

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
The Wanamaker Building  
100 Penn Square East, 12th Floor  
Philadelphia, PA 19107



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## Citation and Notification of Penalty

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**To:**  
Philadelphia Energy Solutions  
3144 West Passyunk Avenue  
Philadelphia, PA 19145

**Inspection Number:** 1411622  
**Inspection Date(s):** 06/21/2019 – 12/19/2019  
**Issuance Date:** 12/19/2019

**Inspection Site:**  
3145 West Passyunk Avenue  
Philadelphia, PA 19145

*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 by calling 215-597-4955. 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](http://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](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 12/19/2019. The conference will be held by telephone or at the OSHA office located at The Wanamaker Building, 100 Penn Square East, 12th Floor, Philadelphia, PA 19107 on

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1411622**

Company Name: Philadelphia Energy Solutions  
Inspection Site: 3145 West Passyunk Avenue, Philadelphia, PA 19145  
Issuance Date: 12/19/2019

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, The Wanamaker Building, 100 Penn Square East, 12th Floor, Philadelphia, PA 19107**

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:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

29 CFR 1910.119(d)(1)(v): Process safety information pertaining to the hazards of the highly hazardous chemicals in the process did not contain the corrosivity data information:

a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about 6/21/2019, the employer did not compile written process safety information required by the standard such as, but not limited to, corrosion studies related to the long term corrosive effects of Sulfolane decomposition and its acidic by-products on carbon steel process equipment and piping in the 433 Unit. Employees working on and in the vicinity of equipment and piping containing highly hazardous chemicals are exposed to fire, explosion, toxic, and corrosive hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/07/2020
Proposed Penalty:	\$13260.00

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:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

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

Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433:

- a) On or about June 21, 2019, the employer failed to document that the Depropanizer Reflux Pumps (P-14A/B) complies with the employer's chosen RAGAGEP, API 751 Safe Operation of Hydrofluoric Acid Alkylation Units API Recommended Practice 751, Fourth Edition, May 2013, Section 3.3.3, when the pumps were not equipped with remotely operated emergency isolation valves on the discharge of pumps. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazards.
- b) On or about June 21, 2019, the employer failed to document that the Depropanizer Reflux Pumps (P-14A/B) complies with the employer's chosen RAGAGEP, API 751 Section 3.3.3, when the pumps could not be stopped during an emergency by a safe accessible shutdown button (e.g., sufficient distance away from the pumps). Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed employees to fire, explosion, toxics, and corrosive hazards.
- c) On or about 6/21/2019, the employer failed to document that the Treater Feed Surge Drum (V-1), Deethanizer Feed Surge Drum (V-6) and associated pipe support structures for V-1, V-6 and P-14A/B complies with employer's chosen RAGAGEP, Sunoco Fire Protection Plan Review for High Complexity Projects Date: November 6, 2007, No. : 06-40 Section 4.6, 4.7 and 4.10.2; Foster Wheeler Process Plants Division Fireproofing Specification (Spec. 1070-84A1, June 26, 1972); PESs Fireproofing (EP 11-2-1) Section 3.4, 3.5, 5.1.2, 5.1.3, 5.1.5; and API 2218 Fireproofing Practices in Petroleum and Petrochemical Processing Plants Sections 4.2.1.2, 4.2.1.3, 5.1.2.1, 5.1.6, 6.1.1, when V-1 and V-6, and associated pipe support structures were not equipped with fireproofing to prevent structural failure of vessel and piping containing highly hazardous chemicals. Lack of fireproofing on equipment and pipe supports is a hazardous condition that can result in the loss of strength and collapse due to fire-related heat exposure. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed employees to fire, explosion, toxics, and corrosive

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**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/07/2020
Proposed Penalty:	\$13260.00



**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

Citation 1 Item 3 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 and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases. (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.)

a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's PHA did not address automatic activation of an emergency shutdown system such as the means to automatically shut down or isolate flammable releases adjacent to V-1, V-6, and P-14A/B upon detection of fire and gas leak, automatic activation of HF spray mitigation or firewater system, or other means such as a process deviation based on alarm set point (e.g. HF, flammable gas release, high pressure, high level etc.). Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/07/2020
Proposed Penalty:	\$13260.00

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### Citation and Notification of Penalty

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

#### Citation 1 Item 4 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:

- a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's PHA failed to address the consequences of failure of engineering controls such as the need for an independent active firewater protection system to protect V-1 and V-6 from flame impingement due to a jet fire. The existing elevated monitor (Monitor # 1) which serves the HF spray mitigation system can only provide limited firewater to V-1/V-6, but was unavailable during the fire/explosion event. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazards.
- b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's PHA failed to address consequences of failure of engineering controls such as the need for fireproofing of V-1, V-6 and associated pipe supporting P-14A/B, where the un-fireproofed equipment and piping support structures, and the inadequate spacing between vessels resulted in fire spreading due to jet fire impingement. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazard.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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

