

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:
Wynnewood Refining Company, LLC
P.O. Box 305
Wynnewood, OK 73098

Inspection Number: 663538
Inspection Date(s): 09/29/2012 - 12/07/2012
Issuance Date: 03/27/2013

Inspection Site:
906 S. Powell
Wynnewood, OK 73098

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

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

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/27/2013. The conference will be held 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: 663538

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098
Issuance Date: 03/27/2013

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, 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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(d)(3)(i)(F): Process safety information pertaining to the equipment did not include the design codes and standards employed:

The employer does not ensure process safety information pertaining to the equipment includes the design codes and standards employed. In the Zone 2/CAT Wickes Boiler Area the employer does not ensure process safety information pertaining to the equipment included the design codes and standards employed such as National Fire Protection Association (NFPA) Standard 85, Boiler and Combustion Systems Hazard Code, and ASME CSD-1, sections CF-310 & CF-330, and ASME Section VI for the Wickes boiler burner and gas train exposing employees to fire and explosion hazards from potential releases of fuel gas and other 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 that it is in compliance with the standard, including describing the steps it is taking to ensure that process safety information pertaining to the that equipment included the design codes and standards employed for the Wickes Boiler burner ad gas train.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/10/2013
Proposed Penalty:	\$7000.00

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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)(3)(i): The process hazard analysis did not address the hazards of the process:

The employer does not ensure the process hazard analysis addresses the hazards of the process. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the 1992 and 2008 Process Hazard Analyses addressed the hazards of the process where employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses for hazards of the process such as but not limited to:

- a) Failure to purge or adequately purge the boiler firebox prior to lighting the burner pilot.
- b) Loss of burner pilot during the initial start-up of the boiler burner.
- c) Loss of burner flame.
- d) High or prolonged fuel gas flow to the burner without a pilot or flame present.
- e) Failure of the burner to light.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/10/2013
Proposed Penalty: \$7000.00

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(e)(3)(iii): The process hazard analysis did not address the engineering and administrative controls applicable to the hazards and their interrelationship, such as, appropriate detection methodologies to provide early warning of releases:

The employer does not ensure the process hazard analysis addresses the engineering and administrative controls applicable to the hazards and their interrelationship, such as, appropriate detection methodologies to provide early warning of releases. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the 1992 and 2008 Process Hazard Analyses addressed the engineering and administrative controls applicable to the hazards and their interrelationships such as the appropriate methodologies to provide early warning where employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses for occurrences such as but not limited to:

- a) Loss of burner pilot during the initial start-up of the boiler burner.
- b) Loss of burner flame.
- c) High or prolonged fuel gas flow to the burner without a pilot or flame present.
- d) Failure of the burner to light.

Pursuant to 29 C.F.R. 1903.19, within ten (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 it is taking to ensure the process hazard analysis addressed the engineering and administrative controls applicable to the hazards and their interrelationships such as the appropriate methodologies to provide early warning.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(e)(3)(iv): The process hazard analysis did not address the consequences of failure of engineering and administrative controls.

The employer does not ensure the process hazard analysis addresses the consequences of failure of engineering and administrative controls. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the 1992 and 2008 Process Hazard Analyses addressed the consequences of failure of engineering and administrative controls where employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses for occurrences such as but not limited to:

- a) Loss of burner pilot during the initial start-up of the boiler burner.
- b) Loss of burner flame.
- c) High or prolonged fuel gas flow to the burner without a pilot or flame present.
- d) Failure of the burner to light.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the process hazard analysis addressed the engineering and administrative controls applicable to the hazards and their interrelationships such as the appropriate methodologies to provide early warning.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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 3 a Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(A): The employer's written operating procedures covering the steps for each operating phase did not address initial startup.

