

**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:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**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](http://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: 778042**

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

The employer does not ensure every ladderway floor opening or platform was guarded by a standard railing, or swinging gate or so offset that a person cannot walk directly into the opening. This violation was observed on or about November 26, 2012, in the Crude and Alky Units where the employer did not ensure that ladderway floor openings were guarded by standard railing, or equivalent means, exposing employees to fall hazards greater than 4 feet above the ground.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure all open ladderways are either provided with chains or swinging gates.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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



**Citation and Notification of Penalty**

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

---

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

The employer does not ensure the in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks is in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6. This violation was observed on or about October 29, 2012, in the welding shop the employer did not ensure that compressed gas cylinders were stored with protective caps exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure that compressed gas cylinders are properly stored.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$3300.00



**Citation and Notification of Penalty**

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

---

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

29 CFR 1910.119(h)(2)(v): The employer did not periodically evaluate the performance of contract employers in fulfilling their obligations as specified in paragraph 1910.119(h)(3):

Wynnewood does not have a system to periodically evaluate the performance of their contractors in fulfilling their obligations as specified in paragraph 1910.119(h)(3). Wynnewood does not evaluate whether or not each contractor:

- a) Trains their employees in the work practices necessary to safely perform their job;
- b) Instructs their employees on the known potential fire, explosion, or toxic release hazards related to their job and the applicable provisions of the emergency action plan;
- c) Documents, records and maintains a record that all their employees have received and understand the training required;
- d) Assures that each employee follows the safety rules of the facility.

Contractor employees were observed exiting various process areas without signing out; not wearing appropriate eye or face protection while mixing and applying refractory products, and working on scaffolds that were not properly designed or erected. No formal process to evaluate contractor performance is in place at the refinery.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure periodic evaluation of contractors and equipment is conducted.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

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

**Inspection Number:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**Issuance Date:** 03/27/2013



**Citation and Notification of Penalty**

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

---

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$3300.00

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 4** Type of Violation: **Serious**

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

The employer does not ensure portable fire extinguishers are mounted, located and identified so that they are readily accessible without subjecting the employees to injuries. This violation was observed on or about October 29, 2012, the employer did not ensure fire extinguishers were free from obstruction and readily accessible exposing employees to the hazards of fire, trips and falls:

- a) A fire extinguisher in the warehouse was blocked by boxes.
- b) A fire extinguisher in the pump shop was blocked by a large crate and air lines.
- c) Two fire extinguishers in the welding shop were not mounted.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure that fire extinguishers are mounted, located and identified so that they are readily accessible to employees.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$3300.00



**Citation and Notification of Penalty**

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

---

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

1910.212(a)(3)(ii): Point of operation guards were not designed and constructed as to prevent the operator from having any part of their body in the danger zone during the operating cycle:

The employer does not ensure point of operation guards are designed and constructed as to prevent the operator from having any part of their body in the danger zone during the operating cycle. This violation was observed on or about October 29, 2012, in the pump shop the employer did not ensure a Johnson horizontal band saw was provided a guard exposing employees to the hazard of contact with the point of operation.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure that proper guarding for the horizontal band saw is provided and in use.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$5500.00



**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 1910.215(a)(2): Abrasive wheel(s) used on grinding machinery were not provided with safety guard(s) which covered the spindle end, nut, and flange projections:

The employer does not ensure abrasive wheels used on grinding machinery are provided with safety guards which cover the spindle end, nut, and flange projections. This violation was observed on or about October 29, 2012, in the pump shop the employer did not ensure abrasive wheels on a grinding machine were provided with safety guards covering the spindle end, nut, and flange projections exposing employees to the hazard of caught-by.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure that the abrasive wheels are properly guarded.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$5500.00



**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 1910.215(b)(9): The distance between the grinding wheel periphery and the adjustable tongue or the end of the peripheral member at the top exceeded one-fourth inch:

The employer does not ensure the distance between the grinding wheel periphery and the adjustable tongue or the end of the peripheral member at the top does not exceed one-fourth inch. This violation was observed on or about October 27, 2012, in the maintenance shop where the distance between the grinding wheel periphery and the adjustable tongue guard on a Baldor bench grinder exceeded one-fourth inch exposing employees to the hazards of caught-by and struck-by flying debris resulting from an exploding grinding wheel.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure the distance between the grinding wheel periphery and the adjustable tongue does not exceed one-fourth inch.

Date By Which Violation Must be Abated:

04/10/2013

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

**Inspection Number:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**Issuance Date:** 03/27/2013



**Citation and Notification of Penalty**

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

---

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

29 CFR 1910.215(d)(3): The contact surface(s) of wheel(s), blotter(s) or flange(s) on grinding machine(s) were not flat and free of foreign matter:

The employer does not ensure the contact surfaces of wheels, blotters or flanges on grinding machines are flat and free of foreign matter. This violation was observed on or about October 27, 2012, in the maintenance shop for a Baldor bench grinder where the contact surface of a grinding wheel was not kept flat and smooth exposing employees to the hazard of struck-by flying debris from an exploding grinding wheel.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure grinding wheels are well maintained for all grinders.

