FILED
Aug 03, 2026
5:07 pm
U.S. EPA REGION 8
HEARING CLERK

REGION 8
DENVER, CO 80202

IN THE MATTER OF: Utah Olympic Legacy Foundation, 3419 Olympic Parkway Park City, Utah 84098 Respondent	CAA-08-2026-0007 **ADMINISTRATIVE COMPLIANCE ORDER ON CONSENT**

I. PRELIMINARY STATEMENT

1. This Administrative Compliance Order on Consent (Order) is entered into voluntarily by the United States Environmental Protection Agency (the EPA) and by the Utah Olympic Legacy Foundation (Respondent) and is issued under the authority vested in the Administrator of the EPA by section 113(a)(3) and (4) of the Clean Air Act (CAA or Act), 42 U.S.C. § 7413(a)(3) and (4).

2. The Manager of the Air and Toxics Enforcement Branch in the EPA Region 8's Environmental Compliance and Assurance Division is delegated the authority to issue this Order under section 113(a) of the Act, 42 U.S.C. § 7413(a).

3. This Order requires Respondent to comply with the requirements of section 112(r) of the CAA, 42 U.S.C. § 7412(r), and the regulations promulgated thereunder and codified at 40 C.F.R. part 68. All activities specified and ordered below shall be initiated and completed as soon as possible even though maximum time periods or specific dates for their completion may be detailed herein. The terms of this Order will not be modified except by a subsequent written agreement between the EPA and Respondent.

4. By entering into this Order, Respondent (a) consents and agrees not to contest the EPA's authority or jurisdiction to issue or enforce this Order, (b) agrees to undertake all actions required by the terms and conditions of this Order, and (c) consents to be bound by the requirements set forth herein.

II. STATUTORY AND REGULATORY BACKGROUND

5. On November 15, 1990, the President signed into law the CAA Amendments of 1990. The Amendments added section 112(r) to the CAA, 42 U.S.C. § 7412(r), which requires the Administrator of the EPA to, among other things, promulgate regulations to prevent accidental releases of certain regulated substances.

6. Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), provides that the owners and operators of stationary sources are required to develop and implement a risk management plan (RMP) that includes a hazard assessment, a prevention program and an emergency response program.

7. The implementing regulations of section 112(r) of the CAA, 40 C.F.R. part 68, set forth the requirements of a risk management program that must be established and implemented at a stationary source that has more than a threshold quantity of a regulated substance in a process.

8. The term "owner or operator" shall mean any person who owns, leases, operates, controls, or supervises a stationary source. 42 U.S.C. § 7412(a)(9).

9. The term "person" is defined in section 302(e) of the CAA, 42 U.S.C. § 7602(e), as including an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof.

10. The term "regulated substance" is defined in 40 C.F.R. § 68.3 as any substance listed pursuant to section 112(r)(3) of the CAA as amended, in § 68.130.

11. The term "stationary source" is defined by section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), in pertinent part, as any buildings, structures, equipment, installations, or substance-emitting stationary activities, located on one or more contiguous properties under the control of the same person, from which an accidental release may occur.

III. FINDINGS

12. Respondent is a non-profit association and is authorized to do business in the state of Utah and is therefore a "person" as that term is defined under section 302(e) of the CAA, 42 U.S.C. § 7602(e), against whom an Administrative Order may be issued under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3).

13. Respondent is the owner and/or operator of the Utah Olympic Park, a stationary source, located at 3419 Olympic Parkway, Park City, Utah (the Facility).

14. The ammonia refrigeration system associated with the bobsled track at the Facility uses approximately 100,000 pounds of anhydrous ammonia.

15. The Facility uses, handles, and/or stores more than a threshold quantity of anhydrous ammonia (10,000 pounds), which is a regulated substance, as specified at 40 C.F.R. §§ 68.115 and 68.130.

16. Respondent is required to prepare and implement a risk management program to detect and prevent or minimize accidental releases of such substances. 42 U.S.C. § 7412(r)(7).