The employer's written operating procedures covering the steps for each operating phase do not address initial startup. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the written operating procedures covered steps for each operating phase including initial startup such as but not limited to:

- a) The length of time in which the gas can flow to the boiler burner without the burner lighting.
- b) A description of how much the main gas valve can be opened or what the maximum pressure should/can be at the inlet to the burner.
- c) The length of time the firebox is to be purged of gas prior to or after a failed burner lighting attempt.
- d) The maximum gas pressure at the inlet to the gas train on the boiler burner.
- e) The use of natural/purchased gas versus refinery gas.

Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 the written operating procedures covered steps for each operating phase including initial startup.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013

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: 663538
Inspection Date(s): 09/29/2012 - 12/07/2012
Issuance Date: 03/27/2013



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

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

The employer does not ensure operating procedures are reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, or changes to facilities. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure written operating procedures for the Wickes Boiler Burner System were reviewed as often as necessary to assure that they reflected current operating practice. Identified errors include but not limited to:

- a) The amount of time the firebox is purged prior to attempting to light the pilot or after a failed burner lighting attempt.
- b) The level the gas control valve bypass valve is to be opened.
- c) The time the gas control valve bypass valve is allowed open before the burner lights.

Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 that written operating procedures are reviewed as often as necessary to assure they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, or changes to facilities for the Wickes Boiler.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(l)(3): Employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process were not informed of, and trained in, the change prior to start-up of the process or affected part of the process:

The employer does not ensure employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process are informed of, and trained in, the change prior to start-up of the process or affected part of the process. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure employees whose job tasks were affected by a change in the process were informed of and trained on the change prior to startup of the process. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses for process changes such as, but not limited to:

- a) Standard Operating Procedures covering the start-up of the Wickes Boiler burner after the 2008 Wickes Boiler Explosion.
- b) Use of temporary power to power the Wickes boiler during the shutdown/turnaround.

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 employees involved in operating a process whose job tasks will be affected by a the change are informed of, trained in, the change prior to start-up of the process or affected part of the process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/10/2013
Proposed Penalty:	\$7000.00

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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 5 a Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(ii)(B): The energy control procedures did not clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy:

The employer does not ensure the energy control procedures clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the energy control procedures for the lockout/tagout of the fuel gas and purchased gas supply lines to the Wickes Boiler burner clearly and specifically outlined the steps for shutting down, isolating, blocking, and securing equipment to control hazardous energy. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 the energy control procedures clearly and specifically outline the steps for shutting down, isolating, blocking, and securing equipment to control hazardous energy.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/10/2013
\$7000.00



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.147(c)(4)(ii) (D): The energy control procedures did not clearly and specifically outline the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures:

The employer does not ensure the energy control procedures clearly and specifically outline the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure that the energy control procedures for the lockout/tagout of the fuel gas and purchased gas supply lines to the Wickes Boiler clearly and specifically outlined the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 the energy control procedures clearly and specifically outline the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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 6 a Type of Violation: **Serious**

29 CFR 1910.147(d)(3): All energy isolating devices that were needed to control the energy to the machine or equipment were not physically located and operated in such a manner as to isolate the machine or equipment from the energy source:

The employer does not ensure all energy isolating devices that are needed to control the energy to the machine or equipment are physically located and operated in such a manner as to isolate the machine or equipment from the energy source. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure all energy isolating devices for the lockout/tagout of the fuel gas and purchased gas supply lines such as, but not limited to, the control valves (FC 702 & FC 704) and bleed valves to the Wickes Boiler were physically located and operated in such a manner as to isolate the machine or equipment from the energy source. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 all energy isolating devices that are needed to control the energy to the machine or equipment are physically located and operated in such a manner as to isolate the machine or equipment from the energy source.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/10/2013
\$7000.00

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



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.147(d)(5)(i): All potentially hazardous stored or residual energy was not relieved, disconnected, restrained or otherwise rendered safe after the application of lockout or tagout devices to energy isolating devices:

