



U.S. ENVIRONMENTAL PROTECTION AGENCY

RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY FORM

REASON FOR INSPECTION: This inspection is for the purpose of determining compliance with the accidental release prevention requirements of Section 112(r)(7) of the Clean Air Act (Act), 42 U.S.C. sec. 7412(r)(7), and the regulations set forth at 40 C.F.R. Part 68. The scope of this inspection may include but is not limited to: reviewing and obtaining copies of documents and records; interviews and taking of statements; reviewing chemical storage, handling, processing, and use; taking samples and photographs; and any other inspection activities necessary to determine compliance with the Act.

FACILITY NAME: Spectrum Thermal Processing LLC
PRIVATE [checked] GOVERNMENTAL/MUNICIPAL [unchecked]
of EMPLOYEES: Approximately 20

FACILITY ADDRESS: 818 Wellington Avenue, Cranston, RI 02910
INSPECTION START DATE AND TIME: November 20, 2019
INSPECTION END DATE AND TIME: November 20, 2019

RESPONSIBLE OFFICIAL, TITLE, PHONE NUMBER: Stephen J. Egan, General Manager, steve@spectrumtp.com
EPA FACILITY ID#: 10000060355

FACILITY REPRESENTATIVE(S), TITLE(S), PHONE NUMBER(S): Stephen J. Egan, General Manager, steve@spectrumtp.com
INSPECTOR NAME(S), TITLE(S): Tyler Diercks, EPA Region 1; Drew Meyer, EPA Region 1; Leonard B. Wallace IV, EPA Region 1; Zachary Good, Eastern Research Group, Inc. (ERG)

INSPECTION FINDINGS

IS FACILITY SUBJECT TO RMP REGULATION (40 CFR Part 68)? YES [checked] NO [unchecked]

DID FACILITY SUBMIT AN RMP AS PROVIDED IN 68.150 TO 68.185 AND UPDATE THE RMP AS PROVIDED IN 68.190 TO 69.195? YES [checked] NO [unchecked]

DATE RMP INITIALLY FILED WITH EPA: 10/15/2004 DATE OF RMP UPDATE: 11/14/2019

1) PROCESS/NAICS CODE: 332811 PROGRAM LEVEL: 1 [unchecked] 2 [unchecked] 3 [checked]
REGULATED SUBSTANCE: anhydrous ammonia MAX. QUANTITY IN PROCESS: approx. 35,000 pounds

DID FACILITY CORRECTLY ASSIGN PROGRAM LEVELS TO PROCESSES? YES [checked] NO [unchecked]

ATTACHED CHECKLIST(S):
[unchecked] PROGRAM LEVEL 1 PROCESS CHECKLIST [unchecked] PROGRAM LEVEL 2 PROCESS CHECKLIST [checked] PROGRAM LEVEL 3 PROCESS CHECKLIST

OTHER
ATTACHMENTS:

U. S. ENVIRONMENTAL PROTECTION AGENCY
 REGION I
 5 POST OFFICE SQUARE
 BOSTON, MA 02109-3912

**Process Checklist (Findings) and Alleged Violations and Proposed Penalty Form:
 Spectrum Thermal Processing LLC, Cranston, Rhode Island**

1. Program Level 3 Alleged Violations and Unadjusted Penalties

| Subpart D – Prevention Program – Safety information [68.65] | |
|--|------------|
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <ul style="list-style-type: none"> – At the time of the inspection, the doors used to enter the facility, and production areas where anhydrous ammonia is used, were not labelled with an NFPA hazards diamond. <i>See, e.g.</i>, NFPA 1-2015 § 60.5.1.8.2.1; NFPA 704-2012 | \$ 1500.00 |
| Subpart D – Prevention Program – Safety information [68.65] | |
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <ul style="list-style-type: none"> – At the time of the inspection, piping throughout the facility was inconsistently colored and inadequately labelled at some points. <i>See, e.g.</i>, ASME A13.1-2015 Section 3 | \$ 1500.00 |
| Subpart D – Prevention Program – Safety information [68.65] | |
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <ul style="list-style-type: none"> – At the time of the inspection, the fenced area surrounding the bulk anhydrous ammonia tank was not fixed with panic hardware for emergency egress. <i>See, e.g.</i>, NFPA 1-2015, Section 14.4.1; NFPA 101 -2015, Section 7.2.1.7.1(1) | \$ 1500.00 |
| Subpart D – Prevention Program – Safety information [68.65] | |
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <ul style="list-style-type: none"> – At the time of the inspection, the interior of the facility’s annealing area was not equipped with ammonia sensors to detect if a release occurs. <i>See, e.g.</i>, NFPA 55-2016, Section 7.9.3.2.1; NFPA 55-2016, Section 7.9.6.2 | \$ 1500.00 |

Subpart D – Prevention Program – Safety information [68.65]

| | |
|--|-------------------|
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <p>– At the time of the inspection, the facility was using an extension cord in a process area where permanent wiring should have been installed. <i>See, e.g., NFPA 1 – 2015, Section 11.1.5.6; NFPA 70-2014, Section 110.12(B)</i></p> | <p>\$ 1500.00</p> |
|--|-------------------|

Subpart D – Prevention Program – Safety information [68.65]

| | |
|---|-------------------|
| <p>Has the owner or operator documented either that equipment complies with recognized and generally accepted good engineering practices [68.65(d)(2)] or, for existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, documented that it is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]?</p> <p>– At the time of the inspection, ammonia piping running from the outdoor bulk anhydrous ammonia tank and the building did not have adequate bump protection. <i>See, e.g., NFPA 55-2016, Section 7.1.8.3.1</i></p> | <p>\$ 1500.00</p> |
|---|-------------------|

Total unadjusted penalty: \$9,000

2. Size-Threshold Quantity Multiplier

The Size-Threshold Quantity multiplier is a factor that considers the size of the facility and the amount of regulated chemicals at the facility.

Expedited Settlement Penalty Matrix: Private Industries

| # of Employees | Largest Multiple of Threshold Quantity of any Regulated Chemical(s) on Site | | |
|----------------|---|---------|------|
| | 1 – 5 | >5 – 10 | > 10 |
| 0 – 9 | 0.4 | 0.6 | 0.8 |
| 10 – 100 | 0.6 | 0.8 | 1.0 |
| > 100 | 1.0 | 1.0 | 1.0 |

Size/Threshold Quantity multiplier from Expedited Settlement Penalty Matrix: **0.6**

3. Proposed Penalty

The Proposed Penalty is the amount of the non-negotiable penalty that is calculated by multiplying the Total Penalty and the Size/Threshold Quantity multiplier.

$$\begin{aligned}
 \text{Proposed Penalty} &= \mathbf{\$9,000} \text{ (Unadjusted Penalty)} \\
 &x \quad .6 \text{ (Size/Threshold Quantity Multiplier)} \\
 &= \mathbf{\underline{\$5,400}}
 \end{aligned}$$