17. Anhydrous ammonia is a clear, colorless gas at atmospheric pressure and temperature with a strong odor. It is often stored and shipped under pressure as a liquid. It presents a significant health hazard because it is corrosive to the skin, eyes, and lungs. Inhalation of ammonia may cause irritation and burns of the respiratory tract, laryngitis, shortness of breath, high-pitched respirations, chest pain, pulmonary edema, and pneumonia. Ammonia vapors may be fatal if inhaled. Ingestion of ammonia may cause nausea, vomiting, and oral, esophageal, and stomach burns. If ammonia has contacted the eyes, irritation, pain, conjunctivitis, tearing, and corneal erosion may occur, and loss of vision is possible. Dermal exposure may result in severe burns and pain. Exposure to 300 parts per million of ammonia by volume is immediately dangerous to life and health.

18. Ammonia gas is generally regarded as nonflammable but burns at concentrations of approximately 15.5% to 27% by volume in air with strong ignition. It can explode if released in an enclosed space with a source of ignition present or if a vessel containing anhydrous ammonia is exposed to fire. The fire hazard increases in the presence of oil or other combustible materials.

19. Due to the dangers associated with anhydrous ammonia, the ammonia refrigeration industry has developed industry standards (Industry Standards of Care) to control the risks associated with the use of ammonia. In collaboration with the American National Standards Institute (ANSI), the International Institute of Ammonia Refrigeration (IIAR) has issued (and updates) Standard 2: *American National Standard for Safe Design of Closed-Circuit Ammonia Mechanical Refrigeration Systems* (ANSI/IIAR 2), Standard 4: *Installation of Closed-Circuit Ammonia Mechanical Refrigeration Systems* (ANSI/IIAR 4), Standard 6: *Standard for Testing, Inspection, and Maintenance of Closed-Circuit Ammonia Refrigeration Systems* (ANSI/IIAR 6), and Standard 9: *American National Standard for Minimum System Safety Requirements for Existing Closed-Circuit Ammonia Refrigeration Systems* (ANSI/IIAR 9), *inter alia*, along with other applicable standards and guidance. These standards are examples of "recognized and generally accepted engineering

practices" (RAGAGEP); are consistently relied upon by refrigeration experts; and are sometimes incorporated by reference into state building and mechanical codes.

20. The EPA conducted an inspection of the Facility between December 16 and December 19, 2025 (Inspection), to assess compliance with section 112(r) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. part 68.

21. During the Inspection, the EPA observed potentially dangerous conditions relating to the Facility's ammonia refrigeration system. These conditions were explained in EPA's close-out briefing with Respondents at the conclusion of the Inspection and detailed in the EPA's Inspection Report, emailed to Respondent on or about February 19, 2026.

22. The EPA emailed a Notice of Violation and Opportunity to Confer letter on February 19, 2026.

23. In March and April 2026, the EPA and Respondent met to discuss the alleged violations, and Respondent submitted supplemental information to the EPA.

24. Since the Inspection, Respondent reported that it has corrected a significant number of the deficiencies identified by the EPA. Accordingly, this Order only addresses those deficiencies that remain, which are described in paragraphs 25-39, below.

25. Part 68 provides that the process hazard analysis (PHA) shall address engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases and standby or emergency power systems. (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.) The owner or operator shall ensure monitoring equipment associated with prevention and detection of accidental releases from covered processes has standby or backup power to provide continuous operation. 40 C.F.R. § 68.67(c)(3). At the time of Inspection, the 2021 PHA revalidation for the Facility did not address the interrelationships between the potential hazards and the engineering and administrative controls (e.g., failure to identify the relationship between specific compressor safeties and the hazardous scenarios).

26. By failing to have a PHA that addresses the engineering and administrative controls interrelationships to the identified hazards, Respondent violated and continues to violate 40 C.F.R. § 68.67(c)(3).

