



U.S. ENVIRONMENTAL PROTECTION AGENCY

Risk Management Program Inspection Findings and Alleged Violations Summary Region 10

REASON FOR INSPECTION: This inspection is for the purpose of determining compliance with Section 112(r)(7) accidental release prevention requirements of the Clean Air Act, as amended 1990. 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 of chemical storage, handling, processing, and use; taking samples and photographs; and any other inspection activities necessary to determine compliance with the Act.

FACILITY NAME: SureCrop Farm Service	<input checked="" type="checkbox"/> PRIVATE # EMPLOYEES 13	<input type="checkbox"/> GOVERNMENTAL/MUNICIPAL POPULATION SERVED: Click here
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FACILITY LOCATION: 28410 Milliron Road, Junction City, Oregon 97448	AUDIT START DATE: 3/17/2020	INSPECTION START TIME: NOT APPLICABLE
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MAILING ADDRESS: 28410 Milliron Road, Junction City, Oregon 97448	AUDIT END DATE: 3/17/2020	INSPECTION END TIME: NOT APPLICABLE
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RESPONSIBLE OFFICIAL, TITLE, PHONE NUMBER: Tom Hunton, Owner, (541) 998-1121	EPA FACILITY ID# 1000 0005 2774
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FACILITY REPRESENTATIVE(S), TITLE(S), PHONE NUMBER(S): Tom Hunton, Owner, (541) 998-1121	INSPECTOR NAME(S), TITLE(S), PHONE NUMBER(S) David Magdangal, RMP Inspector, (206) 553-4044	
	INSPECTOR SIGNATURE	DATE

for

INSPECTION FINDINGS

IS FACILITY SUBJECT TO RMP REGULATION (40 C.F.R. 68)?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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DID FACILITY SUBMIT AN RMP AS PROVIDED IN 68.150 TO 68.185?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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DATE RMP FILED WITH EPA: August 5, 1999	DATE OF LATEST RMP UPDATE: April 17, 2019
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1) PROCESS/NAICS CODE: 1000097104 / 42491	PROGRAM LEVEL: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3
REGULATED SUBSTANCE: Ammonia, Anhydrous (7664-41-7)	MAX. QUANTITY IN PROCESS (lbs.): 131,070

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 § 68.130) in a process, to develop a Risk Management Plan (RMP) and Risk Management Program.

EPA representative, David Magdangal reviewed SureCrop Farm Service's offsite compliance review document request on March 17, 2020. Based upon this review, SureCrop Farm Service (*herein* "SureCrop") is in violation of the following risk management program elements:

Risk Management Plan

1. 40 C.F.R. §68.160(b)(7) requires SureCrop to assign the correct program level to its covered process. SureCrop misclassified their anhydrous and ammonia storage and handling process as a Program Level 2 since their first RMP submittal in 1999. The CFA Risk Management Template and Guidance Document used by SureCrop to determine their Program Level, directs users to refer to "the RMP Program Choice Flow Chart...to evaluate the appropriate level for each identified process...". SureCrop's regulated process does not qualify for a Program Level 2 process because the process is subject to OSHA process safety management standard, 29 C.F.R. 1910.119.

Hazard Review

2. 40 C.F.R. § 68.50(c) requires SureCrop to document the results of the review. SureCrop certified a hazard review on April 15, 2019 showing unresolved findings. SureCrop documented the results of the review in April 2020 with updated versions of Table 8.1 and Table 9. The results of the review show (1) how the resolution was accomplished, (2) who performed the task, and (3) when the task was completed. All resolutions and tasks were completed prior to 2006 but were not documented at the time of the certification.

DESCRIPTION OF ALLEGED VIOLATIONS (Cont'd)

Training

3. 40 C.F.R. § 68.54(b) requires SureCrop to provide refresher training a minimum of every three years for each employee involved in a covered process. SureCrop has not provided refresher training every three years for Tom Hunton and Neal Olson. Tom Hunton was hired on June 1, 1968 with initial training performed in October 1985. SureCrop has not maintained refresher training records since the initial training was performed in October 1985. Neal Olson was hired on February 15, 2000 and received initial training the same day. SureCrop has maintained refresher training records performed in February 2003 and February 2006 for Neal Olson. There are no training records between 2006 and 2018 for Neal Olson.

Compliance Audit

4. 40 C.F.R. § 68.58(a-b) requires SureCrop to certify that they have evaluated compliance with Subpart C, at least once every three years by at least one person knowledgeable of the process. SureCrop has not certified that they have evaluated compliance at least once every three years by at least one person knowledgeable of the process. SureCrop has only certified one compliance audit performed on April 11, 2019 by Tom Hunton and Maryhelen Sams.
5. 40 C.F.R. § 68.58(c-e) requires SureCrop to document audit findings, responses, and deficiency corrections and retain the two most recent copies that are less than five years old. SureCrop has not retained the two most recent compliance audits that are less than five years old.

DID FACILITY CORRECTLY ASSIGN PROGRAM LEVELS TO PROCESSES?

YES

NO

ATTACHED CHECKLIST(S):

PROGRAM LEVEL 1

PROGRAM LEVEL 2

PROGRAM LEVEL 3

OTHER ATTACHMENTS: