

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
Houston South Area Office  
17625 El Camino Real, Suite 400  
Houston, TX 77058  
Phone: (281)286-0583 FAX: (281)286-6352



## Notification of Failure to Abate Alleged Violations

**To:**  
BP Products North America, Inc.  
and its successors  
2401 5<sup>th</sup> Avenue S  
Texas City, TX 77590

**Original Inspection Number:** 308314640

**Original Inspection Dates:**  
3/23/2005 - 9/12/2005

**Inspection Number:** 311962674

**Inspection Date(s):** 05/04/2009-10/29/2009

**Issuance Date:** 10/29/2009

**Inspection Site:**  
2401 5<sup>th</sup> Avenue S  
Texas City, TX 77590

*The violations described in this Notification of Failure to Abate Alleged Violations are alleged to have occurred on or about the days the inspection was made unless otherwise indicated within the description given below.*

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

You are further notified that you must pay the **ADDITIONAL PENALTY** unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court of agency. Issuance of this Notification does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act, if contested, unless the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/29/2009. The conference will be held at the OSHA office located at Houston South Area Office, 17625 El Camino Real, Suite 400, Houston, TX, 77058 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 1**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Alkylation No. 2 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 2**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Alkylation No. 3 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 3**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Aromatics Recovery A Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

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Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 4**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Aromatics Recovery B Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 5**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Aromatics 2 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
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Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 6**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Cat Feed Hydrotreater Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 7**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Coker B and Coker C Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
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Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 8**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Distillate Desulfurization Unit 100, 200, 300 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 9**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Fluid Cat Cracker 1 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 10**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Fluid Cat Cracker 3 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 11**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Hydrogen Recovery Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 12**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Naphtha Desulfurization Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 13**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Oil Movement Control Center Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 14**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Pipestill 3A Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 15**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Pipestill 3B Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 16**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating Catalyst Handling Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

**Additional Penalty:** \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 17**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating 200 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 18**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating 300 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 19**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating 400 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 20**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating 500 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 21**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Resid Hydrotreating 600 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 22**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Sulfur Recovery A Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 23**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Sulfur Recovery B Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 24**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Sulfur Recovery C Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 25**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Sulfur Recovery D Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

**Additional Penalty:** \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 26**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Ultracracker Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 27**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Ultraformer 3 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

**Additional Penalty:** \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 28**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to conduct an audit of the adequacy of pressure relief for individual pieces of equipment in each covered process unit for conformance with best practices in the industry, *i.e.*, recognized and generally accepted good engineering practices (RAGAGEP), as required by the terms of the SETTLEMENT AGREEMENT entered In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom. Had BP performed the study in accordance with RAGAGEP and the Settlement Agreement it would have identified and been able to correct the numerous pressure relieving devices that were outside acceptable limits.

- a. The employer failed to conduct a comprehensive audit for conformance with RAGAGEP of pressure relief systems and equipment in the Ultraformer 4 Unit.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that provides for the repair or replacement of pressure relief equipment that does not comply with RAGAGEP within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 29

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201A that was designated as TCACP Database Unique Record Number 413, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 30

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201B that was designated as TCACP Database Unique Record Number 422, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 31

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301A that was designated as TCACP Database Unique Record Number 433, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 32

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301B that was designated as TCACP Database Unique Record Number 442, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 33

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker VRU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment J-401/401S that was designated as TCACP Database Unique Record Number 467, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 34

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the ENVF Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-5 that was designated as TCACP Database Unique Record Number 507, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 35

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-412 that was designated as TCACP Database Unique Record Number 530, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 36

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 401-E that was designated as TCACP Database Unique Record Number 545, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 37

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 104-E that was designated as TCACP Database Unique Record Number 622, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 38

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 376-E that was designated as TCACP Database Unique Record Number 637, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 39

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 401-E that was designated as TCACP Database Unique Record Number 646, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 40

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 403-E that was designated as TCACP Database Unique Record Number 654, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 41**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the RDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment 602-F that was designated as TCACP Database Unique Record Number 672, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 42

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the RDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 603-E that was designated as TCACP Database Unique Record Number 673, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 43

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the RDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 604-E that was designated as TCACP Database Unique Record Number 676, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 44

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 200 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 201-F that was designated as TCACP Database Unique Record Number 686, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 45

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 200 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 202-F that was designated as TCACP Database Unique Record Number 693, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 46

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 300 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-F that was designated as TCACP Database Unique Record Number 711, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 47

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 400 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 402-F that was designated as TCACP Database Unique Record Number 729, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 48

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 500 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 510CA-CC that was designated as TCACP Database Unique Record Number 747, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 49

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 500 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 539-F that was designated as TCACP Database Unique Record Number 751, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 50

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 301-B that was designated as TCACP Database Unique Record Number 852, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 51

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-B that was designated as TCACP Database Unique Record Number 858, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 52

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 305-B that was designated as TCACP Database Unique Record Number 871, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 53

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 306-B that was designated as TCACP Database Unique Record Number 877, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 54

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 307-B that was designated as TCACP Database Unique Record Number 883, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 55

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 360-J that was designated as TCACP Database Unique Record Number 909, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 56

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 202-E that was designated as TCACP Database Unique Record Number 1206, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 57

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 203-E that was designated as TCACP Database Unique Record Number 1207, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 58

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation No. 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-1003 that was designated as TCACP Database Unique Record Number 1347, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 59

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 304-B that was designated as TCACP Database Unique Record Number 1370, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 60

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment J-418/A that was designated as TCACP Database Unique Record Number 1379, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 61

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201A that was designated as TCACP Database Unique Record Number 412, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 62

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201A that was designated as TCACP Database Unique Record Number 419, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 63

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201B that was designated as TCACP Database Unique Record Number 421, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 64

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201B that was designated as TCACP Database Unique Record Number 428, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 65

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301A that was designated as TCACP Database Unique Record Number 432, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 66

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301A that was designated as TCACP Database Unique Record Number 439, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 67

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301B that was designated as TCACP Database Unique Record Number 441, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 68

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301B that was designated as TCACP Database Unique Record Number 448, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 69**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment F-302 that was designated as TCACP Database Unique Record Number 450, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 70

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 811-J/JA that was designated as TCACP Database Unique Record Number 573, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 71

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 812-J/JA that was designated as TCACP Database Unique Record Number 574, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 72

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 202-E that was designated as TCACP Database Unique Record Number 628, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 73

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 203-E that was designated as TCACP Database Unique Record Number 631, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 74

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-410 that was designated as TCACP Database Unique Record Number 956, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 75

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment J-418/A that was designated as TCACP Database Unique Record Number 1175, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 76

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 611-E that was designated as TCACP Database Unique Record Number 1182, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 77**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment D-1/D-2 that was designated as TCACP Database Unique Record Number 520, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 78

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker VRU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-402 that was designated as TCACP Database Unique Record Number 386, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 79

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker VRU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-404 that was designated as TCACP Database Unique Record Number 390, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 80

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 407-E that was designated as TCACP Database Unique Record Number 552, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 81

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 503-E that was designated as TCACP Database Unique Record Number 557, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 82

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 581-E that was designated as TCACP Database Unique Record Number 564, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 83**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment 802-E that was designated as TCACP Database Unique Record Number 570, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 84**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Naphtha Desulfurization Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment E-501 that was designated as TCACP Database Unique Record Number 582, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 85

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Power2 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-2 that was designated as TCACP Database Unique Record Number 604, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 86

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 205-F that was designated as TCACP Database Unique Record Number 633, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 87

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the RDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 603-E that was designated as TCACP Database Unique Record Number 674, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 88

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the RDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 604-E that was designated as TCACP Database Unique Record Number 677, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 89

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-1A/B that was designated as TCACP Database Unique Record Number 801, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 90

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-1C/D that was designated as TCACP Database Unique Record Number 803, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 91

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-201/202C that was designated as TCACP Database Unique Record Number 805, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 92**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment T-201/202D that was designated as TCACP Database Unique Record Number 807, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 93

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-203C that was designated as TCACP Database Unique Record Number 809, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 94

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment T-203D that was designated as TCACP Database Unique Record Number 811, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 95

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 107-CA/B/C/D/E/F that was designated as TCACP Database Unique Record Number 844, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 96

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 301-E that was designated as TCACP Database Unique Record Number 855, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 97

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-E that was designated as TCACP Database Unique Record Number 861, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 98

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 303-E that was designated as TCACP Database Unique Record Number 865, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 99

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 304-E that was designated as TCACP Database Unique Record Number 868, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 100

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 306-E that was designated as TCACP Database Unique Record Number 880, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 101

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 307-E that was designated as TCACP Database Unique Record Number 886, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 102

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 312-E that was designated as TCACP Database Unique Record Number 896, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 103

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 313-E that was designated as TCACP Database Unique Record Number 898, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 104

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 353-F that was designated as TCACP Database Unique Record Number 908, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 105

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-401 that was designated as TCACP Database Unique Record Number 945, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 106

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-F that was designated as TCACP Database Unique Record Number 1168, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 107

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-EA that was designated as TCACP Database Unique Record Number 1183, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 108

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 609-EA that was designated as TCACP Database Unique Record Number 1184, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 109

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 610-EA that was designated as TCACP Database Unique Record Number 1185, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 110

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 612-EB that was designated as TCACP Database Unique Record Number 1359, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 111

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201A that was designated as TCACP Database Unique Record Number 1384, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 112

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-201B that was designated as TCACP Database Unique Record Number 1385, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 113

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301A that was designated as TCACP Database Unique Record Number 1386, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 114

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-301B that was designated as TCACP Database Unique Record Number 1387, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 115

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-610 that was designated as TCACP Database Unique Record Number 590, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 116

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-611 that was designated as TCACP Database Unique Record Number 591, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 117

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-612 that was designated as TCACP Database Unique Record Number 592, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 118

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-613 that was designated as TCACP Database Unique Record Number 593, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 119

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-614 that was designated as TCACP Database Unique Record Number 594, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 120

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-615 that was designated as TCACP Database Unique Record Number 595, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 121

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-616 that was designated as TCACP Database Unique Record Number 596, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 122

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-618 that was designated as TCACP Database Unique Record Number 597, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 123

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-620 that was designated as TCACP Database Unique Record Number 598, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 124

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-622 that was designated as TCACP Database Unique Record Number 599, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 125

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-624 that was designated as TCACP Database Unique Record Number 600, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 126

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Oil Movement Control Center Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment TK-626 that was designated as TCACP Database Unique Record Number 601, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 127

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 105-E that was designated as TCACP Database Unique Record Number 1341, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 128

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 103-E that was designated as TCACP Database Unique Record Number 620, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 129

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation No. 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment V-1067 A/B that was designated as TCACP Database Unique Record Number 318, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 130

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-101 that was designated as TCACP Database Unique Record Number 362, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 131

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker B Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-201 that was designated as TCACP Database Unique Record Number 365, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 132

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-301 that was designated as TCACP Database Unique Record Number 371, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 133

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker VRU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-401 that was designated as TCACP Database Unique Record Number 384, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 134

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker C Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-316 that was designated as TCACP Database Unique Record Number 452, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 135

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-501 that was designated as TCACP Database Unique Record Number 460, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 136

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Distillate Desulfurization Unit 100 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-101 that was designated as TCACP Database Unique Record Number 472, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 137

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Distillate Desulfurization Unit 200 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-201 that was designated as TCACP Database Unique Record Number 484, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 138

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-1/D-2 that was designated as TCACP Database Unique Record Number 518, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 139

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-1/D-2 that was designated as TCACP Database Unique Record Number 519, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 140

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-1/D-2 that was designated as TCACP Database Unique Record Number 521, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 141

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-1/D-2 that was designated as TCACP Database Unique Record Number 522, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 142

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 409-E that was designated as TCACP Database Unique Record Number 554, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 143

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 475-E that was designated as TCACP Database Unique Record Number 555, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 144

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 501-E that was designated as TCACP Database Unique Record Number 556, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 145

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 801-F that was designated as TCACP Database Unique Record Number 569, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 146

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 803-F that was designated as TCACP Database Unique Record Number 571, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 147

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 804-F that was designated as TCACP Database Unique Record Number 572, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 148

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 813-F that was designated as TCACP Database Unique Record Number 575, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 149

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Hydrogen Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 816-F that was designated as TCACP Database Unique Record Number 577, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 150

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Pipestill 3A Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-E that was designated as TCACP Database Unique Record Number 610, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 151

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 200 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 201-E that was designated as TCACP Database Unique Record Number 685, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 152

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 200 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 206-J that was designated as TCACP Database Unique Record Number 698, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 153

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 300 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 301-E that was designated as TCACP Database Unique Record Number 704, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 154

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 300 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 306-J that was designated as TCACP Database Unique Record Number 716, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 155

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 400 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 401-E that was designated as TCACP Database Unique Record Number 722, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 156

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 400 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 406-J that was designated as TCACP Database Unique Record Number 734, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 157

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating 600 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 603-E that was designated as TCACP Database Unique Record Number 760, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 158

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment K-1A/B/C that was designated as TCACP Database Unique Record Number 798, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 159

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment K-2A/B that was designated as TCACP Database Unique Record Number 799, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 160

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-B that was designated as TCACP Database Unique Record Number 815, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 161

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-D that was designated as TCACP Database Unique Record Number 816, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 162

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-B that was designated as TCACP Database Unique Record Number 822, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 163

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-D that was designated as TCACP Database Unique Record Number 823, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 164

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 102-B that was designated as TCACP Database Unique Record Number 827, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 165

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 102-D that was designated as TCACP Database Unique Record Number 828, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 166

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment N/A that was designated as TCACP Database Unique Record Number 913, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 167

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-410 that was designated as TCACP Database Unique Record Number 962, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 168

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment N/A that was designated as TCACP Database Unique Record Number 974, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 169

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-E that was designated as TCACP Database Unique Record Number 1176, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 170

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 404-E that was designated as TCACP Database Unique Record Number 1295, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 171

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Fluid Cat Cracker 1 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment E-413 that was designated as TCACP Database Unique Record Number 1297, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 172

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-1 that was designated as TCACP Database Unique Record Number 1375, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 173

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-10C that was designated as TCACP Database Unique Record Number 1376, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 174

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Sulfur Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment D-10D that was designated as TCACP Database Unique Record Number 1377, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 175

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-E that was designated as TCACP Database Unique Record Number 319, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 176

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 604-E that was designated as TCACP Database Unique Record Number 320, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 177

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 610-E that was designated as TCACP Database Unique Record Number 321, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Notification of Failure to Abate Alleged Violation**

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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**Failure to Abate Item 178**

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems (“SIS standard”), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as “residual risk” for process equipment 612-E that was designated as TCACP Database Unique Record Number 322, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 179

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 612-EB that was designated as TCACP Database Unique Record Number 323, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 180

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-E that was designated as TCACP Database Unique Record Number 1176, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 181

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 611-E that was designated as TCACP Database Unique Record Number 1182, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 182

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-EA that was designated as TCACP Database Unique Record Number 1183, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 183

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 609-EA that was designated as TCACP Database Unique Record Number 1184, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 184

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 610-EA that was designated as TCACP Database Unique Record Number 1185, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 185

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Aromatics Recovery Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 612-EB that was designated as TCACP Database Unique Record Number 1359, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 186

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation Unit No. 3 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment V-1055; T-1003 that was designated as LOPA Action Item Recommendation Number R2008394-011, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 187

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation Unit No. 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment F-1001 that was designated as LOPA Action Item Recommendation Number R2008394-014, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 188

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation Unit No. 5 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment FV-1403 that was designated as LOPA Action Item Recommendation Number R2009347-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 189

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Alkylation Unit No. 6 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment C-1006 that was designated as LOPA Action Item Recommendation Number R2009347-003, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 190

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Cat Feed Hydrotreater Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2008772-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 191

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2007946-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 192

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2007948-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 193

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2007948-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 194

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Coker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2007949-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 195

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the DDU Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment DDU-100 that was designated as LOPA Action Item Recommendation Number R2008543-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 196

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 201-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009315-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 197

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2009315-003, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 198

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 201-E that was designated as LOPA Action Item Recommendation Number R2009315-004, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 199

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 202-B Hydrogen Heater that was designated as LOPA Action Item Recommendation Number R2009315-005, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 200

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment RV-031B that was designated as LOPA Action Item Recommendation Number R2009316-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 201

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 511-F that was designated as LOPA Action Item Recommendation Number R2009316-005, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 202

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 511-F, X01-E that was designated as LOPA Action Item Recommendation Number R2009317-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 203

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 596-F, 508-F that was designated as LOPA Action Item Recommendation Number R2209317-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 204

