

U.S. Department of Labor
Occupational Safety and Health Administration
701 Route 73 South
Building 2, Suite 120
Marlton, NJ 08053
Phone: 856-596-5200 Fax: 856-596-5201



Citation and Notification of Penalty

To:
Solvay Specialty Polymers USA, LLC
and its successors
10 Leonard Lane
West Deptford, NJ 08086

Inspection Number: 1123880
Inspection Date(s): 02/09/2016 - 08/01/2016
Issuance Date: 08/01/2016

Inspection Site:
10 Leonard Lane
West Deptford, NJ 08086

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 \$25,000 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 08/01/2016. The conference will be held by telephone or at the OSHA office located at 701 Route 73 South, Building 2, Suite 120, Marlton, NJ 08053 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1123880

Company Name: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086
Issuance Date: 08/01/2016

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, 701 Route 73 South, Building 2, Suite 120, Marlton, NJ 08053**

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



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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)(i)(D): Information pertaining to equipment in the process did not include relief system design and design basis:

a) D2 Vinylidene Fluoride Process (VF2): The employer's process safety information for the relief system design basis was incomplete in that the flow capacity analysis failed to appropriately calculate the sizing of the relief system by not including the Kc value as required when using a rupture disc in combination with the pressure relief valve (PSV-20598A/B) per RAGAGEP such as, but not limited to, API 520 Part I, 2000, Section 3.11.2, on or about 2/9/16.

b) D2 Vinylidene Fluoride Process (VF2): The employers process safety information for the relief system design basis was incomplete in that the inlet pressure loss calculation failed to include the pressure loss from the vessel (V-218A/B) to the inlet of the 3 pipe leading the 4 pressure relief valves (PSV-20945A/B & PSV-20948A/B), on or about 2/9/16.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$5,000.00

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

29 CFR 1910.119(d)(3)(i)(H): Process safety information pertaining to the equipment in the process did not include the safety systems:

a) D2 Vinylidene Fluoride Process (VF2): The employer's process safety information did not include the design and design basis for safety systems, such as, but not limited to, HS-206100 the 200 area shutdown switch for the monomer distillation process, on or about 2/9/16.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:

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

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

- a) D2 Vinylidene Fluoride Process (VF2): The employer failed to document that the discharge piping for PSV-20857 on pump P-216A the V-217A monomer mixing storage pump complied with RAGAGEP such as, but not limited to, ASME BVPC VIII 2015 section UG-135(f). The PSV flammable liquid discharge was not to a safe location in that the piping was to atmosphere approximately 10 feet above ground level, on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): The employer failed to document that the discharge piping for PSV-20861 on pump P-216B the V-217B monomer mixing storage pump complied with RAGAGEP such as, but not limited to, ASME BVPC VIII 2015 section UG-135(f) and appendix M. The PSV flammable liquid discharge piping was not to a safe location in that in that the piping was to atmosphere approximately 10 feet above ground level, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): The employer failed to document that equipment complied with RAGAGEP, such as, but not limited to, API 520 part II 2003 sections 6.3.4(g) and 6.5. An administrative control or mechanical interlock was not provided for the three way safety relief valves, PSV-20945A/B, on V-218A, and PSV-20948A/B, on V-218B, to keep the valves from being positioned in the center, which would block flow to both relief valves, to ensure that the overpressure protection of the vessel was not compromised, on or about 2/9/16.
- d) D2 Vinylidene Fluoride Process (VF2): The employer failed to document that equipment complied with RAGAGEP, such as, but not limited to, API 520 part II 2003 section 4.2.2. The analysis for PSV-20945A/B, on V-218A, and PSV-20948A/B, on V-218B, revealed inlet pressure losses in excess of 3% of set point, potentially compromising stable relief valve operation and adequate flow capacity, on or about 2/9/16.

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

29 CFR 1910.119(e)(3)(iii): The process hazard analysis did not address engineering and administrative controls applicable to the hazards:

- a) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for improper labeling of V-212 on P&ID F205 sheet 1 (page 80 node 19), on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for high pressure due to failure of a check valve not holding downstream of DV-209 (page 84 node 20), on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for a compressor malfunction (page 85 node 20), on or about 2/9/16.
- d) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for a dead leg located in line 20510 from V-213 to the air column (page 91 node 21), on or about 2/9/16.
- e) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for a tube rupture in E-212 (page 102 node 24), on or about 2/9/16.
- f) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for the manual valves to E 213.1 left open or by-passed (page 126 node 31), on or about 2/9/16.
- g) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place for out of service equipment including V 191 and related equipment for the 142b recovery (page 162 node 45), on or about 2/9/16.

