPA in accordance with 40 C.F.R. Part 68. Facilities must fully update and resubmit the RMP, at a minimum, every five years or deregister the RMP facility within 6 months that it is no longer covered by the regulation. The EPA Risk Management Database, RMPInfo, indicates that your facility has failed to resubmit or update the facility's Risk Management Plan by June 23, 2009. Chemstar Products Company's failure to update and resubmit the facility's RMP is a violation of 40 C.F.R. 68.190.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith effort to comply, and other factors as justice may require, and upon consideration of the entire record, the parties enter into the ESA in order to settle the violations, described in the enclosed RMP Findings, for the total penalty amount of **\$800.00**.

This settlement is subject to the following terms and conditions:

The Respondent by signing below waives any objections that it may have regarding jurisdiction, neither admits nor denies the specific factual allegations contained herein and in the RMP Findings, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Clean Air Act, 42 U.S.C. § 7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own costs and fees, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the violations listed in the enclosed RMP Findings and has sent a cashier's check or certified check (payable to the "United States Treasury") in the amount of **\$800.00** in payment of the full penalty amount to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

The Docket Number of this ESA is CAA-07-2010-0013, and must be included on the check.

This original ESA, a copy of the completed RMP Findings, and a copy of the check must be sent by certified mail to:

Deanna Smith
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
901 North 5th Street
Kansas City, Kansas 66101.

A copy of the check must also be sent to:

Kathy M. Robinson
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 7
901 North 5th Street
Kansas City, Kansas 66101.

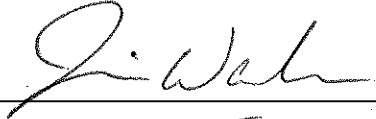
Upon Respondent's submission of the signed original ESA, EPA will take no further civil action against Respondent for the alleged violations of the Clean Air Act referenced in the RMP Findings. The EPA does not waive any other enforcement action for any other violations of the Clean Air Act or any other statute.

If the signed original ESA with an attached copy of the check is not returned to the EPA Region 7 office at the above address in correct form by the Respondent within 45 days of the date of Respondent's receipt of it (90 days if an extension is granted), the proposed ESA is withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified herein and in the RMP Findings.

This ESA is binding on the parties signing below.

This ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT:

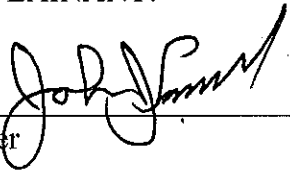


Date: 4-13-10

Name (print): James F. Werler

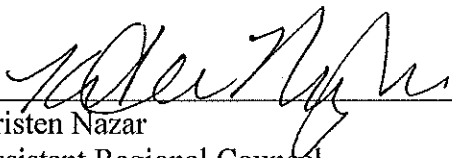
Title (print): President
Chemstar Products Company

FOR COMPLAINANT:



Date: 4/27/10

6 Becky Weber
Director
Air and Waste Management Division
EPA Region 7



Date: 4/20/2010

Kristen Nazar
Assistant Regional Counsel
Office of Regional Counsel
EPA Region 7

I hereby ratify the ESA and incorporate it herein by reference. It is so ORDERED.

Karina Borromeo
Karina Borromeo
Regional Judicial Officer

Date: April 29, 2010

Risk Management Program Inspection Findings
CAA § 112(r) Violations

Chemstar Products Company
503 West Hayes
McPherson, Kansas 67460
Docket No. CAA-07-2010-0013

COMPLETE THIS FORM AND RETURN IT WITH THE ESA.

VIOLATIONS

PENALTY AMOUNT

Risk Management Plan \$2,000.00
Required Corrections [§ 68.190]

The owner or operator failed to revise and update the RMP at least once every 5 years of its most recent submittal or deregistered within 6 months indicating the facility is no longer covered by the RMP regulations as required at § 68.190.

Please attach confirmation that the RMP resubmission/update has been received.