The employer does not ensure all potentially hazardous stored or residual energy is relieved, disconnected, restrained or otherwise rendered safe after the application of lockout or tagout devices to energy isolating devices. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure all potentially hazardous stored or residual energy was relieved after the application of lockout or tagout devices such as between the two control valves (FC 702 and FC 704) on the fuel gas and purchased gas supply lines to the Wickes Boiler. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 all potentially hazardous stored or residual energy is relieved, disconnected, restrained or otherwise rendered safe after the application of lockout or tagout devices to energy isolating devices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/10/2013



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

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

The employer does not document that equipment in the process complies with recognized and generally accepted good engineering practices. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure it documented the Wickes boiler burner and gas train equipment complied with recognized and generally accepted good engineering practices such as the National Fire Protection Association (NFPA) Standard 85, Boiler and Combustion Systems Hazard Code, and ASME CSD-1, sections CF-310 & CF-330, and ASME Section VI. These practices include, but are not limited to the following equipment:

1. Flame scanner/fire eyes.
2. Automatic pilot gas shutoff valve.
3. Automatic double block (positive shutoff) and automatic bleed on gas train to the burner.
4. Burner management system(s) to control firebox purge, pilot ignition, burner starting, and shutdown.

Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses.

WYNNEWOOD REFINING WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(d)(3)(ii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #309785459, CITATION NUMBER #1, Item# 5 AND WAS AFFIRMED AS FINAL ORDER ON AUGUST 4, 2008, WITH RESPECT TO A WORKPLACE LOCATED AT 906 S. POWELL, WYNNEWOOD OK 73098.

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 is documented that the Wickes Boiler burner system complies with recognized and generally accepted good engineering practices.

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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Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/10/2013
Proposed Penalty:	\$38500.00

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(f)(1)(ii): The employer did not implement written operating procedures that addressed operating limits; including at least the following elements: consequences of deviation and the steps required to correct or avoid deviation:

The employer does not implement written operating procedures that address operating limits; including at least the following elements: consequences of deviation and the steps required to correct or avoid deviation:

a) In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the written operating procedures addressed the operating limits of the process such as, but not limited to:

1. Minimum/Maximum gas pressure to the boiler burner gas train.
2. Minimum and maximum pressure (PI 721 & PI 711) at the fuel gas inlet to the Wickes.
3. Minimum and maximum fuel gas flow to the Wickes boiler burner (FI 702).
4. Minimum and maximum combustion air flow to the Wickes boiler burner (FI-706).
5. Composition of the gas flow streams to the Wickes boiler burner (fuel gas and purchased gas) including BTU content, lower explosive limits etc.

b) In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the written operating procedures addressed the consequence of deviation from the safe upper and lower limits of the process such as, but not limited to:

1. Minimum/Maximum gas pressure to the boiler burner gas train.
2. Minimum and maximum pressure (PI 721 & PI 711) at the fuel gas inlet to the Wickes.
3. Minimum and maximum fuel gas flow to the Wickes boiler burner (FI 702).
4. Minimum and maximum combustion air flow to the Wickes boiler burner (FI-706).
5. Composition of the gas flow streams to the Wickes boiler burner (fuel gas and purchased gas) including BTU content, lower explosive limits etc.

c) In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the written operating procedures addressed the steps to correct or avoid deviation from the safe upper and lower limits of the process

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

such as but not limited to:

1. Minimum/Maximum gas pressure to the boiler burner gas train.
2. Minimum and maximum pressure (PI 721 & PI 711) at the fuel gas inlet to the Wickes.
3. Minimum and maximum fuel gas flow to the Wickes boiler burner (FI 702).
4. Minimum and maximum combustion air flow to the Wickes boiler burner (FI-706).
5. Composition of the gas flow streams to the Wickes boiler burner (fuel gas and purchased gas) including BTU content, lower explosive limits, etc.

Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses.

WYNNEWOOD REFINING WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(f)(1)(ii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #309785459, CITATION NUMBER #1, Item# 8b AND WAS AFFIRMED AS FINAL ORDER ON AUGUST 4, 2008, WITH RESPECT TO A WORKPLACE LOCATED AT 906 S. POWELL, WYNNEWOOD OK 73098.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/10/2013
Proposed Penalty: \$38500.00



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(g)(2): The employer did not provide refresher training at least every three years to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process:

The employer does not provide refresher training at least every three years to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure refresher training was provided at least every three years to each employee involved in operating the Wickes Boiler to assure that the employee understood and adhered to the current operating procedures. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses.