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h) D2 Vinylidene Fluoride Process (VF2): In the employer's 2011 PHA, the HAZOP did not list the safeguards in place when an operator opens a by-pass around the condensate return valve on the re-boilers (page 174 node 47), on or about 2/9/16.

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

29 CFR 1910.119(e)(5): The employer did not establish a system to assure that the recommendations of process hazard analyses (PHAs) were resolved in a timely manner and that the resolutions were documented:

a) D2 Vinylidene Fluoride Process (VF2): The employer did not establish a system to assure that recommendations from the 2011 PHA were resolved and documented. Action item 1,365 which addressed the engineering analysis and included recommendations such as but not limited to, considering an interlock for P-230, investigating E230 control system for improved operation reliability and verifying the PSV setting is still valid at higher pump capacity, was marked as closed, but the employer could not confirm that all of the recommendations from the item were resolved, on or about 2/9/16.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(E): 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 that addressed the steps for each operating phase, including emergency operations:

a) D2 Vinylidene Fluoride Process (VF2): The employer's written operating procedures failed to provide clear instructions for emergency operations, including temperature maintenance of the VF2 storage tanks, V217 A/B and V218 A/B, during extended power outages where generators are not available, on or about 2/9/16.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,000.00

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Citation and Notification of Penalty

Company Name: Solvay Specialty Polymers USA, LLC
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Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.119(f)(3): The operating procedures were not reviewed as often as necessary to assure that they reflected current operating practice, including changes that resulted from changes in process chemicals, technology, and equipment, and changes to facilities:

- a) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.1 Monomer Area Alarm Relief Interlocks incorrectly listed PSE 20123 and PSV 20123 as being a part of E231, the monomer reactor economizer's relief system, on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.1 Monomer Area Alarm Relief Interlocks incorrectly listed PSV 21338 as being a part of C210, the acid absorber tails tower, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.1 Monomer Area Alarm Relief Interlocks incorrectly listed two PSVs 20618 on E216, the monomer column condenser, on or about 2/9/16.
- d) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 5.6 Caustic Scrubbing System incorrectly listed pH probe AE20398 as measuring the spent caustic in C206, the primary monomer scrubber, on or about 2/9/16.
- e) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 5.11 Monomer Column incorrectly listed C203, the lights column, as still in service, on or about 2/9/16.
- f) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.2 Operating Deviations incorrectly listed C203, the lights column, as still in service, on or about 2/9/16.
- g) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 5.12 Recycling Column incorrectly listed C203, the lights column, as still in service, on or about 2/9/16.

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h) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.1 Monomer Area Alarm Relief Interlocks incorrectly listed PAH-20749 on the distillation recycle column C204, set at 110 psig, on or about 2/9/16.

i) D2 Vinylidene Fluoride Process (VF2): Operating Procedures 6.1 Monomer Area Alarm Relief Interlocks did not list PAHH-20749 on the distillation recycle column C204, which is an interlock that activates an area shutdown switch, HS-206100, on or about 2/9/16.

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Company Name: Solvay Specialty Polymers USA, LLC
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Citation 1 Item 6 Type of Violation: **Serious**

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

- a) D2 Vinylidene Fluoride Process (VF2): The employer did not inspect and test the high pressure alarm (PAHH) 20509, a control device, on the first stage suction pressure of compressor K-201, on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): The employer did not inspect and test an emergency shutdown switch, HS-206100, for the 200 area monomer distillation process, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): The employer did not inspect and test a level control indicator (LIC-20607), a control device, on condenser E-214 for distillation column C-201, on or about 2/9/16.