Total Unadjusted Penalty \$2,000.00

Calculation of Adjusted Penalty

- 1st Reference the multipliers for calculating proposed penalties for violations found during RMP inspection matrix. Finding the row for number of employees 21-50 and column for 5-10 times the threshold quantity of 10,000 pounds of propylene oxide as listed in 40 C.F.R. Part 68.130 for the amount in a process gives a multiplier factor of 0.4. Therefore, the multiplier for Chemstar Products Company = 0.4
- 2nd Adjusted Penalty = \$2,000.00 (Unadjusted Penalty) X 0.4 (Size-Threshold Multiplier)
Adjusted Penalty = \$800.00
- 3rd An Adjusted Penalty of \$800.00 would be assessed to Chemstar Products Company for the violations found during the RMP submittal data review. This amount will be found in the Expedited Settlement Agreement (ESA).

Total Adjusted Penalty \$800

The approximate cost to correct the above items: \$ 0

Compliance staff name: James Wester

Signed: J. Wester Date: 4-13-10

James F. Werler

From: EPA CDX [helpdesk@epacdx.net]
Sent: Monday, March 08, 2010 3:51 PM
To: John Bailly
Cc: James F. Werler
Subject: Risk Management Plan (RMP) submission has been CERTIFIED

Your Risk Management Plan (RMP) submission has been PREPARED, CERTIFIED and SENT to U.S. EPA for the facility shown below.

Reference Transaction ID: _b56a6eea-99b1-40e7-9efc-b47186430efd
Document Name: RMP000120091001152455JDBAILLY Prepared by: John Bailly (JDBAILLY) Date Prepared: 10/1/2009 Certifying Official: Name: James Werler (WERLERJF)
Date Certified and Sent to EPA: 3/8/2010 EPA Facility ID: 1000 0013 7256

Facility: Chemstar Products Company - McPherson Facility
503 West Hayes
McPherson KS, 67460

You may wish to print a copy of this receipt and keep it for your records.
Do NOT send this receipt to EPA.

United States Environmental Protection Agency
Central Data Exchange
A New Paradigm for Environmental Reporting.



Section 1. Registration Information

1.1 Source Identification	
1.1.a. Facility Name	Chemstar Products Company - McPherson Facility
1.1.b. Parent Company #1 Name	
1.1.c. Parent Company #2 Name	
1.2 EPA Facility Identifier	100000137256
1.3 Other EPA Systems Facility Identifier	67460CHMST503WG
1.4 Dun and Bradstreet Numbers (DUNS)	
1.4.a. Facility DUNS	57607822
1.4.b. Parent Company #1 DUNS	
1.4.c. Parent Company #2 DUNS	
1.5 Facility Location	
1.5.a. Street - Line 1	503 West Hayes
1.5.b. Street - Line 2	
1.5.c. City	McPherson
1.5.d. State	KS
1.5.e. Zip Code - Zip +4 Code	67460
1.5.f. County	MCPHERSON
1.5.g. Facility Latitude (in decimal degrees)	38.365556
1.5.h. Facility Longitude (in decimal degrees)	-097.673056
1.5.i. Method for determining Lat/Long	Interpolation - Photo
1.5.j. Description of location identified by Lat/Long	Center of Facility
1.5.k. Horizontal Accuracy Measure (meters)	25
1.5.l. Horizontal Reference Datum Code	North American Datum of 1983
1.5.m. Source Map Scale Number	24000
1.6 Owner or Operator	
1.6.a. Name	Chemstar Products Company
1.6.b. Phone	(612) 722-0079
1.6.c. Street - Line 1	3915 Hiawatha Ave
1.6.d. Street - Line 2	
1.6.e. City	Minneapolis
1.6.f. State	MN
1.6.g. Zip Code - Zip +4 Code	55406
Foreign Country	
Foreign State/Province	
Foreign Zip/Postal Code	
1.7 Name, title and email address of person or position responsible for RMP (part 68) implementation	
1.7.a. Name of person	John Bailly
1.7.b. Title of person or position	Engineer
1.7.c. Email address of person or position	



