



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: Kraft Heinz Food Company, Ontario, OR | <input checked="" type="checkbox"/> PRIVATE # EMPLOYEES 850 | <input type="checkbox"/> GOVERNMENTAL/MUNICIPAL POPULATION SERVED: Click here |
|---|--|--|

| | | |
|--|-------------------------------------|-------------------------------|
| FACILITY LOCATION: 175 NE 6th Avenue, Ontario, OR 98014 | INSPECTION START DATE: 7/31/2020 | INSPECTION START TIME: N/A |
|--|-------------------------------------|-------------------------------|

| | | |
|--|-----------------------------------|-----------------------------|
| MAILING ADDRESS: 175 NE 6th Avenue, Ontario, OR 98014 | INSPECTION END DATE: 11/3/2020 | INSPECTION END TIME: N/A |
|--|-----------------------------------|-----------------------------|

| | |
|--|-------------------------------------|
| RESPONSIBLE OFFICIAL, TITLE, PHONE NUMBER: Jeremiah Goodrich, ORM Manager, (541) 889-8611 | EPA FACILITY ID# 11000 0012 7784 |
|--|-------------------------------------|

| | | |
|--|--|------|
| FACILITY REPRESENTATIVE(S), TITLE(S), PHONE NUMBER(S): Jeremiah Goodrich, ORM Manager, (541) 889-8611 | INSPECTOR NAME(S), TITLE(S), PHONE NUMBER(S) Terry Garcia, SEE Grantee RMP Inspector, 206-553-1761 Javier Morales, RMP Coordinator, 206-553-1255 | |
| | INSPECTOR SIGNATURE | DATE |

INSPECTION FINDINGS

| | | |
|--|---|-----------------------------|
| IS FACILITY SUBJECT TO RMP REGULATION (40 CFR 68)? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|--|---|-----------------------------|

| | | |
|---|---|-----------------------------|
| DID FACILITY SUBMIT AN RMP AS PROVIDED IN 68.150 TO 68.185? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|---|---|-----------------------------|

| | |
|--|---|
| DATE RMP FILED WITH EPA: June 22, 1999 | DATE OF LATEST RMP UPDATE: May 23, 2017 |
|--|---|

| | |
|--|--|
| 1) PROCESS/NAICS CODE: 311412 | PROGRAM LEVEL: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 |
| REGULATED SUBSTANCE: Ammonia (anhydrous) | MAX. QUANTITY IN PROCESS (lbs.): 99,000 |

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 inspected the Kraft Heinz Food Company, Ontario, Oregon facility on July 31, 2020. Based upon this inspection the facility is in violation of the following risk management program elements:

- Training:** 40 C.F.R. § 68.71(a)(1) for initial training requires that each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process, shall be trained in an overview of the process and in the operating procedures as specified in § 68.69. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Kraft Heinz Food was unable to produce initial training documentation for their operators.
- Training:** 40 C.F.R. § 68.71(a)(2) requires in lieu of initial training for those employees already involved in operating a process on June 21, 1999 an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures. Kraft Heinz Food was unable to produce certification documentation for their operators (Craig Davidson, hired date 1/27/1996 and Duane Perrie, hired date 9/6/1996) that were hired prior to June 21, 1999.

DESCRIPTION OF ALLEGED VIOLATIONS (Cont'd)

3. **Training:** Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process as required by 40 C.F.R. § 68.71(b). Kraft Heinz Food was unable to produce refresher training documentation for their operators.
4. **Training:** The owner or operator shall ascertain that each employee involved in operating a process has received and understood the training required by this paragraph; shall prepare a record which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training as required by 40 C.F.R. § 68.71(c). Kraft Heinz Food was unable to produce initial and refresher training documentation for their operators containing the identity of the employee, the date of training, and the means used to verify that the employee understood the training.
5. **Process Hazard Analysis (PHA):** At least every five (5) years after the completion of the initial process hazard analysis, the process hazard analysis shall be updated and revalidated by a team meeting the requirements in paragraph (d) of this section, to assure that the process hazard analysis is consistent with the current process as required by 40 C.F.R. § 68.67(f). Kraft Heinz Food revalidated their 2018 PHA six years after their 2012 PHA.
6. **Emergency Contact:** Beginning June 21, 2004, within one month of any change in the emergency contact information required under § 68.160(b)(6), the owner or operator shall submit a correction of that information as required by 40 C.F.R. § 68.195(b). Kraft Heinz Food emergency contact information was incorrect on their RMP dated May 23, 2017. The emergency contact, Ashli Perdue, left the company two years ago. The new contact is Jeff Naegle, Factory Manager, who was assigned on September 15, 2020.

DID FACILITY CORRECTLY ASSIGN PROGRAM LEVELS TO PROCESSES?

YES

NO

ATTACHED CHECKLIST(S):

PROGRAM LEVEL 1

PROGRAM LEVEL 2

PROGRAM LEVEL 3

OTHER ATTACHMENTS: