

U.S. Department of Labor
Occupational Safety and Health Administration
55 North Robinson
Suite 315
Oklahoma City, OK 73102
Phone: 405-278-9560 Fax: 405-278-9572



Citation and Notification of Penalty

To:
HOLLY REFINING & MARKETING - TULSA LLC
and its successors
P.O. BOX 21001
Tulsa, OK 74121

Inspection Number: 958671
Inspection Date(s): 02/13/2014 - 07/31/2014
Issuance Date: 08/01/2014

Inspection Site:
902 W. 25th Street
Tulsa, OK 74107

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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/01/2014. The conference will be held by telephone or at the OSHA office located at 55

North Robinson, Suite 315, Oklahoma City, OK 73102 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 958671

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107
Issuance Date: 08/01/2014

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, 55 North Robinson, Suite 315, Oklahoma City, OK 73102**

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

Inspection Number: 958671
Inspection Date(s): 02/13/2014 - 07/31/2014
Issuance Date: 08/01/2014



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

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

29 CFR 1910.23(e)(3)(iv): The anchoring of posts and framing of members for railings of all types was not of such construction that the completed structure was capable of withstanding a load of at least 200 pounds applied in any direction at any point on the top rail.

The employer does not ensure that the anchoring of posts and framing of railings was completed and could withstand at least 200 pounds of a load. This violation was observed on or about February 13, 2014, on the 3rd floor of the Fluid Catalytic Cracking Unit (FCCU) where employees were exposed to a fall hazard when the railing of the stairwell to access the floor was not completely anchored in place and was not secure.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure railing is anchored and capable of withstanding a load of at least 200 pounds.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$5500.00

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: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded.

The employer does not ensure that all floor holes are guarded, exposing employees to a fall hazard:

- a. On or about February 13, 2014, on the approximate 4th floor of the Fluid Catalytic Cracking Unit (FCCU) a hole measuring approximately 3 inches in diameter was not guarded.
- b. On or about April 4, 2014, on the approximate 8th floor of the FCCU a hole measuring approximately 4 inches by 4 inches was not guarded.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that all floor holes are guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$4400.00

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

Inspection Number: 958671
Inspection Date(s): 02/13/2014 - 07/31/2014
Issuance Date: 08/01/2014



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

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

29 CFR 1910.212(a)(5): The guard on the periphery of blades of a fan had openings larger than one-half (1/2) inch.

The employer does not ensure the guard of a fan does not have openings larger than one half inch. This violation was observed on or about April 4, 2014, where the guard of a metal fan located less than 7 feet from the floor on the mezzanine level of the FCCU structure contained a hole measuring approximately 4 inches by 7 inches, exposing employee to amputation hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure the guards on metal fans with openings more than 1/2 inch are repaired or replaced.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/11/2014
\$4400.00

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: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees who were exposed to the hazard of burns from contact with hot equipment surfaces:

The employer does not ensure that each employee is protected from contact with hot surfaces on process equipment. This violation was observed on or about April 4, 2014, on the Mezzanine level of the Fluid Catalytic Cracking Unit (FCCU) where employees were exposed to skin burns from contact with the FCCU Spent Cat Slide Valves (007-VA-H2 and 007-VA-H3) equipment with surface temperatures of 730 degrees F, and which were not insulated or otherwise guarded to prevent bodily contact.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure that employees working around equipment with hot surfaces are protected from contact with the surfaces.

Holly Refining & Marketing - Tulsa, LLC was previously cited for a violation of this occupational safety and health standard Section 5 (a)(1), which was contained in OSHA inspection number 312380512, citation number 01, item number 003 and was affirmed as a final order on 09/23/2010, with respect to a workplace located at 902 W. 25th Street, Tulsa, Oklahoma 74107.

Among other methods, one feasible and acceptable abatement method to correct the hazards identified, would be to install guardrails, as had been done on other levels of the unit, to prevent bodily contact with hot surfaces.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$33000.00



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

Citation 2 Item 2 Type of Violation: **Repeat**

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to tripping hazards when walking/working on multiple levels of the Fluid Catalytic Cracking Unit (FCCU) structure where grating was detached and not level:

The employer does not ensure that walking/working surfaces are level and free from tripping hazards. This violation was observed on or about February 13, 2014, on multiple levels of the FCCU structure where employees were exposed to tripping hazards where grating and metal decking was detached, not level, and contained holes.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure all walking/working surfaces are free from tripping hazards.

Holly Refining & Marketing -Tulsa, LLC was previously cited for a violation of this occupational safety and health standard Section 5 (a)(1), which was contained in OSHA inspection number 312380512, citation number 01, item number 004 and was affirmed as a final order on 09/23/2010, with respect to a workplace located at 902 W. 25th Street, Tulsa, Oklahoma 74107.

Among other methods, one feasible and acceptable abatement method to correct the hazards identified, would be to repair the floor levels with patches and welding techniques when they become detached.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$33000.00



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1910.23(a)(2): Every ladder way floor opening or platform was not guarded by a standard railing, or swinging gate, or so offset that a person cannot walk directly into the opening.

The employer does not ensure that ladder way floor openings are guarded by a standard railing, or equivalent means, to prevent employees from falling through the openings. This violation was observed on or about April 4, 2014, on multiple levels of the FCCU structure where employees walking/working in the vicinity of unguarded ladder way opening were exposed to fall hazards to the concrete and equipment surfaces below.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure all ladder way openings are guarded.

Holly Refining & Marketing - Tulsa, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.23 (a)(2), which was contained in OSHA inspection number 312380512, citation number 01, item number 005 and was affirmed as a final order on 09/23/2010, with respect to a workplace located at 902 W. 25th Street, Tulsa, Oklahoma 74107.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$38500.00



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.23(c)(1): Open-sided floors or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) on all open sides; and toeboards where hazard exposures exist below:

The employer does not ensure that open-sided floors and platforms are provided with standard railing or equivalent means of guarding:

- a. This violation was observed on or about February 13, 2014, in the FCCU where employees walking/working on the first floor near the Regenerator B Feed Line (catalyst drop out line 007-CA-1B) that had a damaged toe board and did not have guardrails around the Line.
- b. This violation was observed on or about February 13, 2014, in the FCCU where employees walking/working on a floor without guardrails around the Regenerator A Feed Line (catalyst drop out line 007-CA-1A).

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure guardrails are erected along all open-sided floors and platforms.

Holly Refining & Marketing - Tulsa, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.23 (c)(1), which was contained in OSHA inspection number 312380512, citation number 01, item number 006 a and was affirmed as a final order on 09/23/2010, with respect to a workplace located at 902 W. 25th Street, Tulsa, Oklahoma 74107.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2014
Proposed Penalty:	\$27500.00

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: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

The employer does not ensure hazardous (classified) locations contain only equipment that is maintained in an intrinsically safe condition or otherwise safe for the location:

- a. The violation was observed on or about February 4, 2014, on the approximate 8th floor of the FCCU structure, the employer did not ensure the cover and light bulb of an intrinsically safe light fixture was in installed, exposing employees to fire and explosion hazards.
- b. The violation was observed on or about February 4, 2014, on the approximate 8 1/2 floor of the FCCU structure, the employer did not ensure the cover of an intrinsically safe light fixture was in installed, exposing employees to fire and explosion hazards.
- c. The violation was observed in the Fluidized Catalytic Cracking Unit (FCCU) old oxygen analyzer room on or about February 13, 2014 where the electrical boxes were left open exposing spark producing wiring and electrical connections that exposed employees to fire and explosion hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure that hazardous locations are equipped with safe electrical equipment and installations.

Holly Refining & Marketing - Tulsa, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.307 (c), which was contained in OSHA inspection number 312380512, citation number 01, item number 35 and was affirmed as a final order on 09/23/2010, with respect to a workplace located at 902 W. 25th Street, Tulsa, Oklahoma 74107.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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

Inspection Number: 958671
Inspection Date(s): 02/13/2014 - 07/31/2014
Issuance Date: 08/01/2014



Citation and Notification of Penalty

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107

Date By Which Violation Must be Abated:
Proposed Penalty:

08/11/2014
\$38500.00

A handwritten signature in cursive script, appearing to read "David A. Bates", written over a horizontal line.

David A. Bates
Area Director

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

U.S. Department of Labor
Occupational Safety and Health Administration
55 North Robinson
Suite 315
Oklahoma City, OK 73102
Phone: 405-278-9560 Fax: 405-278-9572



INVOICE / DEBT COLLECTION NOTICE

Company Name: HOLLY REFINING & MARKETING - TULSA LLC
Inspection Site: 902 W. 25th Street, Tulsa, OK 74107
Issuance Date: 08/01/2014

Summary of Penalties for Inspection Number	958671
Citation 1, Serious	\$14300.00
Citation 2, Repeat	\$170500.00
TOTAL PROPOSED PENALTIES	\$184800.00

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

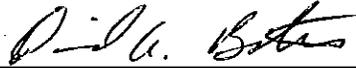
account, the bank will attempt to make the transfer up to 2 times.

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.



David A. Bates
Area Director



Date