Section 1. Registration Information

1.8 Emergency Contact	
1.8.a. Name	Ron Loomis
1.8.b. Title of person or position	Plant Manager
1.8.c. Phone	(620) 241-2611
1.8.d. 24-Hour Phone	(620) 585-2493
1.8.e. 24-Hour Phone Extension/PIN #	
1.8.f. Email address for emergency contact	loomisr@chemstar.com
1.9 Other Points of Contact	
1.9.a. Facility or Parent Company E-mail Address	
1.9.b. Facility Public Contact Phone Number	
1.9.c. Facility or Parent Company WWW Homepage Address	
1.10 Local Emergency Planning Committee (LEPC)	Mcpherson County LEPC
1.11 Number of full-time equivalent (FTEs) employees of site	35
1.12 Covered by	
1.12.a. OSHA PSM	Y
1.12.b. EPCRA section 302	Y
1.12.c. CAA Title V Air Operating Permit Program	
1.12.d. Air Operating Permit ID #	
1.13 OSHA Star or Merit Ranking	
1.14 Last Safety Inspection (by an External Agency) Date	06/21/2001
1.15 Last Safety Inspection Performed by an External Agency	Fire Department
1.16 Will this RMP involve Predictive Filing?	
1.18 RMP Preparer Information	
1.18.a. Name	
1.18.b. Phone	
1.18.c. Street - Line 1	
1.18.d. Street - Line 2	
1.18.e. City	
1.18.f. State	
1.18.g. Zip	
Foreign Country	
Foreign State/Province	
Foreign Zip Code	



Section 1. Registration Information

Section 1.17 Process Specific Information

Process 1

Process ID #	1000013316		
Process Description	Propylene oxide		
1.17.a. Program Level	3		
1.17.b. NAICS Code(s)	325199 (All Other Basic Organic Chemical Manufacturing)		
1.17.c. Chemical(s)			
	Chemical Name	CAS Number	Quantity
	Propylene oxide [Oxirane, methyl-]	75-56-9	57275



Section 2. Toxics: Worst Case

Scenario 1

Process Name	Propylene oxide
2.1 Chemical	
2.1.a. Name	Propylene oxide [Oxirane, methyl-]
2.1.b. Percent Weight of Chemical	100
2.2 Physical State	Liquid
2.3 Model Used	EPA's OCA Guidance Reference Tables or Equations
2.4 Scenario	Liquid spill and vaporization
2.5 Quantity Released (lbs)	57275
2.6 Release Rate (lbs/min)	75.6
2.7 Release Duration (mins)	757
2.8 Wind Speed (meters/sec)	1.5
2.9 Atmospheric stability class	F
2.10 Topography	Urban
2.11 Distance to endpoint (miles)	0.3
2.12 Estimated residential population within distance to endpoint (numbers)	534
2.13 Public receptors within distance to endpoint	
2.13.a. Schools	
2.13.b. Residences	Y
2.13.c. Hospitals	
2.13.d. Prison/Correctional Facilities	
2.13.e. Recreational Areas	
2.13.f. Major commercial, office or industrial areas	Y
2.13.g. Other	
2.14 Environmental receptors within distance to endpoint	
2.14.a. National or State Parks, Forests or Monuments	
2.14.b. Officially Designated Wildlife Sanctuaries, Preserves or Refuges	
2.14.c. Federal Wilderness Area	
2.14.d. Other	
2.15 Passive mitigation considered	
2.15.a. Dikes	Y
2.15.b. Enclosures	
2.15.c. Berms	Y
2.15.d. Drains	
2.15.e. Sumps	
2.15.f. Other	
2.16 Graphics file	



Section 3. Toxics: Alternative Release

Scenario 1

Process Name	Propylene oxide
3.1 Chemical	
3.1.a. Name	Propylene oxide [Oxirane, methyl-]
3.1.b. Percent Weight of Chemical	100
3.2 Physical State	
	Liquid
3.3 Model Used	
	EPA's OCA Guidance Reference Tables or Equations
3.4 Scenario	
	Transfer hose failure
3.5 Quantity Released (lbs)	17175
3.6 Release Rate (lbs/min)	89.2
3.7 Release Duration (mins)	192
3.8 Wind Speed (meters/sec)	3
3.9 Atmospheric stability class	D
3.10 Topography	Urban
3.11 Distance to endpoint (miles)	0.1
3.12 Estimated residential population within distance to endpoint (numbers)	59
3.13 Public receptors within distance to endpoint	
3.13.a. Schools	
3.13.b. Residences	Y
3.13.c. Hospitals	
3.13.d. Prison/Correctional Facilities	
3.13.e. Recreational Areas	
3.13.f. Major commercial, office or industrial areas	Y
3.13.g. Other	
3.14 Environmental receptors within distance to endpoint	
3.14.a. National or State Parks, Forests or Monuments	
3.14.b. Officially Designated Wildlife Sanctuaries, Preserves or Refuges	
3.14.c. Federal Wilderness Area	
3.14.d. Other	
3.15 Passive mitigation considered	
3.15.a. Dikes	Y
3.15.b. Enclosures	
3.15.c. Berms	Y
3.15.d. Drains	
3.15.e. Sumps	
3.15.f. Other	
3.16 Active mitigation considered	
3.16.a. Sprinkler systems	
3.16.b. Deluge systems	Y
3.16.c. Water curtain	
3.16.d. Neutralization	
3.16.e. Excess flow valve	Y
3.16.f. Flares	



Section 3. Toxics: Alternative Release

3.16.g. Scrubbers	
3.16.h. Emergency shutdown systems	
3.16.i. Other	
3.17 Graphics file	



Section 6. Five-Year Accident History

Accident 1

6.1 Date of accident		07/27/2007	
6.2 Time accident began		11:59 AM	
6.3 NAICS Code of process involved		32519 (Other Basic Organic Chemical Manufacturing)	
6.4 Release duration		0 Hours 1 Min	
6.5 Chemicals involved			
Chemical Name	CAS Number	Quantity released (lbs)	Percent weight of chemical
Propylene oxide [Oxirane, methyl-]	75-56-9	1	100
6.6 Release Event			
6.6.a. Gas release		Y	
6.6.b. Liquid spills/evaporation			
6.6.c. Fire		Y	
6.6.d. Explosion			
6.6.e. Uncontrolled/Runaway reaction			
6.7 Release Source			
6.7.a. Storage vessel			
6.7.b. Piping			
6.7.c. Process vessel		Y	
6.7.d. Transfer hose			
6.7.e. Valve			
6.7.f. Pump			
6.7.g. Joint			
6.7.h. Other			
6.8 Weather conditions at time of event			
6.8.a. Wind speed and direction			
6.8.b. Temperature (F)			
6.8.c. Atmospheric stability class			
6.8.d. Precipitation present			
6.8.e. Unknown weather conditions		Y	
6.9 On-site Impacts			
	Employees or contractors	Public responders	Public
6.9.a. Deaths	0	0	0
6.9.b. Injuries	1	0	0
6.9.c. Property damage (\$)	0		
6.10 Known off-site impacts			
6.10.a. Deaths		0	
6.10.b. Hospitalizations		0	
6.10.c. Other medical treatments		0	
6.10.d. Evacuated		0	
6.10.e. Sheltered-in-place		0	
6.10.f. Property damage (\$)		0	
6.10.g. Environmental damage			