27. Part 68 requires that the PHA address stationary source siting, including the placement of processes, equipment, and buildings within the facility, and hazards

posed by proximate stationary sources, and accidental release consequences posed by proximity to the public and public receptors. Section 1 of the 2021 PHA includes facility siting questions, but the only identified protection from unauthorized access to exterior equipment is a gate. The 2021 PHA does not adequately identify hazard scenarios or corresponding safeguards that account for the Facility's unique conditions, including public access near the refrigeration plant, ammonia piping located near and adjacent to the track, and use of the competition bobsled staging area situated immediately adjacent to the refrigeration plant's emergency pressure relief valve.

28. By failing to have a PHA that addresses the stationary source siting and potential release consequences posed by proximity to the public and public receptors, Respondent violated and continues to violate 40 C.F.R. § 68.67(c)(5).

29. Part 68 provides that at least every five years after the completion of the initial PHA, it shall be updated and revalidated by a team with expertise in engineering and process operations. 40 C.F.R. § 68.67(f). The owner or operator must establish a system to promptly address the team's findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; and communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions. 40 C.F.R. § 68.67(e). And the owner or operator must retain PHA and updates or revalidations for each process, as well as the documented resolution of recommendations described in paragraph (e) of this section for the life of the process. At the time of the Inspection, Respondent did not have a system to ensure timely completion of the PHA recommendations. The 2021 PHA tracking document reflected no follow-up on several recommendations and provided no schedule for anticipated completion.

30. The 2021 Compliance Audit identified a concern regarding the lack of recommendation tracking and stated that several of the 2017 PHA recommendations were not completed at the time of the audit. In addition, Respondent was unable to locate the recommendation tracking and closure documentation for a portion of the 2017 PHA.

31. By failing to establish a system to promptly address PHA findings and recommendations and assure the recommendations are resolved in a timely manner and that resolution is documented Respondent violated and continues to violate 40 C.F.R. § 68.67(e) and (f).

32. The owner or operator must review operating procedures as often as necessary to ensure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources. The owner or operator shall certify annually that these operating procedures are current and accurate. 40 C.F.R. § 68.69(c). At the time of Inspection, Respondent was unable to provide annual certification for its operating procedures, including but not limited to SOP C-2 "Compressor Normal Shutdown" and SOP AP-1 "Automatic Purge System."

33. By failing to document annual review and certification of the Facility's operating procedures, Respondent violated and continues to violate 40 C.F.R. § 68.67(g).

34. Part 68 requires the owner or operator establish and implement written procedures to maintain the on-going integrity of process equipment. 40 C.F.R. § 68.73. The ANSI/IIAR 6 standard provides for a mechanical integrity inspection program. At the time of Inspection, Respondent did not have written maintenance procedures for replacing an internal safety relief valve on Oil Still OS-1.

35. By failing to establish and implement written procedures to maintain the integrity of process equipment, Respondent violated and continues to violate 40 C.F.R. § 68.71.

36. Part 68 requires the owner or operator to correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in § 68.65) before further use or in a safe and timely manner when necessary means are taken to ensure safe operation. 40 C.F.R. § 68.73(e). At the time of Inspection, the EPA observed various equipment deficiencies that were outside acceptable limits requiring identification and correction in a timely manner, including but not limited to a pressure relief valve on the oil pot tagged as overdue for replacement; peeling paint on piping near the condensers; breaks in piping insulation; non-standard piping insulation that was peeling on the side of the bobsled track; and ammonia sensors that were overdue for calibration.

37. By failing to identify and correct equipment deficiencies in a timely manner, Respondent violated and continues to violate 40 C.F.R. § 68.73(e).

38. Part 68 requires the owner or operator to promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected. 40 C.F.R. § 68.79(d). The Facility did not promptly document steps taken to complete several recommendations in the 2021 Compliance Audit. For example, both the 2021 and 2025 Compliance Audit identified that the Facility failed to recertify its operating procedures annually, and the Facility had no documentation of a response to this recommendation.

39. By failing to document that all deficiencies identified in the 2021 and 2025 Compliance Audit have been corrected, Respondent violated and continues to violate 40 C.F.R. § 68.79(d).