WYNNEWOOD REFINING WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIPVALENT STANDARD, 29 CFR 1910.119(g)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #311001234, CITATION NUMBER #1, Item# 12b AND WAS AFFIRMED AS FINAL ORDER ON SEPTEMBER 8, 2008, WITH RESPECT TO A WORKPLACE LOCATED AT 906 S. POWELL, WYNNEWOOD OK 73098.

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 refresher training is provided at least every three years to the each employee involved in operating a process to assure the employee understands and adheres to the current operating procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/10/2013
Proposed Penalty: \$38500.00

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: 663538
Inspection Date(s): 09/29/2012 - 12/07/2012
Issuance Date: 03/27/2013



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

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

The employer does not establish and implement written procedures to maintain the on-going mechanical integrity of process equipment. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure written procedures were established and implemented for the testing and inspection of the Low Combustion Air Flow Fuel Gas Shut-off system safeguard. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses.

WYNNEWOOD REFINING 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 #309785459, CITATION NUMBER #1, Item# 10 AND WAS AFFIRMED AS FINAL ORDER ON AUGUST 4, 2008, WITH RESPECT TO A WORKPLACE LOCATED AT 906 S. POWELL, WYNNEWOOD OK 73098.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/10/2013
Proposed Penalty:	\$38500.00

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

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

The employer does not establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures; and, changes to facilities that affect a covered process.

a) In the Zone 2/CAT Wickes Boiler Area the employer did not ensure management of change procedures were implemented to manage changes to the process operating procedures such as, but not limited to:

1. The amount of time the firebox is purged prior to attempting to light the pilot or after a failed burner lighting attempt.
2. The amount that the gas control valve bypass valve is to be opened.
3. The time that the gas control valve bypass valve is allowed open before the burner lights.

b) In the Zone 2/CAT Wickes Boiler Area the employer did not ensure management of change procedures were implemented to manage changes to the process equipment, such as the addition of temporary power to operate the Wickes Boiler.

Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other flammable liquids or gasses.

WYNNEWOOD REFINING WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(l)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #309785459, CITATION NUMBER #1, Item# 12 AND WAS AFFIRMED AS FINAL ORDER ON AUGUST 4, 2008, WITH RESPECT TO A WORKPLACE LOCATED AT 906 S. POWELL, WYNNEWOOD OK 73098.

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: 663538
Inspection Date(s): 09/29/2012 - 12/07/2012
Issuance Date: 03/27/2013



Citation and Notification of Penalty

Company Name: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/10/2013
Proposed Penalty:	\$38500.00

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.147(c)(4)(ii) (A): The energy control procedures did not contain a specific statement on the intended use of the procedure:

The employer does not ensure energy control procedures contain a specific statement on the intended use of the procedure. In the Zone 2/CAT Wickes Boiler Area the employer did not ensure the energy control procedures for the lockout/tagout of the fuel gas and purchased gas supply lines to the Wickes Boiler burner contained a specific statement on the intended use. Employees were exposed to fire and explosion hazards from potential releases of fuel gas and other 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 the energy control procedures contain a specific statement on the intended use of the procedure.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/10/2013
\$0.00

A handwritten signature in black ink, appearing to read "David A. Bates". The signature is written in a cursive style and is positioned above a horizontal line.

David A. Bates
Area Director

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: Wynnewood Refining Company, LLC
Inspection Site: 906 S. Powell, Wynnewood, OK 73098
Issuance Date: 03/27/2013

Summary of Penalties for Inspection Number	663538
Citation 1, Serious	\$42000.00
Citation 2, Repeat	\$192500.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$234500.00

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

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

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

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

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



David A. Bates
Area Director

3-27-13

Date