

ENCLOSURE 2
EXPEDITED SETTLEMENT ALLEGED VIOLATIONS AND FINAL ADJUSTED PENALTY SUMMARY
Clean Air Act – Risk Management Program

Respondent: Solenis LLC
3366 NW Yeon Avenue
Portland, Oregon 97210

Facility: Solenis - Portland Plant
3366 NW Yeon Avenue
Portland, Oregon 97210

Responsible Official: Travis Russell, EHS Specialist Senior
(503) 417-4274

Inspection Date: March 16, 2023
Inspection Time: 0945- 1100
Lead Inspector: Mhara Coffman, RMP/EPCRA Inspector and Case Officer
(206) 553-1236

Inspection Findings and Alleged Violations

RMP Submission Date

Initial Submission Date: 19-July-1999
Date of Latest Update: 21-April-2023
RMP Facility ID: 1000 0015 4888
Program Level: 3
Chemical Name: Epichlorohydrin [Oxirane, (chloromethyl)]
Chemical Amount: 686,000 lbs
Chemical Name: Cyclohexylamine [Cyclohexanamine]
Chemical Amount: 22,000 lbs
NACIS Code: 32599
Facility Type: Private Industry
Employees: 30

Description of Alleged Violations

CAA Section 112(r) and its implementing regulations in 40 C.F.R. Part 68 require an owner or operator of a stationary source that has more than a threshold quantity of a regulated substance (listed in Section 68.130) in a process, to develop a Risk Management Plan (RMP) and Risk Management Program.

On March 16, 2023, EPA inspectors conducted an On-site Compliance Inspection at the Solenis LLC facility listed above. The following is a summary of the Alleged Violations of the Risk Management Program which were identified during the inspection.

1. Solenis LLC did not submit a correction to the emergency contact information within one month of any change to the emergency contact information. [68.195(b)]. Solenis LLC did not update their emergency contact and registration information to reflect responsibility delegated from Lauren Wilcox and assumed by Travis Russel on October 24, 2022, within 30 days of the change.

Final Adjusted Penalty Calculation

The Final Adjusted Penalty for an RMP ESA is a non-negotiable penalty offer.

First the Unadjusted Penalty is calculated using the Risk Management Program Expedited Settlement Penalty Sheet, Enclosure 2. Each Alleged Violation listed above is assigned a penalty amount in the spreadsheet and the Unadjusted Penalty is determined by adding all the penalty amounts.

The Unadjusted Penalty is multiplied by the Size-Threshold Quantity Multiplier to determine the Adjusted Penalty. The Size-Threshold Quantity Multiplier is a factor that considers the size of the facility and the amount of regulated chemicals at the facility. See the Multiplier Factor tables below.

$$\text{Adjusted Penalty} = \text{Unadjusted Penalty} \times \text{Size-Threshold Quantity Multiplier}$$

Unadjusted Penalty Calculation

Adding the penalty numbers in the Risk Management Program Expedited Settlement Penalty Sheet, an unadjusted penalty of \$1,000 is derived.

Size-Threshold Quantity Multiplier

According to the RMP, the facility employs between 10 to 100 people and uses and/or stores greater than 10 times the threshold amount of Epichlorohydrin [Oxirane, (chloromethyl), which is regulated under the Clean Air Act Section 112(r) Risk Management Program. Using the tables below, the multiplier is determined to be 1.0.

Adjusted Penalty Calculation

$$\text{Adjusted Penalty} = \$1,000 \text{ (Unadjusted Penalty)} \times 1.0 \text{ (Size-Threshold Multiplier)}$$

$$\text{Final Adjusted Penalty} = \$1,000$$

EXPEDITED SETTLEMENT PENALTY MATRIX
Multiplier Factor for Calculating Proposed Penalties for RMP Violations

Private Industries

# of Employees	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

Governmental Entities

(Primarily public drinking water and wastewater systems)

Total Population Served	1 – 5*	5 – 10*	10*
1 – 10,000	0.2	0.4	0.6
10,001 – 100,000	0.4	0.6	0.8
100,000	0.6	0.8	1.0

* Largest Multiple of Threshold Quantity of any Regulated Chemical(s) on Site.