



J.R. Simplot Company  
Simplot Headquarters  
1099 W. Front Street  
Boise, Idaho 83702  
P.O. Box 27  
Boise, Idaho 83707

February 2, 2021

**SENT VIA EMAIL TO: [Eescdcopy.enrd@usdoj.gov](mailto:Eescdcopy.enrd@usdoj.gov)**

David Roskam  
U.S. Department of Justice  
Ben Franklin Station  
PO Box 7611  
Washington, DC 20044-7611

RE: J.R. Simplot Rock Springs

Dear Mr. Roskam:

Pursuant to the Consent Decree (U.S. v. J.R. Simplot Company), paragraph 42, attached is the 4<sup>th</sup> Quarter 2020, Periodic Report No. 2. Please let me know if you have any questions. Please contact me at (208) 780-7365 if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan L. Prouty", with a large, stylized flourish at the end.

Alan L. Prouty  
Vice President, Environmental & Regulatory Affairs

Cc: EES Case Management Unit, Environment and Natural Resources Division by mail  
Director, Enforcement and Compliance Assurance Division, US EPA Region 8 by mail  
Tom Perry, J.R. Simplot Company  
EPA via email at [cinwd\\_acctsreceivable@epa.gov](mailto:cinwd_acctsreceivable@epa.gov)  
EPA Cincinnati Finance Office by mail



**Consent Decree Quarterly (Periodic) Report  
October-December 2020  
Periodic Report No. 002**

**Rock Springs, WY**

**February 2, 2021**

---

## Table of Contents

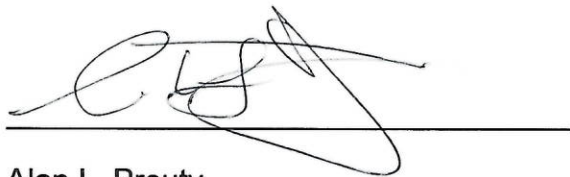
### Table of Contents

Certification Statement.....	3
Introduction.....	4
(i) Status of Construction or Compliance Measures .....	4
(ii) Completion of Milestones .....	4
(iii) Problems Encountered or Anticipated, Together with Implemented or Proposed Solutions ...	5
(iv) Status of Permit Applications .....	5
(v) Status of Plans for Closure and Long-Term Care; and Status of Permit Application, as Applicable, for Closure or Long-Term Care .....	5
(vi) Operation and Maintenance Difficulties or Concerns .....	5
(vii) Status of Financial Assurance .....	5
(viii) Reports to State Agencies Concerning Matters Enumerated .....	6
(ix) Description of any Violation of the Requirements of this Consent Decree Reported under Paragraph 41 and an Explanation of the Likely Cause of such Violation and the Remedial Steps Taken, or to be Taken, to Prevent or Minimize Such Violation .....	6
(x) Identification of any Confirmed "Critical Condition" as Defined and Reported to EPA Pursuant to Appendix 1.D (Critical Conditions and Temporary Measures) .....	6

---

**Certification Statement****RE: October 1, 2020 through December 31, 2020****Quarterly (Periodic) Progress Report No. 002****Rock Springs, Wyoming**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties of submitting false information, including the possibility of fine and imprisonment for knowing violations.

A handwritten signature in black ink, appearing to read "A. Prouty", written over a horizontal line.

Alan L. Prouty  
Vice President, Environmental & Regulatory Affairs

Feb. 02. 2021

Date

---

## Introduction

J.R. Simplot Company (Simplot) has prepared this quarterly progress report for the Rock Springs Facility consistent with Section VII, Paragraph 42 on page 34 of the Consent Decree (CD), *U.S. v. J.R. Simplot Company, et al.*, 20-cv-00125-NDF (D. Wyo.). This quarterly progress report presents actions taken to comply with the CD between the dates of October 1, 2020 to December 31, 2020. This is report number 002.

### i. Status of Construction or Compliance Measures

No construction was conducted during this time period.

Preliminary engineering for recovery system continues through J.R. Simplot's stage-gated capital design and construction planning process. This process has encountered no major delays and remains on projected schedule for full implementation prior to CD compliance deadlines.

BMP overview training was initiated for all site J.R. Simplot employees on December 17, 2020 and will be completed during the second week of 1<sup>st</sup> Quarter 2021. Site overview training has also been implemented for all contractors who operate at the site and will also be completed during 1<sup>st</sup> Quarter 2021.

BMP Area specific training has been drafted and is scheduled for execution and completion for all required employees during 1<sup>st</sup> Quarter 2021.

Updated site policy for monitoring and inspection for site sumps, pads, and tanks has been initiated with scheduled completion during 1<sup>st</sup> Quarter 2021.

An annual gypsum stack inspection by 3<sup>rd</sup> party engineer was conducted in October with a follow-up visit in December of 2020. The results of this inspection are still pending from the 3<sup>rd</sup> party engineer and are anticipated for delivery in early 2021.

Multiple gypsum stack compliance measures have been initiated and are scheduled for completion during 1<sup>st</sup> Quarter 2021 including an updated contingency plan and updated operations plan.

This is the second required quarterly report.

### ii. Completion of Milestones

Revisions to the site's TRI Releases to Surface Impoundments Reports for 2004-2013 were submitted to the EPA and DOJ in accordance with the CD on November 3, 2020.

### **iii. Problems Encountered or Anticipated, Together with Implemented or Proposed Solutions**

During site 4<sup>th</sup> Quarter Sump and Pad Inspections performed October 29, 2020, the #2 Filter Acid Sump (J-6302) was found to have low pH liquid (pH 1.23 and P<sub>2</sub>O<sub>5</sub> content of 2.58%) in the sump's secondary liner. This liquid was pumped out and low-pH liquid (pH 1.35) was again found in the secondary liner during re-inspection.

In accordance with the site Sump and Pad Management Program, the sump was then re-inspected weekly and was consistently found to have low-pH liquid in the secondary liner. During the week of 11-15 January 2021, the associated process equipment was shut down and the sump was isolated, drained, and examined. Multiple structural issues with the sump liner were noted during this inspection and temporary repairs were made to stop the leakage into the secondary liner.

Weekly sump inspections and monitoring will continue until the next maintenance turnaround in approximately 6 months. During this scheduled downtime, the sump liner will be replaced.

### **iv. Status of Permit Applications**

No permit applications to note for this time period.

### **v. Status of Plans for Closure and Long-Term Care; and Status of Permit Application, as Applicable, for Closure or Long-Term Care**

No plans for closure or long-term care.

### **vi. Operation and Maintenance Difficulties or Concerns**

None to report for this time period.

### **vii. Status of Financial Assurance**

Financial assurance in place per requirements in the CD and Appendix 2.

**viii. Reports to State Agencies Concerning Matters Enumerated**

The semi-annual groundwater monitoring report was submitted to both the Wyoming Department of Environmental Quality and US Environmental Protection Agency the week of December 8, 2020.

Letter to WDEQ-Water Quality Division requesting formal agreement of groundwater monitoring report structure was submitted on November 20, 2020.

**ix. Description of any Violation of the Requirements of this Consent Decree Reported under Paragraph 41 and an Explanation of the Likely Cause of Such Violation and the Remedial Steps Taken, or to be Taken, to Prevent or Minimize such Violation**

No violations for this time period.

**x. Identification of any Confirmed “Critical Condition” as Defined and Reported to EPA Pursuant to Appendix 1.D (Critical Conditions and Temporary Measures)**

No critical conditions were reported at the gypsum stack for this time period.