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Company Name: Solvay Specialty Polymers USA, LLC
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Citation 1 Item 7 Type of Violation: **Serious**

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

- a) D2 Vinylidene Fluoride Process (VF2): The employer did not implement a management of change form for the discontinued use of the waste caustic discharge line, 20310, off of C-206, the primary monomer scrubber, on or about 2/9/16
- b) D2 Vinylidene Fluoride Process (VF2): The employer did not implement a management of change form for the discontinued use of C203, the lights column, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): The employer did not implement a management of change form for the installation of HS100, the 200 Area Shut Down Switch, on the DCS, on or about 2/9/16.
- d) D2 Vinylidene Fluoride Process (VF2): The employer did not implement a management of change form for the change in the testing procedure used for interlock ESS33214 for the gasholder compressor K-319, on or about 2/19/16.
- e) D2 Vinylidene Fluoride Process (VF2): On or about 5/12/16 the employer did not implement a management of change form for FR-72094, the flow recorder measuring low temperature glycol flow to the header, when it was bypassed due to malfunctioning.
- f) D2 Vinylidene Fluoride Process (VF2): On or about 5/14/16 the employer did not implement a management of change form FR-20301, the flow recorder measuring low temperature glycol flow, when it was bypassed due to malfunctioning.
- g) D2 Vinylidene Fluoride Process (VF2): On or about 4/22/16 the employer did not implement a management of change form FRC-20633, the flow recorder measuring well water flow to the C-205 tails tower, when it was bypassed due to malfunctioning.

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h) D2 Vinylidene Fluoride Process (VF2): On or about 3/6/16 the employer did not implement a management of change form FRC-20633, the flow recorder measuring well water flow to the C-205 tails tower, when it was bypassed due to malfunctioning.

i) D2 Vinylidene Fluoride Process (VF2): On or about 2/9/16 the employer did not implement a management of change form for an LEL detector in the discharge piping from the dryers to the atmosphere that did not accurately measure flammability, on or about 2/9/16.

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

29 CFR 1910.119(o)(4): The employer did not promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies had been corrected:

- a) D2 Vinylidene Fluoride Process (VF2): The employer did not document an appropriate response for action number 2,551 from the 2014 compliance audit to consider how the site will make SOPs available when the network is down. The item was incorrectly marked as completed on 6/11/15 and was closed on 6/27/15, but was the system was not actually implemented until 4/5/16.
- b) D2 Vinylidene Fluoride Process (VF2): The employer did not document an appropriate response and failed to take the recommended action to action number 2,541 from the 2014 compliance audit to review incidents from the 2011 process hazard analysis (PHA). The item was closed on 4/10/15, but no completed date was listed, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): The employer did not document an appropriate response and failed to take the recommended action to action number 2,544 from the 2014 compliance audit, which required the employer to review/update/locate paper files with resolution of older action items. The item was closed on 4/10/15, but no action was taken, on or about 2/9/16.

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Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086

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

29 CFR 1910.119(d)(3)(i)(B): Written process safety information pertaining to the equipment in the process did not include piping and instrumentation diagrams (P&IDs).

- a) D2 Vinylidene Fluoride Process (VF2): P&ID F-206 Sht. 1 incorrectly depicted line CMN-1"-Eb-20677 leading to TK-213, on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): P&ID F-206 Sht. 1 does not depict which side of the three way valve leading to PSE20630 and PRV20630 for C-201 was car sealed closed, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): P&ID F-209 does not depict which side of the three way valve leading to PSE20947 A/B and PRV20947 A/B for V-218 was car sealed closed, on or about 2/9/16.
- d) D2 Vinylidene Fluoride Process (VF2): P&ID F-209 does not depict which side of the three way valve leading to PSE20944 A/B and PRV20945 A/B for V218 A was car sealed closed, on or about 2/9/16.
- e) D2 Vinylidene Fluoride Process (VF2): P&ID F-208 incorrectly depicted LAHH03 for V217A, on or about 2/9/16.
- f) D2 Vinylidene Fluoride Process (VF2): P&ID F-207 Sht. 1 incorrectly depicted C-203, light column, as in service, on or about 2/9/16.
- g) D2 Vinylidene Fluoride Process (VF2): P&ID F-209 incorrectly listed carbon steel for tank vent condenser E-223 A/B when it should have said stainless steel, on or about 2/9/16.
- h) D2 Vinylidene Fluoride Process (VF2): P&ID F-205 Sht.1 incorrectly depicted two valves on DV-209 when there was only one, on or about 2/9/16.

