

U.S. Department of Labor
Occupational Safety and Health Administration
507 N. Sam Houston Parkway E.
Suite 400
Houston, TX 77060
Phone: 281-591-2438 Fax: 281-999-7457



Citation and Notification of Penalty

To:
AmeriGas Propane, Inc., dba AmeriGas
and its successors
10985 FM 1485
Conroe, TX 77306

Inspection Number: 735302
Inspection Date(s): 11/14/2012 - 03/05/2013
Issuance Date: 04/26/2013

Inspection Site:
10985 FM 1485
Conroe, TX 77306

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation 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 or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 04/26/2013. The conference will be held at the OSHA office located at 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 735302

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306
Issuance Date: 04/26/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.119(d)(3)(i)(B): The employer's piping and instrument diagrams were not accurate and did not represent equipment that was existing and was part of the process

The employer does not ensure that piping and instrument diagrams are accurate and represent equipment that is current and is part of the process.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that the piping and instrument diagrams were accurate and represented the existing process. Identified errors or missing process equipment include but not limited to:

- a. Propane gas/liquid line from cylinder evacuation vessel to the compressor was not shown on PID-03A
- b. Flex hose on the 2 inch discharge line from the liquid propane pumps not shown on P&ID 03B
- c. Misplaced check valve and missing block valve on the discharge line of the liquid propane pumps on P&ID 03B
- d. Missing a gate valve on the liquid propane line that was feeding the new carousel on P&ID 03C.

These condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that piping and instrument diagrams are accurate and represent equipment that is current and is part of the process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$5000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.119(d)(3)(i)(H): Process safety information pertaining to the equipment in the process did not include the safety systems (e.g., interlocks, detection or suppression systems):

The employer does not ensure that process safety information pertaining to the equipment in the process included the safety systems:

The violation occurred on or about November 6, 2012 and times prior thereto, in the AmeriGas Cylinder Exchange facility where the employer failed to ensure that the process safety information pertaining to the equipment in the process included the safety systems. Identified safety systems include but are not limited to Emergency Stop(s) (e-stop). This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including the description of the steps that it is taking to ensure that specific process safety information includes the safety systems such as but not limited to emergency stop(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.119(e)(2): The employer did not use or did not use correctly one or more of the methodologies presented in 29 CFR 1910.119(e)(2)(i) through (vii) that were appropriate to determine and to evaluate the hazards of the process being analyzed.

The employer does not ensure the correct use of one or more of the methodologies presented in 29 CFR 1910.119(e)(2)(i) through (vii) that are appropriate to evaluate the hazards of the process being analyzed.

The violation occurred on or about November 6, 2012 and times prior thereto, occurred in the propane container filling and evacuation areas where The employer failed to ensure that the 2004 and 2011 process hazard analyses was appropriate to the complexities of the process and did not identify evaluate, and control the hazards involved. AmeriGas's use of the What-if methodology did not correctly evaluate the hazards of the process being analyzed. In the propane container filling and evacuation areas the hazards present in the process were not addressed or not specific enough to provide appropriate recommendations to safeguard the hazards. Hazards include but not limited to:

- a. Failure or leak in the carousel rotary joint
- b. Failure of buried liquid propane piping to the carousel

This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the correct use of one or more of the methodologies presented in 29 CFR 1910.119(e)(2)(i) through (vii) that are appropriate to evaluate the hazards of the process being analyzed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.119(e)(3)(iii): The process hazard analysis did not address the engineering and administrative controls applicable to the hazards and their interrelationship, such as, appropriate detection methodologies to provide early warning of releases. (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.)

The employer does not ensure that the process hazard analysis is appropriate to the complexities of the process and does not identify evaluate, and control the hazards involved. The process hazard analysis did not include engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the 2004 and 2011 PHAs did not address lower explosion limit detection methodologies and alarms to provide early warning of releases. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the process hazard analysis addressed the engineering and administrative controls applicable to the hazards and their interrelationships, such as, appropriate detection methodologies to provide early warning of releases. Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors, ventilation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.119(e)(3)(v): The process hazard analysis did not address facility siting.

The employer does not ensure the process hazard analysis addresses facility siting.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure the process hazard analysis addressed facility siting as part of the 2004 and 2011 PHA. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the process hazard analysis addresses facility siting.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$3000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.119(e)(3)(vi): The process hazard analysis did not address human factors.

The employer does not ensure the process hazard analysis addresses human factors.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure the process hazard analysis addressed human factors as part of the 2004 and 2011 PHA. Identified human factors include but not limited to language barriers, communication during an emergency, evacuation or emergency drills, and employee turnover. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the process hazard analysis addresses human factors.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$3000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.119(e)(5): The employer did not establish a system to assure that the process hazard analysis team's recommendations are resolved in a timely manner and that the resolution is documented:

The employer does not ensure a system is established to assure that the process hazard analysis teams recommendations are resolved in a timely manner and resolutions are documented.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure a system was established to assure that the 2004 and 2011 process hazard analysis (PHA) teams recommendations were resolved in a timely manner and resolutions are documented. Identified recommendations include but not limited to:

- a. Review procedures with all employees.
- b. Review emergency shutdown procedures with all employees.

This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure a system is established to assure that the process hazard analysis teams recommendations are resolved in a timely manner and resolutions are documented.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 8 a Type of Violation: **Serious**

29 CFR 1910.119(f)(1): The employer did not develop and implement written operating procedures that provided clear instructions for safely conducting activities involved in each covered process consistent with the process safety information.

The employer does not ensure written operating procedures are developed and implemented that provided clear instructions for safely conducting activities involved in each process consistent with the process safety information.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure written operating procedures were developed and implemented with clear instructions for safely conducting the filling and evacuation of containers. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written operating procedures were developed and implemented for safely conducting activities involved in each process consistent with the process safety information.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 8 b Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(D): The employer's written operating procedures covering the steps for each operating phase did not address emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown in a safe and timely manner:

The employer does not ensure written operating procedures covering the steps for each operating phase addressed the emergency shutdown including the conditions emergency shutdown is required and assignment of shutdown responsibility.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure written operating procedures addressed the conditions emergency shutdown is required and the assignment of shutdown responsibility. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written operating procedures covering the steps for each operating phase addressed the emergency shutdown including the conditions emergency shutdown is required, assignment of shutdown responsibility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/10/2013

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 735302
Inspection Date(s): 11/14/2012 - 03/05/2013
Issuance Date: 04/26/2013



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 8 c Type of Violation: **Serious**

29 CFR 1910.119(f)(3): The employer did not certify annually that the operating procedures are current and accurate.

The employer does not ensure standard operating procedures are certified annually as being current and accurate.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that standard operating procedures were certified annually as being current and accurate. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure standard operating procedures are certified annually as being current and accurate.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/10/2013

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(ii): The employer's written operating procedures did not address the consequences of and the steps required for correcting or avoiding deviation from the operating limits.

The employer does not ensure written operating procedures addressed the consequences of deviation and steps required for correcting or avoiding deviations from the safe upper and lower limits of the process.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure written operating procedures addressed the consequences of deviation and steps required for correcting or avoiding deviations from the safe upper and lower limits of the process. Missing operating limits and procedures for equipment included, but were not limited to the following:

- a. 30,000-gallon tank pressure
- b. 30,000-gallon tank level
- c. 30,000-gallon tank temperature
- d. Liquid Propane pump high and low pump discharge pressure.

This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written operating procedures addressed the consequences of deviation and steps required for correcting or avoiding deviations from the safe upper and lower limits of the process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(iv): The employer's written operating procedures did not address requirements for the safety systems and their functions:

The employer does not ensure that written operating procedures address the requirements for safety systems and their functions.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling, liquid propane storage, and container evacuation areas where the employer failed to ensure that the written operating procedures for the propane-filling, liquid storage and evacuation areas address safety systems and their functions. Identified safety systems include but not limited to:

- a. Emergency stops on the fill dock
- b. Emergency stops in storage tank area.

This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that written operating procedures address the requirements for safety systems and their functions.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$5000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.119(f)(4): The employer did not develop and implement safe work practices for employees and contractor employees to provide for the control of hazards during operations such as over entrance into a facility by maintenance, contractor, laboratory, or other support personnel.

The employer does not ensure that safe work practices are developed and implemented for employees and contractor employees for the control over entrance into a facility by maintenance, contractor and other support personnel.

This violation occurred on or about November 6, 2012 and times prior thereto where the employer failed to ensure that safe work practices were developed and implemented for employees and contractors for the control over entrance into the facility. The facility has no restrictions or access requirements to enter the two main entrances and employees and visitors are parked inside the complex main gate(s). This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that safe work practices are developed and implemented for the control over entrance into a facility by employees, maintenance, contractors, and other support personnel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$3000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 12 a Type of Violation: **Serious**

29 CFR 1910.119(j)(2): The employer did not establish and implement written procedures to maintain the on-going mechanical integrity of process equipment.

The employer does not ensure written procedures are established and implemented to maintain the on-going mechanical integrity of the process equipment.

a. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were established and implemented for the testing and inspection of the facilities emergency shutdowns (ESD). Identified ESDs included but not limited to the container filling station (carrousel), liquid propane truck unloading, and the 30,000-gallon Propane storage tank. This condition exposed employees to fire and explosion hazards.

b. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were established and implemented for the testing and inspection of the facilities liquid and gas propane piping. Identified piping includes but is not limited to the liquid propane piping shown on the process and instrument diagrams (P&ID) PID-03A, PID-03B, and PID-03C. This condition exposed employees to fire and explosion hazards.

c. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were established and implemented for the testing and inspection of the facilities liquid propane storage vessels. Identified vessels included but not limited to the 30,000-gallon storage tank. This condition exposed employees to fire and explosion hazards.

d. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were

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Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

established and implemented for the testing and inspection of the facilities relief valves. Identified relief valves included but not limited to those on the 30,000-gallon storage. This condition exposed employees to fire and explosion hazards.

e. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were established and implemented for the testing and inspection of the rotary joint on the container filling carrousel. This condition exposed employees to fire and explosion hazards.

f. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that written procedures were established and implemented for the testing and inspection of the liquid propane pump(s) bypass valves. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures are established and implemented to maintain the on-going mechanical integrity of the process equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 12 b Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(iv): The employer did not document the date of inspection, the name of the person performing the inspection, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection, and the results of the inspection for each piece of process equipment.

