

U.S. Department of Labor
Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246
Phone: 513-841-4132 Fax: 513-841-4114



Citation and Notification of Penalty

To:
Haverhill Chemicals LLC
P. O. Box 180
1019 Haverhill-Ohio Furnace Road
Haverhill, OH 45636

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014

Inspection Site:
1019 Haverhill-Ohio Furnace Road
Haverhill, OH 45636

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 either call to schedule an informal conference (see paragraph below) or** 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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/01/2014. The conference will be held by telephone or at the OSHA office located at 36 Triangle Park Drive, Cincinnati, OH 45246 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 975358

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636
Issuance Date: 10/01/2014

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, 36 Triangle Park Drive, Cincinnati, OH 45246**

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

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

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Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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 1 a Type of Violation: **Serious**

29 CFR 1910.37(a)(2): Exit routes must be arranged so that employees will not have to travel toward a high hazard area, unless the path of travel is effectively shielded from the high hazard area by suitable partitions or other physical barriers.

Along the West wall of the BPA facility, the employer did not ensure that the steam discharge from the 160 psi pressure safety valve was effectively shielded for employees who would have to use the emergency egress platform.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2014
Proposed Penalty:	\$5000.00

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.37(a)(3): Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route. The exit access must not go through a room that can be locked, such as a bathroom, to reach an exit or exit discharge, nor may it lead into a dead-end corridor. Stairs or a ramp must be provided where the exit route is not substantially level.

In the BPA Area, R-109 and R- 110 walkways, the entire work platform leading to the exit was obstructed by permanently installed scaffold access ladders and valves, protruding into the platform and providing only 15 1/2 inches of platform aisleway on the way to the exit.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/19/2014

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.119(d)(3)(ii): The employer shall document that equipment complies with recognized and generally accepted good engineering practices.

Haverhill Chemicals LLC located in Haverhill, Ohio: On or about May 1, 2014, the employer did not ensure Safety Instrumented System (SIS) bypass switches for phenol 2 and phenol 3 processes were protected by passcodes or key locks.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/21/2014
Proposed Penalty:	\$5000.00

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.119(e)(5): The employer shall establish a system to promptly address the team's findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.

The employer had not completed Finding #13308, from the 2011 PSG HES Compliance Audit to address the pressurization and alarm system in the BPA MCC and Distributed Control Room in a timely manner to address the toxic gas hazard from an uncontrolled release and dispersion identified in a Baker Risk Facility Siting Study completed in 2010.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/19/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC

Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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 4 a Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(iii)(A): Properties of, and hazards presented by, the chemicals used in the process;

In the Phenol 2 Unit;

- a. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3512-J/JA-a (3512-J/JA Hydrogenation Feed Pump Start-up, Rev 10/27/2003) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- b. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3227-L-b (3227-L Primary Cumene Stripper Jets and Condensers Shutdown, Rev 5/7/2012) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- c. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3206-L-a (Switching and Cleaning Acid Filter 3206-L, Rev 6/29/1997) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- d. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure F-3342-F-b (3342-F Shutdown, Rev 8/24/2006) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.

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: Haverhill Chemicals LLC

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- e. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure ISO A-3507-FA/FB-d (Recycle 3507-FA/FB to 3505-F, Rev 1/09/1998) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- f. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-CHP Spills-a (CHP Spills Cleanup using soda ash, Rev 5/07/2012) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- g. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure G-318-c (Electrical breaker and overload reset, Rev 9/13/1999) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- h. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure 314FA (314 FA Transfer into 3507FA/FB, No Rev date) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- i. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure 3203-E (3203-E Pressure Testing, Rev 5/06/1997) does not list Cumene concentrations can be explosive, material may accumulate a static charge, ingestion hazard, and overexposure may cause CNS depression as detailed in the MSDS.
- j. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3512-J/JA-a (3512-J/JA Hydrogenation Feed Pump Start-up, Rev 10/27/2003) does not list

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Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC

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Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

k. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3227-L-b (3227-L Primary Cumene Stripper Jets and Condensers Shutdown, Rev 5/7/2012) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

l. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3206-L-a (Switching and Cleaning Acid Filter 3206-L, Rev 6/29/1997) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

m. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure F-3342-F-b (3342-F Shutdown, Rev 8/24/2006) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

n. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure ISO A-3507-FA/FB-d (Recycle 3507-FA/FB to 3505-F, Rev 1/09/1998) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

o. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-CHP Spills-a (CHP Spills Cleanup using soda ash, Rev 5/07/2012) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

p. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure G-318-c (Electrical breaker and overload reset, Rev 9/13/1999) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

q. The employer failed to develop and implement written operating procedures that provided clear

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Company Name: Haverhill Chemicals LLC

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instructions including the properties and hazards presented by chemicals used in the process. Procedure 314FA (314 FA Transfer into 3507FA/FB, No Rev date) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

r. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure 3203-E (3203-E Pressure Testing, Rev 5/06/1997) does not list Sulfuric Acid hazards such as potentially being fatal if swallowed as detailed in the MSDS.

s. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3512-J/JA-a (3512-J/JA Hydrogenation Feed Pump Start-up, Rev 10/27/2003) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

t. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3227-L-b (3227-L Primary Cumene Stripper Jets and Condensers Shutdown, Rev 5/7/2012) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

u. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-3206-L-a (Switching and Cleaning Acid Filter 3206-L, Rev 6/29/1997) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

v. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure F-3342-F-b (3342-F Shutdown, Rev 8/24/2006) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system

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: Haverhill Chemicals LLC

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effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

x. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure ISO A-3507-FA/FB-d (Recycle 3507-FA/FB to 3505-F, Rev 1/09/1998) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

y. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure S-CHP Spills-a (CHP Spills Cleanup using soda ash, Rev 5/07/2012) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

z. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure G-318-c (Electrical breaker and overload reset, Rev 9/13/1999) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

aa. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure 314FA (314 FA Transfer into 3507FA/FB, No Rev date) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

bb. The employer failed to develop and implement written operating procedures that provided clear instructions including the properties and hazards presented by chemicals used in the process. Procedure 3203-E (3203-E Pressure Testing, Rev 5/06/1997) does not list Cumene Hydroperoxide (CHP) hazards such as forming explosive mixtures in air, pulmonary aspiration hazard, central nervous

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system effects including drowsiness, dizziness, coma, and even death as detailed in the MSDS.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/19/2014
Proposed Penalty:	\$5000.00



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC

Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.119(f)(1)(iii)(C): Control measures to be taken if physical contact or airborne exposure occurs;

In the Phenol 2 Unit;

- a. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure S-3512-J/JA-a (3512-J/JA Hydrogenation Feed Pump Start-up, Rev 10/27/2003) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.
- b. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure S-3227-L-b (3227-L Primary Cumene Stripper Jets and Condensers Shutdown, Rev 5/7/2012) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.
- c. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure S-3206-L-a (Switching and Cleaning Acid Filter 3206-L, Rev 6/29/1997) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.
- d. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure F-3342-F-b (3342-F Shutdown, Rev 8/24/2006) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

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e. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure ISO A-3507-FA/FB-d (Recycle 3507-FA/FB to 3505-F, Rev 1/09/1998) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

f. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure S-CHP Spills-a (CHP Spills Cleanup using soda ash, Rev 5/07/2012) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

g. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure G-318-c (Electrical breaker and overload reset, Rev 9/13/1999) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

h. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure 314FA (314 FA Transfer into 3507FA/FB, No Rev date) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

i. The employer failed to develop and implement written operating procedures that provided clear instructions including control measures to be taken if physical contact or airborne exposure occurs. Procedure 3203-E (3203-E Pressure Testing, Rev 5/06/1997) does not list control measures to be taken if physical contact or airborne exposure occurs to Cumene such as seeking immediate medical attention should exposure to the eyes, ingestion, or inhalation occur as detailed in the MSDS.

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Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/19/2014

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.119(l)(1): The employer shall establish and implement written procedures to manage changes (except for "replacements in kind") to process chemicals, technology, equipment, and procedures; and, changes to facilities that affect a covered process.

- a. The employer failed to establish written procedures to manage changes for items not considered replacement in kind. The Haverhill Chemicals LLC MOC Procedure, HAV-PSM-PRO-010, issued 3/15/2012, revision date 3/18/2014, calls for no MOC to be written when the addition of a pipe flange is the only modification. This change would not be a replacement in kind and would require an MOC per the standard. By not establishing procedures to address all process changes, modifications affecting the covered process could be completed without proper analysis and assessment.
- b. On or about May 1, 2014, the employer did not ensure the MOC procedure was followed when the Safety Instrumented Systems (SIS) were bypassed in Phenol 2 process unit during de-inventorying of the cleavage reactor.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.119(l)(2)(ii): Impact of change on safety and health;

- a. The employer failed to assure management of change procedures addressed the impact of the change on safety and health prior to the implementation of said change. PSSR TEAM to install 1 elbow clamp on 450# steam from 3305F (Temporary MOC, MOC Reference Phenol 2_2_2014_9), listed Environmental and Safety Impact: N/A. Being a temporary MOC, health and safety considerations including, but not limited to high temperature and high pressure steam releases, loss of temporary controls, and leaks should have been considered.
- b. The employer failed to assure management of change procedures addressed the impact of the change on safety and health prior to the implementation of said change. PSSR Install spool to replace FI on 301J/JA recycle line (Temporary MOC, MOC Reference Phenol 2_2_2013_67), listed Environmental and Safety Impact: N/A. Safety and health impacts should include, but are not limited to, potential for leaks, loss of temporary control, fugitive emissions, and potential worker exposure.
- c. The employer failed to assure management of change procedures addressed the impact of the change on safety and health prior to the implementation of said change. PSSR Clamp old 2 drain vessel piping from 330F to 301J (Temporary MOC, MOC Reference Phenol 2_2_2014_7), listed Environmental and Safety Impact: N/A. Safety and health impacts should include, but are not limited to, potential for leaks, loss of temporary control, fugitive emissions, and potential worker exposure.
- d. The employer failed to assure management of change procedures addressed the impact of the change on safety and health prior to the implementation of said change. PSSR Modify Nozzles and Layout of 216F (MOC Reference Phenol 2_2_2013_82), listed Environmental and Safety Impact: N/A. Safety and health impacts should include, but are not limited to, relieving to a safe locations, potential for emissions from newly installed atmospheric vent, and potential worker exposure.
- e. The employer failed to assure management of change procedures addressed the impact of the change on safety and health prior to the implementation of said change. PSSR Modify Nozzles and Layout of 216F (MOC Reference Phenol 2_2_2013_82), listed Environmental and Safety Impact: Area is red taped. Safety and health impacts should include, but are not limited to, potential for leaks, fugitive

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

emissions, and potential worker exposure. Where Phenol has a specific gravity of 1.075, it would be likely that concentrations would accumulate at ground level.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2014
Proposed Penalty:	\$7000.00

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

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

29 CFR 1910.305(g)(1)(iv)(B): Where run through holes in walls, ceilings, or floors;

In the BPA Area, in the Breakroom across from the Control Room, a 110 Volt AC extension cord set was dropped through the false ceiling and was being used to provide power to a refrigerator.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/21/2014
Proposed Penalty:	\$3000.00

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

Inspection Number: 975358
Inspection Date(s): 04/29/2014 - 10/01/2014
Issuance Date: 10/01/2014



Citation and Notification of Penalty

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.37(b)(2): Each exit must be clearly visible and marked by a sign reading "Exit."

- a. In the BPA Area, R-109 work platform, the exit sign above the door was illegible.
- b. In the BPA Area R-110 work platform, the exit sign above the door was illegible.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET)

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/21/2014
Proposed Penalty: \$0.00

A handwritten signature in cursive script that reads "William J. Wilkerson".

William J. Wilkerson, CIH
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246
Phone: 513-841-4132 Fax: 513-841-4114



INVOICE / DEBT COLLECTION NOTICE

Company Name: Haverhill Chemicals LLC
Inspection Site: 1019 Haverhill-Ohio Furnace Road, Haverhill, OH 45636
Issuance Date: 10/01/2014

Summary of Penalties for Inspection Number	975358
Citation 1, Serious	\$39000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$39000.00

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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment 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.

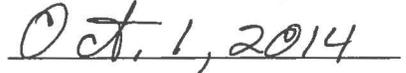
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



William J. Wilkerson, CIH

Area Director



Date