**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:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**Issuance Date:** 03/27/2013



**Citation and Notification of Penalty**

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

---

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

The employer does not provide and maintain sufficient access and working space about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment. This violation was observed on or about October 29, 2012, in the pump shop where an electrical panel was not accessible exposing employees to fire and electrical hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure electrical panels are readily accessible.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$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:** Wynnewood Refining Company, LLC  
**Inspection Site:** 906 S. Powell, Wynnewood, OK 73098

---

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

1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings were not effectively closed:

The employer does not ensure unused openings in cabinets, boxes, and fittings are effectively closed. This violation was observed on or about October 29, 2012, in the maintenance shop where the employer did not ensure that a pre-punched knockout was effectively closed on an electrical panel exposing employees to fire and electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure unused openings in cabinets, boxes, and fittings are effectively closed.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$3300.00

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

**Inspection Number:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**Issuance Date:** 03/27/2013



**Citation and Notification of Penalty**

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

---

**Citation 1 Item 9** Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)[A]: Flexible cords were used as a substitute for fixed wiring of a structure:

The employer does not ensure flexible cords are not used as a substitute for fixed wiring of a structure. This violation was observed on or about October 29, 2012, in the welding shop where extension cords were used as a substitute for fixed wiring exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure flexible cords are not used as a substitute for fixed wiring.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$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:** Wynnewood Refining Company, LLC  
**Inspection Site:** 906 S. Powell, Wynnewood, OK 73098

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

29 CFR 1910.119(h)(2)(iv): The employer did not develop and implement safe work practices consistent with 29 CFR 1910.119(f)(4), to control the entrance, presence and exit of contract employers and employees in covered process areas:

The employer does not develop and implement safe work practices consistent with 29 CFR 1910.119(f)(4), to control the entrance, presence and exit of contract employers and employees in covered process areas. On or about October 25, 2012, and at times prior thereto, the employer did not ensure contract employees are properly signed in/out process units:

- a) Four (4) JV Industrial Companies employees failed to sign out of Zone 3.
- b) Two (2) LOP employees failed to sign out of the FCCU.
- c) One (1) Altair Strickland employee failed to sign out of the FCCU.
- d) One (1) Total Safety employee, two (2) OSR employees, one (1) Strategic Contract Resources employee, and one (1) Wynnewood Refining Company employee failed to sign out of the FCCU.
- e) On October 20, 2012, seven (7) Scaffolding and Erection Company employees, two (2) Strategic Contract Resources employees failed to sign out of the Alkylation Unit.
- f) On October 12, 2012, three (3) Koch employees failed to sign out of the SRU 48002 area in the Alkylation Unit.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure that contract employees are signing in and out of process units.

WYNNWOOD REFINING COMPANY WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(h)(2)(iv), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER

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:** 778042  
**Inspection Date(s):** 10/29/2012 - 10/29/2012  
**Issuance Date:** 03/27/2013



**Citation and Notification of Penalty**

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

---

311001234, CITATION NUMBER 1, ITEM NUMBER 13, AND WAS AFFIRMED AS A FINAL ORDER ON NOVEMBER 10, 2008, WITH RESPECT TO A WORKPLACE AT 906 SOUTH POWELL, WYNNEWOOD, OK.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$5500.00

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



**Citation and Notification of Penalty**

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

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

29 CFR 1910.22(d)(1): In every building or other structure, or part thereof, used for mercantile, business, industrial, or storage purposes, the loads approved by the building official were not marked on plates of approved design securely affixed by the owner of the building, or his duly authorized agent, in a conspicuous place in each space to which they related:

In every building or other structure, or part thereof, used for mercantile, business, industrial, or storage purposes, the employer does not ensure the second level storage area is designed, constructed, and maintained to support its maximum intended load. This violation was observed on or about October 29, 2012, in the warehouse the employer did not ensure the second level storage area was designed, constructed, and maintained to support its maximum intended load.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps it is taking to ensure the weight capacity of the second level storage area is marked and affixed to illustrate its safe weight capacity.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2013  
\$1100.00

A handwritten signature in cursive script, reading "David A. Bates". The signature is written in black ink 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

<b>Summary of Penalties for Inspection Number</b>	<b>778042</b>
<b>Citation 1, Serious</b>	<b>\$40000.00</b>
<b>Citation 2, Repeat</b>	<b>\$5500.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$1100.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$46600.00</b>

---

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.

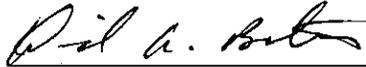
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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