Section 6. Five-Year Accident History

6.10.g.1. Fish or animal kills	
6.10.g.2. Tree, lawn, shrub or crop damage	
6.10.g.3. Water contamination	
6.10.g.4. Soil contamination	
6.10.g.5. Other	
6.11 Initiating event	Human error
6.12 Contributing factors	
6.12.a. Equipment failure	
6.12.b. Human error	
6.12.c. Improper procedures	
6.12.d. Overpressurization	
6.12.e. Upset condition	
6.12.f. By-pass condition	
6.12.g. Maintenance activity/inactivity	Y
6.12.h. Process design failure	
6.12.i. Unsuitable equipment	
6.12.j. Unusual weather conditions	
6.12.k. Management error	
6.12.l. Other	
6.13 Off-site responders notified	No, not notified
6.14 Changes introduced as a result of the accident	
6.14.a. Improved/upgraded equipment	
6.14.b. Revised maintenance	
6.14.c. Revised training	
6.14.d. Revised operating procedures	
6.14.e. New process controls	
6.14.f. New mitigation systems	
6.14.g. Revised emergency response plan	
6.14.h. Changed process	
6.14.i. Reduced inventory	
6.14.j. None	
6.14.k. Other	Revised contractor procedures



Section 7. Prevention Program: Program Level 3

Program 1

Prevention Program Description	All information in this section applies to the same process. This covers the process from bulk storage to production of final product.
7.1 NAICS Code for process	
7.1.a. Process Name	1000013316 (Propylene oxide)
7.1.b. NAICS	325199 (All Other Basic Organic Chemical Manufacturing)
7.2 Chemicals	
Propylene oxide [Oxirane, methyl-]	
7.3 Date on which the safety information was last reviewed or revised	10/19/2009
7.4 Process Hazard Analysis (PHA)	
7.4.a. Date of last PHA or PHA update	10/19/2009
7.4.b. Technique used	
7.4.b.1. What if	
7.4.b.2. Checklist	
7.4.b.3. What if/Checklist Combined	Y
7.4.b.4. HAZOP	
7.4.b.5. Failure mode & effects analysis	
7.4.b.6. Fault tree analysis	
7.4.b.7. Other	
7.4.c. Expected or actual date of completion of all changes resulting from last PHA or PHA update	12/01/2009
7.4.d. Major hazards identified	
7.4.d.1. Toxic release	Y
7.4.d.2. Fire	Y
7.4.d.3. Explosion	
7.4.d.4. Runaway reaction	
7.4.d.5. Polymerization	
7.4.d.6. Overpressurization	
7.4.d.7. Corrosion	
7.4.d.8. Overfilling	
7.4.d.9. Contamination	
7.4.d.10. Equipment failure	
7.4.d.11. Loss of cooling, heating, electricity, instrument air	
7.4.d.12. Earthquake	
7.4.d.13. Floods	
7.4.d.14. Tornado	
7.4.d.15. Hurricanes	
7.4.d.16. Other	
7.4.e. Process controls in use	
7.4.e.1. Vents	Y
7.4.e.2. Relief valves	Y
7.4.e.3. Check valves	Y
7.4.e.4. Scrubbers	



Section 7. Prevention Program: Program Level 3

7.4.e.5. Flares	
7.4.e.6. Manual shutoffs	Y
7.4.e.7. Automatic shutoffs	Y
7.4.e.8. Interlocks	Y
7.4.e.9. Alarms and procedures	Y
7.4.e.10. Keyed bypass	
7.4.e.11. Emergency air supply	
7.4.e.12. Emergency power	Y
7.4.e.13. Backup pump	
7.4.e.14. Grounding equipment	Y
7.4.e.15. Inhibitor additions	
7.4.e.16. Rupture disks	Y
7.4.e.17. Excess flow device	Y
7.4.e.18. Quench system	
7.4.e.19. Purge system	Y
7.4.e.20. None	
7.4.e.21. Other	
7.4.f. Mitigation systems in use	
7.4.f.1. Sprinkler system	
7.4.f.2. Dikes	Y
7.4.f.3. Fire walls	
7.4.f.4. Blast walls	
7.4.f.5. Deluge system	Y
7.4.f.6. Water curtain	
7.4.f.7. Enclosure	
7.4.f.8. Neutralization	Y
7.4.f.9. None	
7.4.f.10. Other	
7.4.g. Monitoring/detection systems in use	
7.4.g.1. Process area detectors	Y
7.4.g.2. Perimeter monitors	
7.4.g.3. None	
7.4.g.4. Other	Daily visual inspection
7.4.h. Changes since last PHA update	
7.4.h.1. Reduction in chemical inventory	
7.4.h.2. Increase in chemical inventory	
7.4.h.3. Change in process parameters	
7.4.h.4. Installation of process controls	
7.4.h.5. Installation of process detection systems	
7.4.h.6. Installation of perimeter monitoring systems	
7.4.h.7. Installation of mitigation systems	
7.4.h.8. None recommended	Y
7.4.h.9. None	
7.4.h.10. Other	
7.5 Date of most recent review or revision of operating procedures	10/19/2009



Section 7. Prevention Program: Program Level 3

7.6 Training	
7.6.a. Date of most recent review or revision of training programs	04/26/2004
7.6.b. Type of training provided	
7.6.b.1. Classroom	Y
7.6.b.2. On the job	
7.6.b.3. Other	Simulated release drills
7.6.c. Type of competency testing used	
7.6.c.1. Written test	
7.6.c.2. Oral test	
7.6.c.3. Demonstration	Y
7.6.c.4. Observation	
7.6.c.5. Other	
7.7 Maintenance	
7.7.a. Date of most recent review or revision of maintenance procedures	10/19/2009
7.7.b. Date of most recent equipment inspection or test	07/31/2009
7.7.c. Equipment most recently inspected or tested (equipment list)	Gas sensors
7.8 Management of change	
7.8.a. Date of most recent changes that triggered management of change procedures	
7.8.b. Date of most recent review or revision of management of change procedures	06/11/2004
7.9 Date of most recent pre-startup review	
7.10 Compliance audits	
7.10.a. Date of most recent compliance audits	05/20/2009
7.10.b. Expected or actual date of completion of all changes resulting from the compliance audits	08/20/2009
7.11 Incident investigation	
7.11.a. Date of most recent incident investigation	07/27/2007
7.11.b. Expected or actual date of completion of all changes resulting from the incident investigation	10/01/2007
7.12 Date of most recent review or revision of employee participation plans	06/11/2004
7.13 Date of most recent review or revision of hot work permit procedures	10/19/2009
7.14 Date of most recent review or revision of contractor safety procedures	06/30/2008
7.15 Date of most recent evaluation of contractor safety performance	



Section 9. Emergency Response

9.1 Written emergency response (ER) plan	
9.1.a. Is your facility included in the written community emergency response plan?	Y
9.1.b. Does your facility have its own written emergency response plan?	Y
9.2 Does your facility's ER plan include specific actions to be taken in response to accidental releases of regulated substances?	Y
9.3 Does your facility's ER plan include procedures for informing the public and local agencies responding to accidental releases?	Y
9.4 Does your facility's ER plan include information on emergency health care?	Y
9.5 Date of most recent review or update of your facility's ER plan	07/01/2008
9.6 Date of most recent ER training for your facility's employees	07/01/2008
9.7 Local agency with which your facility's ER plan or response activities are coordinated	
9.7.a. Name of agency	McPherson Fire department
9.7.b. Phone number	(620) 245-2505
9.8 Subject to	
9.8.a. OSHA Regulations at 29 CFR 1910.38	Y
9.8.b. OSHA Regulations at 29 CFR 1910.120	Y
9.8.c. Clean Water Act Regulations at 40 CFR 112	
9.8.d. RCRA Regulations at 40 CFR 264, 265, 279.52	
9.8.e. OPA-90 Regulations at 40 CFR 112, 33 CFR 154, 49 CFR 194, 30 CFR 254	
9.8.f. State EPCRA Rules of Laws	
9.8.g. Other	



Executive Summary

Chemstar Products Company Executive Summary for EPA RMP

Chemstar Products Company is committed to protecting the environment and providing safe working conditions for our employees. In keeping with this policy, our objective is to reduce the generation or release of toxic pollutants, hazardous substances and hazardous wastes. By successfully reducing and or eliminating pollution at the source, Chemstar can minimize the impact on the air, water and land. Chemstar will also achieve cost savings, improve efficiencies, and maintain a safer work place for our employees.