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: 1123880
Inspection Date(s): 02/09/2016 - 08/01/2016
Issuance Date: 08/01/2016



Citation and Notification of Penalty

Company Name: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086

- i) D2 Vinylidene Fluoride Process (VF2): P&ID F-209 did not depict the drain valve on seal pot SP-221, on or about 2/9/16.
- j) D2 Vinylidene Fluoride Process (VF2): P&ID F-209 incorrectly depicted the 4 inch valve for the level bridle on V-218A as CSO instead of the three inch valve from the monomer check tank pump P-216 A/B, on or about 2/9/16.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Solvay Specialty Polymers, USA LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119 (d)(3)(i)(B) which was contained in OSHA Inspection Number 925822, Citation Number 1, Item Number 2 and was affirmed as a final order on 2/21/2014, with respect to a workplace located at 17005 State Route 7 South Marietta, OH 45750.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/22/2016
Proposed Penalty:	\$25,000.00

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: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086

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

29 CFR 1910.119(e)(3)(i): The PHA did not address the hazards of the process:

- a) D2 Vinylidene Fluoride Process (VF2): The employer's 2011 HAZOP PHA did not address the impact of the loss of cooling for the V217 A/B and V218 A/B monomer storage tanks as the result of an extended power failure, on or about 2/9/16.
- b) D2 Vinylidene Fluoride Process (VF2): The employer's 2011 HAZOP PHA did not address failure of the DCS during a power outage due to the failure of the backup generator, on or about 2/9/16.
- c) D2 Vinylidene Fluoride Process (VF2): The employer's 2011 HAZOP PHA did not address the effects of the failure of the compressor, K201, during brief periods of power loss, on or about 2/9/16.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Solvay Specialty Polymers, USA LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119(e)(3)(i) which was contained in OSHA Inspection Number 925822, Citation Number 1, Item Number 3a and was affirmed as a final order on 2/21/14, with respect to a workplace located at 17005 State Route 7 South Marietta, Ohio 45750.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/22/2016
Proposed Penalty:	\$25,000.00



Citation and Notification of Penalty

Company Name: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086

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

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

a) D2 Vinylidene Fluoride Process (VF2): The employer did not establish written procedures to maintain the on-going integrity of a high pressure alarm (PAHH-20509), a control device, on the first stage suction pressure of compressor K-201, on or about 2/9/16.

b) D2 Vinylidene Fluoride Process (VF2): The employer did not establish written procedures to maintain the on-going integrity of an emergency shutdown switch, HS-206100, for the 200 area monomer distillation process, on or about 2/9/16.

c) D2 Vinylidene Fluoride Process (VF2): The employer did not establish written procedures to maintain the on-going integrity of a level indicator control (LIC-20607), a control device, on condenser E-214 for distillation column C-201, on or about 2/9/16.

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

Inspection Number: 1123880
Inspection Date(s): 02/09/2016 - 08/01/2016
Issuance Date: 08/01/2016



Citation and Notification of Penalty

Company Name: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086

d) D2 Vinylidene Fluoride Process (VF2): The employer did not establish written procedures to maintain the on-going integrity of C-112 the Drowning Tower, on or about 2/9/16.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Solvay Specialty Polymers LLC USA was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119(j)(2), which was contained in OSHA Inspection Number 925822, Citation number 1, item number 4 and was affirmed as a final order on 2/21/14 with respect to a workplace located at 17005 State Route 7 Marietta, OH 45750.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$25,000.00

A handwritten signature in black ink, appearing to read "Paula Dixon-Roderick", written over a horizontal line.

Paula Dixon-Roderick
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
701 Route 73 South
Building 2, Suite 120
Marlton, NJ 08053
Phone: 856-596-5200 Fax: 856-596-5201



INVOICE / DEBT COLLECTION NOTICE

Company Name: Solvay Specialty Polymers USA, LLC
Inspection Site: 10 Leonard Lane, West Deptford, NJ 08086
Issuance Date: 08/01/2016

Summary of Penalties for Inspection Number	1123880
Citation 1, Serious	\$40,000.00
Citation 2, Repeat	\$75,000.00
TOTAL PROPOSED PENALTIES	\$115,000.00

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 \$25,000 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.

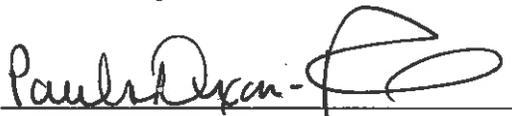
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

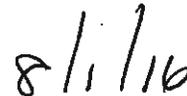
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Paula Dixon-Roderick

Area Director



Date