

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



Citation and Notification of Penalty

To:
MARTIN OPERATING PARTNERSHIP, LP
and its successors
484 EAST SIXTH STREET
Smackover, AR 71762

Inspection Number: 843783
Inspection Date(s): 01/23/2013 - 03/20/2013
Issuance Date: 07/18/2013

Inspection Site:
484 East Sixth Street
Smackover, AR 71762

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.

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 07/18/2013. The conference will be held by telephone or at the OSHA office located at 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 843783

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762
Issuance Date: 07/18/2013

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, 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211**

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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices.

The employer does not ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices.

The violation occurred in the # 1 Crude Unit on or about January 23, 2013 and times prior to where the employer failed to ensure administrative controls were in place to manage intervening block valve(s) to/from relief devices to ensure they were open during operation in accordance with ASME Boiler and Pressure Vessel Code, Division 1, Section VIII. Identified relief devices and equipment include but are not limited to:

- a. PSV-8504 (#1 Desalter)
- b. PSV-8505 (#2 Desalter)
- c. PSV-8502 (Atmospheric Tower)
- d. PSV-8503/8511 (Vacuum Tower)
- e. PSV-8512 (V-7325-Vacuum Seal Drum).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

Pursuant to 29 C.F.R. 1903.19, within (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 administrative controls were in place to manage intervening block valve(s) to/from relief devices to ensure they were open during operation in accordance with recognized and generally accepted good engineering practices.

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/02/2013
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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

Citation 1 Item 1 b 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.

The violation occurred in the # 1 Crude Unit on or about January 23, 2013 and times prior to where the employer failed to ensure written operating procedures were developed and implemented to provide clear instructions for the use of chains, locks, or car-seals to ensure the intervening block valves to/from relief devices were open during operation following a shutdown/turn around. Identified relief devices and equipment include but are not limited to:

- a. PSV-8504 (#1 Desalter)
- b. PSV-8505 (#2 Desalter)
- c. PSV-8502 (Atmospheric Tower)
- d. PSV-8503/8511 (Vacuum Tower)
- e. PSV-8512 (V-7325-Vacuum Seal Drum).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

Pursuant to 29 C.F.R. 1903.19, within (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 are implemented that provide clear instructions for safely conducting activities in each process to maintain the on-going mechanical integrity of process equipment according to recognized and generally accepted good engineering practices.

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

Inspection Number: 843783
Inspection Date(s): 01/23/2013 - 03/20/2013
Issuance Date: 07/18/2013



Citation and Notification of Penalty

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/02/2013

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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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 2 a Type of Violation: **Serious**

29 CFR 1910.119(e)(5): The employer did not establish a system to assure that the recommendations were resolved in a timely manner and that the resolution was documented.

The employer does not ensure that a system was established to assure the 2012 PHA recommendations were resolved in a timely manner and the resolution was documented.

- a. The violation occurred on or about January 30, 2013 and times prior thereto at Martin Operating Partnership where the employer failed to ensure that facility siting recommendations for proper control room ventilation were resolved in a timely manner. This condition exposed employees to inhalation, fire, and explosion hazards.
- b. The violation occurred on or about January 30, 2013 and times prior thereto in Martin Operating Partnership where the employer failed to ensure that facility siting recommendations for installation of blast mitigation glass were resolved in a timely manner and resolution was documented. This condition exposed employees to inhalation, fire, and explosion hazards.
- c. The violation occurred on or about January 30, 2013 and times prior thereto in Martin Operating Partnership where the employer failed to ensure that facility siting recommendations for equipment outside the control room to be rated for flammable area was resolved in a timely manner and resolved in a timely manner. This condition exposed employees to inhalation, fire, and explosion hazards.
- d. The violation occurred on or about January 30, 2013 and times prior thereto in Martin Operating Partnership where the employer failed to ensure that recommendation #5 for verification of relief valve capacity was resolved in a timely manner and resolution documented. This condition exposed employees to inhalation, fire, and explosion hazards.
- e. The violation occurred on or about January 30, 2013 and times prior thereto in Martin Operating Partnership where the employer failed to ensure that recommendation #6 for verification of relief valve

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Citation and Notification of Penalty

Company Name: MARTIN OPERATING PARTNERSHIP, LP
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#1 and #2 relief valves and associated piping are sized properly was resolved in a timely manner and resolution documented. This condition exposed employees to inhalation, fire, and explosion hazards.

f. The violation occurred on or about January 30, 2013 and times prior thereto in Martin Operating Partnership where the employer failed to ensure that recommendation #7 for verification of requirements for over pressure protection of equipment including vessels associated with the vacuum tower was resolved in a timely manner and resolution documented. This condition exposed employees to inhalation, 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 the process hazard analysis teams recommendations are resolved in a timely manner and that the resolution is documented.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/02/2013
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that were outside acceptable limits (defined by the process safety information on paragraph (d) of this section) in a safe and timely manner when necessary means were taken to assure safe operation.

The employer does not correct deficiencies in equipment that were outside acceptable limits in a safe and timely manner when necessary means were taken to assure safe operation.

The violation occurred on or about January 30, 2013 in Crude Unit #1 where the employer failed to correct deficiencies in equipment that were outside acceptable limits in a safe and timely manner when necessary means were taken to assure safe operation. An identified equipment-containing structure includes but is not limited to Crude #1 Unit control room. 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 the control room deficiencies have been addressed and documented.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/02/2013



Citation and Notification of Penalty

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to items (a) through (d) of this section.

The employer does not ensure energy control procedures clearly and specifically outline the scope, purpose, authorization, rules, and techniques to utilize for the control of hazardous energy.

The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure energy control procedures were written to specifically outline the valves to be operated (opened/closed) and steps to needed to relieve stored energy. Identified procedures include but not limited to the removal of Jordan Valve (TK 323) and South Naphtha Crude Exchanger. This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

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 energy control procedures clearly and specifically outline the scope, purpose, authorization, rules, and techniques to utilized for the control of hazardous energy.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/02/2013
Proposed Penalty:	\$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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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

Citation 2 Item 1 a Type of Violation: **Willful**

29 CFR 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices.

The employer does not ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices (RAGAGEP).

A. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure a relief valve was provided to protect equipment from overpressure scenarios in accordance with RAGAGEP such as ASME Division I, Section VIII and API 520.

Identified equipment requiring relief protection includes, but is not limited to, the following:

- a. PSV-XX01 (E-2246, E-2207, E-2245, E-2209, E-2248, E-2211, E-2212, E-2213, E-2214, and E-2215)
- b. PSV-XX02 (E-2202 and E-2228)
- c. PSV-XX03/04 (E-2205 and E-2229)
- d. PSV-XX05 (E-2211, E-2248, E-2230, E-2216, E-2217, and E-2218)
- e. PSV-XX06/07/08 (E-2213, E-2212, E-2247, E-2243, E-2249, and E-2232)
- f. PSV-XX?? (E-2261 and E-2262)
- g. PSV-XX12 (E-2207, E-2208, E-2209, E-2210, and E-2204)
- h. PSV-XX16 (E-2206)
- i. PSV-XX21 (E-2214 and E-2215).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

B. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valves were properly sized for relieving capacity in accordance with RAGAGEP such as API 520. Identified relief valves include, but are not limited to,

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



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Company Name: MARTIN OPERATING PARTNERSHIP, LP
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the following:

- a. PSV-8504 (#1 Desalter)

- b. PSV-8502 (Atmospheric Tower)
- c. PSV-8503/8511 (Vacuum Tower).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

C. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto when the employer failed to ensure relief valves relieving set pressure was at or below the maximum allowable working pressure of the vessel(s) it is protecting in accordance with RAGAGEP such as API 520 and ASME Division I, Section VIII. Identified relief valves include but not limited to:

- a. PSV-8502 (Atmospheric Tower)
- b. PSV-8503/8511 (Vacuum Tower).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

D. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valves discharged to a safe location in accordance with a RAGAGEP such as ASME Division I, Section VIII. Identified relief valves include but not limited to:

- a. PSV-8504 (#1 Desalter)
- b. PSV-8505 (#2 Desalter)
- c. PSV-8512 (Vacuum Seal Drum).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

E. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valve discharge line/piping was sized to handle the relieving

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: MARTIN OPERATING PARTNERSHIP, LP
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capacity of the relief valve in accordance with a RAGAGEP such as ASME Division I, Section VIII and/or API 520. Identified relief valves include but not limited to:

- a. PSV-8504 (#1 Desalter)
- b. PSV-8505 (#2 Desalter).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

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 documented that equipment in the process complied with recognized and generally accepted good engineering practices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/02/2013
Proposed Penalty:	\$70000.00

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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

Citation 2 Item 1 b Type of Violation: **Willful**

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that were outside acceptable limits (as defined by process information in 29 CFR 1910.119(d) before further use or in a safe and timely manner.

The employer does not ensure deficiencies are corrected in equipment that is outside acceptable limits before further use or in a safe and timely manner.

A. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure a relief valve was provided to protect equipment from overpressure scenarios in accordance with RAGAGEP such as ASME Division I, Section VIII and API 520. Identified equipment requiring relief protection include but not limited to:

- a. PSV-XX01 (E-2246, E-2207, E-2245, E-2209, E-2248, E-2211, E-2212, E-2213, E-2214, and E-2215)
- b. PSV-XX02 (E-2202 and E-2228)
- c. PSV-XX03/04 (E-2205 and E-2229)
- d. PSV-XX05 (E-2211, E-2248, E-2230, E-2216, E-2217, and E-2218)
- e. PSV-XX06/07/08 (E-2213, E-2212, E-2247, E-2243, E-2249, and E-2232)
- f. PSV-XX?? (E-2261 and E-2262)
- g. PSV-XX12 (E-2207, E-2208, E-2209, E-2210, and E-2204)
- h. PSV-XX16 (E-2206)
- i. PSV-XX21 (E-2214 and E-2215).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

B. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valves were properly sized for relieving capacity in accordance with RAGAGEP such as API 520. Identified relief valves include but not limited to:

- a. PSV-8504 (#1 Desalter)

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



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Company Name: MARTIN OPERATING PARTNERSHIP, LP
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- b. PSV-8502 (Atmospheric Tower)
- c. PSV-8503/8511 (Vacuum Tower).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

C. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valves relieving set pressure was at or below the maximum allowable working pressure of the vessel(s) it is protecting in accordance with RAGAGEP such as API 520 and ASME Division I, Section VIII. Identified relief valves include but not limited to:

- a. PSV-8502 (Atmospheric Tower)
- b. PSV-8503/8511 (Vacuum Tower).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

D. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valves discharged to a safe location in accordance with a RAGAGEP such as ASME Division I, Section VIII. Identified relief valves include but not limited to:

- a. PSV-8504 (#1 Desalter)
- b. PSV-8505 (#2 Desalter)
- c. PSV-8512 (Vacuum Seal Drum).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

E. The violation occurred in the #1 Crude Unit on or about January 23, 2013 and at times prior thereto where the employer failed to ensure relief valve discharge line/piping was sized to handle the relieving capacity of the relief valve in accordance with a RAGAGEP such as ASME Division I, Section VIII and/or API 520. Identified relief valves include but not limited to:

- a. PSV-8504 (#1 Desalter)

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

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b. PSV-8505 (#2 Desalter).

This condition exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.

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 deficiencies are corrected in equipment that is outside acceptable limits before further use or in a safe and timely manner.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/02/2013

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: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762

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

29 CFR 1910.119(d)(3)(i)(D): Process safety information pertaining to the equipment in the process did not include the relief system design and design basis:

The employer does not ensure that the process safety information pertaining to the equipment in the process contains the relief design and design basis.

The violation occurred on or about February 5, 2013 and times prior thereto in Crude Unit #1 where the employer failed to ensure that the process safety information included the relief system design and design basis. Identified relief devices include but are not limited to 01-PSV8505 and 01-PSV8508. 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 that relief system design and design basis information is documented and is part of the process safety information.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2013
\$38500.00

A handwritten signature in black ink that reads "Carlos M. Reynolds". The signature is written in a cursive style and is positioned above the printed name and title.

Carlos M. Reynolds
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



INVOICE / DEBT COLLECTION NOTICE

Company Name: MARTIN OPERATING PARTNERSHIP, LP
Inspection Site: 484 East Sixth Street, Smackover, AR 71762
Issuance Date: 07/18/2013

Summary of Penalties for Inspection Number	843783
Citation 1, Serious	\$18400.00
Citation 2, Willful	\$70000.00
Citation 3, Repeat	\$38500.00
TOTAL PROPOSED PENALTIES	\$126900.00

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.

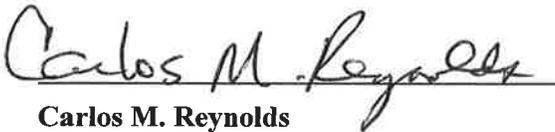
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Carlos M. Reynolds

Area Director

7-18-13

Date