In order to implement Chemstar's environmental policy, the following guidelines will be observed:

1. Environmental protection is everyone's responsibility. It is valued by the company and by the community at large.
2. All employees are encouraged to actively seek methods to reduce the generation or release of toxic pollutants at the source, and to contain all toxic materials within the process.
3. Reductions will be made by mechanical methods where possible, and by improved handling methods.
4. Process changes which may substitute non-hazardous materials or reduce their usage will be given high priority.

Chemstar Products Company seeks to demonstrate its corporate citizenship by adhering to all environmental regulations. Chemstar promotes cooperation with industry, government and the public in the shared goal of preventing pollution at the source.

Chemstar Products Company manufactures starch derivative products such as adhesives and colloids. Our main raw material is corn starch. The finished products are packaged in paper bags and are not considered to be hazardous or to contain hazardous chemicals.

In the manufacture of certain starch derivatives Chemstar Products Company uses propylene oxide as a raw material. The propylene oxide is stored in the bulk storage tank manufactured to ASME Code, Section VIII, Division 1, pressure vessel. The propylene oxide is stored under an inert atmosphere and under pressure. Instrumentation continuously monitors the storage tank for level, temperature, pressure and atmosphere around the tank. The instrumentation feeds the information to a computer that checks to make sure that the storage tank and piping systems are within established operating limits. If the operating limits fall outside these parameters an alarm will sound, and an indicating light will illuminate showing the problem. The computer will take corrective action based on the fault. For example when filling the tank, the computer will signal an alarm at the high level and will shut down filling operations when the level in the storage tank reaches the maximum safe level. There is a deluge system for the storage tank and bulk delivery truck if conditions exceed safe limits. This system is automatic and will activate without human input. There are manual deluge activation switches near the storage tank. There is also a plant chemical emergency alarm that the plant personnel can sound. The deluge is designed to cover the entire storage tank and delivery truck with a water spray to cool the tank, and, dilute and capture any released propylene oxide. The water from the deluge system is pumped to two large holding tanks where the water can be treated, if needed, prior to disposal. For critical alarm conditions there is an auto dialer that will call a set of telephone numbers if the plant alarm is not acknowledged in 6 minutes. This dialer will continue calling until the alarm is acknowledged. The computer, monitoring devices and the plant telephone systems are on a back up generator. These systems will have power in the event that power is lost to the plant or if the main plant breaker is tripped or shut down.

Chemstar Products Company has developed an emergency response plan in accordance with 29 CFR 1910.119. Chemstar has also trained plant personnel to a minimum of First Responder Operations Level, with some employees completing the training for Hazardous Materials Specialist. Employees receive annual refresher training on Chemstar's emergency plan. Simulated release drills are conducted at the plant on a regular basis. Chemstar conducts regular safety meetings with the plant safety committee. The safety committee is made up of plant employees from various operations such as maintenance, production, packaging, engineering, supervisors and managers. The employees who serve on the safety committee are rotated off on a regular basis to give more employees the opportunity to provide input on Chemstar's safety policies and address unsafe conditions and practices at the facility.

IN THE MATTER OF Chemstar Products Company, Respondent
Docket No. CAA-07-2010-0013

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Expedited Settlement Agreement (ESA) was sent this day in the following manner to the addressees:


Copy hand delivered to
Attorney for Complainant:

Kristen Nazar
Assistant Regional Counsel
Region 7
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by Certified Mail Return Receipt to:

James F. Werler, President
Chemstar Products Company
503 West Hayes
McPherson, Kansas 67460

Dated: 5/3/10


Kathy Robinson
Hearing Clerk, Region 7