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2009317-004, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 205

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 501-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009317-005, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 206

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 502-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009317-006, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 207

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 516-F-A/B, 527-J compressor, 527-JX that was designated as LOPA Action Item Recommendation Number R2009317-014, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, i.e., other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 208

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JA that was designated as LOPA Action Item Recommendation Number R2009317-016, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 209

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JB compressor that was designated as LOPA Action Item Recommendation Number R2009317-017, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 210

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JC that was designated as LOPA Action Item Recommendation Number R2009317-018, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 211

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JD that was designated as LOPA Action Item Recommendation Number R2009317-019, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 212

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JE that was designated as LOPA Action Item Recommendation Number R2009317-020, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 213

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 527-JF that was designated as LOPA Action Item Recommendation Number R2009317-021, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 214

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 301-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009318-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 215

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 307-F that was designated as LOPA Action Item Recommendation Number R2009318-003, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 216

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 308-F that was designated as LOPA Action Item Recommendation Number R2009318-004, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 217

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 306-F,301-E that was designated as LOPA Action Item Recommendation Number R2009318-005, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 218

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 511-F, 301-E that was designated as LOPA Action Item Recommendation Number R2009318-006, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 219

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-B hydrogen Heater that was designated as LOPA Action Item Recommendation Number R2009318-007, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 220

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 302-B that was designated as LOPA Action Item Recommendation Number R2009318-008, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 221

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 401-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009319-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 222

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 407-F that was designated as LOPA Action Item Recommendation Number R2009319-003, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 223

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 408-F, 403-F that was designated as LOPA Action Item Recommendation Number R2009319-004, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 224

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 596-F/508-F that was designated as LOPA Action Item Recommendation Number R2009319-007, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 225

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 402-B Hydrogen Heater that was designated as LOPA Action Item Recommendation Number R2009319-007, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 226

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-J that was designated as LOPA Action Item Recommendation Number R2009320-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 227

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 602-F that was designated as LOPA Action Item Recommendation Number R2009320-003, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 228

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 607-E that was designated as LOPA Action Item Recommendation Number R2009320-011, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 229

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Resid Hydrotreating Unit Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 601-B Oil Heater that was designated as LOPA Action Item Recommendation Number R2009320-014, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 230

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the All TCR Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment that was designated as LOPA Action Item Recommendation Number R2007450-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 231

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 4 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-406 that was designated as LOPA Action Item Recommendation Number R2008063-001, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 232

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 5 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment PCV 4401A that was designated as LOPA Action Item Recommendation Number R2008063-002, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 233

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 6 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-402-B that was designated as LOPA Action Item Recommendation Number R2008063-0006, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 234

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 7 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-401A that was designated as LOPA Action Item Recommendation Number R2008063-0013, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 235

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 8 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-401B that was designated as LOPA Action Item Recommendation Number R2008063-0015, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 236

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 9 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-402C that was designated as LOPA Action Item Recommendation Number R2008063-0017, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 237

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 10 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-404 that was designated as LOPA Action Item Recommendation Number R2008063-0019, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 238

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 11 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment FCV 4428, B-404, FALL 4539A that was designated as LOPA Action Item Recommendation Number R2008063-0020, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 239

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 12 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-401B that was designated as LOPA Action Item Recommendation Number R2008063-031, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 240

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultraformer 13 Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment B-405 that was designated as LOPA Action Item Recommendation Number R2008063-043, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 241

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 103-B Furnace that was designated as LOPA Action Item Recommendation Number R2008104-255, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 242

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 103-B Furnace that was designated as LOPA Action Item Recommendation Number R2008104-256, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 243

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-D, 101-D, or the 102-D reactors that was designated as LOPA Action Item Recommendation Number R2008104-258, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 244

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JA that was designated as LOPA Action Item Recommendation Number R2008104-260, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 245

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JA that was designated as LOPA Action Item Recommendation Number R2008104-261, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 246

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-JD, that was designated as LOPA Action Item Recommendation Number R2008104-262, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 247

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JE that was designated as LOPA Action Item Recommendation Number R2008104-263, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 248

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JD that was designated as LOPA Action Item Recommendation Number R2008104-264, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 249

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JE that was designated as LOPA Action Item Recommendation Number R2008104-265, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 250