IV. COMPLIANCE ORDER

40. Based upon the foregoing Findings by the EPA, it is hereby ordered and agreed that Respondent shall comply with the requirements of section 112(r) of the CAA, 42 U.S.C. § 7412(r), and the regulations promulgated thereunder and codified at 40 C.F.R. part 68. Specifically, the EPA and Respondent agree that Respondent shall, as expeditiously as possible, but in no event later than 12 months from the effective date of this Order, correct the violations alleged in paragraphs 25-39.

41. Within 15 days of completion of all actions taken in paragraph 40, Respondent shall submit to the EPA:

    a. documentation showing that Respondent has corrected the violations, including cost information; and

    b. a certification statement, signed by an authorized representative of Respondent, stating:

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based upon my inquiry of those individuals immediately responsible for obtaining the information, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment. (Respondent signature and date)

42. All submissions and correspondence shall be emailed to Jeremy Deyoe at deyoe.jeremy@epa.gov.

V. OTHER TERMS AND CONDITIONS

43. Respondent admits the jurisdictional allegations contained in this Order.

44. Respondent neither admits nor denies the factual allegations in the Findings section of this Order.

VI. GENERAL PROVISIONS

45. Any violation of this Order may result in a civil judicial action for an injunction or civil penalties of up to $124,426 per day per violation, or both, as provided in section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), and 40 C.F.R. part 19, as well as

criminal sanctions as provided in section 113(c) of the Act, 42 U.S.C. § 7413(c). The EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

46. Nothing in this Order shall relieve Respondent of the duty to comply with all applicable provisions of the Act or other federal, state or local laws or statutes, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

47. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present imminent and substantial endangerment to the public health, welfare, or the environment.

48. The provisions of this Order shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns. From the effective date of this Order until the termination date as set out in paragraph 56 below, Respondent must give written notice and a copy of this Order to any successors in interest prior to any transfer of ownership or control of any portion of or interest in the Facility. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to the EPA. In the event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this Order unless the EPA has provided written approval of the release of said obligations or liabilities.

49. To the extent this Order requires Respondent to submit any information to the EPA, Respondent may assert a business confidentiality claim covering part or all of that information, but only to the extent and only in the manner described in 40 C.F.R. part 2, subpart B. The EPA will disclose information submitted under a confidentiality claim only as provided in 40 C.F.R. part 2, subpart B. If Respondent does not assert a confidentiality claim, the EPA may make the submitted information available to the public without further notice to Respondent.

50. Each undersigned representative certifies that he or she is authorized to enter into the terms and conditions of this Order to execute and bind legally Respondent and Complainant to this document.

51. Deadlines for submittals may be extended by the EPA, at its sole discretion, without further amendment to this Order. The EPA will provide Respondent written confirmation and documentation of any such extensions of time.

52. The parties consent to service of this Order by email at the following email addresses: jackson.laurianne@epa.gov (for the EPA), Dday@uolf.org (for Respondent), and jbauer@rqn.com (for Respondent).

VII. EFFECTIVE DATE AND OPPORTUNITY FOR A CONFERENCE

53. Pursuant to section 113(a)(4) of the Act, an Order does not take effect until the person to whom it has been issued has had an opportunity to confer with the EPA concerning the alleged violations. By signing this Order, Respondent acknowledges and agrees that it has been provided an opportunity to confer with the EPA prior to issuance of this Order. Accordingly, this Order will take effect immediately upon signature by the latter of Respondent or the EPA.

VIII. JUDICIAL REVIEW

54. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1).

IX. TERMINATION

55. This Order shall terminate on the date of a determination by the EPA that Respondent has achieved compliance with all terms of this Order.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 8,
Complainant

By: SCOTT PATEFIELD Digitally signed by SCOTT PATEFIELD Date: 2026.08.03 16:07:02 -06'00'
Scott Patefield, Manager
Air and Toxics Enforcement Branch
Enforcement and Compliance Assurance Division

UTAH OLYMPIC LEGACY FOUNDATION
Respondent

By: Jamie Kimball Digitally signed by Jamie Kimball Date: 2026.07.31 16:56:27 -06'00'

Date (if not digitally signed)

Title