The employer does not ensure testing and inspection performed on process equipment is documented including the date, serial number or identifier of equipment, a description, and the results of the inspection and/or test performed.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure the documentation of the date, system identifier, description, and results of inspections and tests of the emergency shutdowns (E-Stops). This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure testing and inspection performed on process equipment is documented including the date, serial number or identifier of equipment, a description, and the results of the inspection and/or test performed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/10/2013



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(i): The employer did not perform inspection and tests on process equipment.

The employer does not ensure inspection and tests are performed on process equipment.

- a. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure inspection and testing of storage vessel(s) were performed. Identified vessels include but are not limited to 30,000 gallon storage tank. This condition exposed employees to fire and explosion hazards.
- b. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure inspections, tests and/or replacement of relief valves was conducted. Identified relief valves include but are not limited to those on the 30,000-gallon propane storage vessel. This condition exposed employees to fire and explosion hazards.
- c. The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure inspection and testing of liquid and gas propane piping was conducted. Identified piping includes but is not limited to the liquid propane piping shown on the process and instrument diagrams (P&ID) PID-03A, PID-03B, and PID-03C. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including the description of the steps that it has taken to ensure inspection and tests are performed on process equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.119(l)(1): The employer did not establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures; and, changes to facilities that affect a covered process.

The employer does not ensure written procedures are established and implemented for managing changes to the process equipment and operating procedures.

The violation occurred on or about January 18, 2013 and times prior thereto, in the propane container filling area where the employer failed to ensure that written procedures were established and implemented for the installation of a larger (12 station) container filling station. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures are established and implement for managing changes to the process equipment and procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$3000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.119(o)(1): The employer did not certify that they had evaluated compliance with the provisions of 29 CFR 1910.119 at least every three years to verify that the procedures and practices developed under this standard were adequate and are being followed.

The employer does not ensure it has evaluated the compliance with the provisions of 29 CFR 1910.119 at least every three years.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure that a process safety management compliance audit was completed and certified at least every three years. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure it has evaluated the compliance with the provisions of 29 CFR 1910.119 at least every three years.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$3000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 16 a Type of Violation: **Serious**

29 CFR 1910.147(c)(2)(iii): New machines and equipment that were installed after January 2, 1990 were not provided with energy isolating devices designed to accept lockout devices.

The employer does not ensure new equipment installed after January 2, 1990 is installed with energy isolating devices design to accept a lockout devices.

The violation occurred on or about January 18, 2013 and times prior thereto, in the liquid propane container filling carrousel area where the employer failed to ensure valves installed on the container-filling carrousel were capable of accepting a lockout device. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure equipment installed after January 2, 1990 is installed with energy isolating devices capable of accepting a lockout device.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/10/2013
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 16 b Type of Violation: **Serious**

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees.

The employer does not ensure that authorized employees affix a lockout or tagout device to the energy isolating device(s) before working on the machine or equipment.

The violation occurred on or about December 14, 2012 in the liquid propane storage/pump where the employer failed to ensure a personal lockout or tagout device to the inlet and outlet valves to the liquid propane pumps on the 30,000-gallon storage tanks. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure a personal lockout or tagout device was affixed to the machine or equipment before working on the machine or equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/10/2013



Citation and Notification of Penalty

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed.

The employer does not ensure a periodic inspection of the energy control procedure was conducted annually to ensure the procedure and the requirements of the standard were followed.

The violation occurred on or about November 6, 2012 and times prior thereto, in the propane container filling and evacuation areas where the employer failed to ensure a periodic inspection of the energy control procedures was conducted annually to ensure the procedure and the requirement of the standard is followed. This condition exposed employees to fire and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure a periodic inspection of the energy control procedure is conducted annually to ensure the procedure and the requirement of the standard is followed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/10/2013
\$5000.00

A handwritten signature in blue ink, appearing to read "David A. Doucet", written over a horizontal line.

David A. Doucet
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
507 N. Sam Houston Parkway E.
Suite 400
Houston, TX 77060
Phone: 281-591-2438 Fax: 281-999-7457



INVOICE / DEBT COLLECTION NOTICE

Company Name: AmeriGas Propane, Inc., dba AmeriGas
Inspection Site: 10985 FM 1485, Conroe, TX 77306
Issuance Date: 04/26/2013

Summary of Penalties for Inspection Number	735302
Citation 1, Serious	\$93000.00
TOTAL PROPOSED PENALTIES	\$93000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

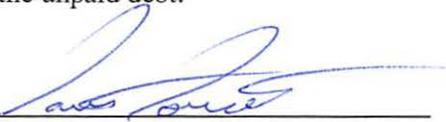
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount

becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



David A. Doucet

Area Director



Date