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JD that was designated as LOPA Action Item Recommendation Number R2008104-266, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 251

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-JE that was designated as LOPA Action Item Recommendation Number R2008104-267, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 252

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-B,101-B,102-B that was designated as LOPA Action Item Recommendation Number R2008104-268, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 253

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-C-A1/B1/C1 that was designated as LOPA Action Item Recommendation Number R2008104-269, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 254

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-B that was designated as LOPA Action Item Recommendation Number R2008104-270, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 255

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 100-B that was designated as LOPA Action Item Recommendation Number R2008104-271, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 256

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-B that was designated as LOPA Action Item Recommendation Number R2008104-272, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 257

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 101-B that was designated as LOPA Action Item Recommendation Number R2008104-273, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 258

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 102-B that was designated as LOPA Action Item Recommendation Number R2008104-274, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 259

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 102-B that was designated as LOPA Action Item Recommendation Number R2008104-275, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 260

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 106-F that was designated as LOPA Action Item Recommendation Number R2008104-276, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 261

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 112-F that was designated as LOPA Action Item Recommendation Number R2008104-277, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 262

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 102-E that was designated as LOPA Action Item Recommendation Number R2008104-279, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 263

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 103-E that was designated as LOPA Action Item Recommendation Number R2008104-281, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 264

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 104-B A/B that was designated as LOPA Action Item Recommendation Number R2008104-284, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 265

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 104-B A/B that was designated as LOPA Action Item Recommendation Number R2008104-285, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 266

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 113-F that was designated as LOPA Action Item Recommendation Number R2008104-286, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 267

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 104-E that was designated as LOPA Action Item Recommendation Number R2008104-288, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 268

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 114-F that was designated as LOPA Action Item Recommendation Number R2008104-291, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 269

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 126-J/JA that was designated as LOPA Action Item Recommendation Number R2008104-294, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Notification of Failure to Abate Alleged Violation

Original Inspection: 308314640  
Original Inspection Dates: 03/23/2005 - 09/12/2005

Inspection: 311962674  
Inspection Dates: 05/04/2009 - 10/29/2009  
Issuance Date: 10/29/2009

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 2401 5<sup>th</sup> Avenue S, Texas City, TX 77590

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### Failure to Abate Item 270

For a period of thirty (30) or more days, including thirty (30) days from September 22, 2009, the employer failed to fully address PSM Expert recommendation number PSM-48, also known as BP Products Index PHM-TCR-2006-005-048, and related recommendations, to implement the standard for Safety Instrument Systems ("SIS standard"), ANSI/S84.00.01-2004, entitled: Functional Safety: Safety Instrumented Systems for Process Industry Sector, as soon as possible. Implementation was required by the SETTLEMENT AGREEMENT In Re Inspection of BP Products North America, Inc. and its Successors, Inspection Nos. 308314640, 308314988, 308314632, 308316942, 308316322, 308316314, 308314996, 308315019, 308316751, signed September 22, 2005, and made part of the citations issued to the employer on September 22, 2005, and the Final Order resulting therefrom.

- a. In the Ultracracker Unit, the employer failed to ensure mitigation of fire, explosion, and toxic hazards that the employer identified as "residual risk" for process equipment 105-E that was designated as LOPA Action Item Recommendation Number R2008104-295, either identified as requiring additional residual risk reduction which was not allocated to a safety function, or was designated for a Safety Instrumented Function which was not implemented, i.e., installed and commissioned.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documentation showing that it has corrected the violation. Within thirty (30) days, the employer shall submit an abatement plan that assures the identification of all equipment, systems, and critical processes where it needs to implement the SIS standard throughout the refinery, including but not limited to, the allocation of residual risk to safety functions which are SIS and non-SIS, *i.e.*, other technology related systems or external risk reduction facilities. Additionally, the abatement plan shall specify dates by which the installation and operation of SIS, SIF, or non-SIS will be completed within one hundred and twenty (120) days from the date of this notice. Once the plan has been fully implemented, the employer must submit certification of its full compliance with this requirement.

The penalty is calculated by multiplying a daily penalty of \$7,000 by thirty (30) days, the period that the employer failed to correct the violation.

Additional Penalty: \$ 210000.00

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Mark R. Briggs  
Area Director

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See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.