**Inspection Number:** 1411622  
**Inspection Date(s):** 06/21/2019 – 12/19/2019  
**Issuance Date:** 12/19/2019



**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/07/2020  
Proposed Penalty: \$13260.00

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### **Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions

**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

29 CFR 1910.119(e)(3)(v): The process hazard analysis did not address the hazards related to facility siting:

- a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's facility siting study did not evaluate consequences of boiling liquid expanding vapor explosions (BLEVEs), fireballs and vapor cloud explosion impacts from BLEVEs onto equipment and piping located in Unit 433. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, BLEVE fragmentation, toxic, and corrosive hazards.
- b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's facility siting study did not evaluate jet fire impacts (e.g., heat flux and dose) from a P-14A/B discharge piping release scenario onto V-1, and V-6. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, BLEVE fragmentation hazards, toxic, and corrosives hazards.
- c) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer's facility siting study did not address a suitable location and survivability of the HF Spray Mitigation Pump House such that its pumps are available for mitigating a release of HF and fire in the unit. The Mitigation Pump House was in close proximity to process area serving V-1, V-6, and P-14A/B and was damaged during fire, explosion and BLEVE event. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, BLEVE fragmentation hazards, toxic, and corrosive hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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:** 1411622  
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**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/07/2020  
Proposed Penalty: \$13260.00

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:** Philadelphia Energy Solutions

**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

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

a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer failed to establish/develop mechanical integrity procedures that included information on the extent and type of positive material identification (PMI) that was required to ensure that the conduct of retroactive positive material identification (retro-PMI) inspections/testing on PSM-covered process equipment at the PES refinery, including but not limited to, piping in the 433 Hydrofluoric Alkylation Unit, to maintain the integrity of process equipment in the unit. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosives hazards.

b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer failed to implement its mechanical integrity procedures, Piping Inspection Procedure, PES-PH-INP-PRO-PRP-01.04, Appendix V, and Inspection of Process Piping Requirements, M.04.005 (Revision 10/20/2015), Section 5.4.2.b, when it failed to correctly identify a piping dead leg (e.g., spare pump piping on the discharge of the Depropanizer Reflux Pump P-14B) in the 433 Hydrofluoric Alkylation Unit. The incorrectly identified dead leg piping segment included an 8-inch piping elbow that catastrophically failed on June 21, 2019. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosives hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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:** 1411622  
**Inspection Date(s):** 06/21/2019 – 12/19/2019  
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**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/07/2020  
Proposed Penalty: \$13260.00

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:** Philadelphia Energy Solutions

**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

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

a) On or about June 21, 2019, the employer failed to conduct piping inspections and tests in the 433 Hydrofluoric (HF) Alkylation Unit on piping components that were constructed/installed with older carbon steel materials that are more susceptible to HF acid corrosion. The employer did not conduct testing and inspections to determine whether the structural integrity of following piping sections is suitable for continued service:

1. F series piping HC-2501-14 (T-6 Overhead) untested/uninspected carbon steel elbow downstream from N0130 CML 005 (See ISO 433-TML-N-01 Sh 01 of 6)
2. F series piping HC2650-2 untested/uninspected carbon steel elbow downstream of V-11 Depropanizer Accumulator, D0510 CML 002 (See ISO 433-D-04 Sh 01 of 4)
3. F series piping HC4510-6 untested/uninspected carbon steel elbow downstream of V-35A Defluorinator and M0210 CML 080. (See ISO 433-M-02 Sh 03 of 3)
4. F series piping HC2736-6 (Propane Vapor from V-13A/B Propane Defluorinator to E-23), untested/uninspected carbon steel elbow downstream from LO210 CML 055 (See ISO 433-L-02 Sh 02 of 2)
5. F series piping HC4506-4 (Butane Liquid from E-39 Defluorinator Feed/Condenser to V-36 Flare KOH Treater), untested/uninspected carbon steel elbow downstream from M0310 CML 011 (See ISO 433-M-03 Sh 01 of 9)
6. F series piping HC2335-24 untested/uninspected carbon steel elbow downstream JO410 CML 005 which is downstream of the T-5 Isostripper (See ISO 433-J-04 Sh 01 of 1)
7. F series piping HC2539-12 (Depropanizer Btms from/to T-6 thru E-17A/B Reboiler), untested/uninspected carbon steel elbow downstream from N0210 CML 020 (See ISO 433-N-02 Sh 01 of 7)

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**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
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This hazardous condition exposed employees to fire, explosion, toxics, and corrosives hazards.

One feasible means of abatement is to implement the PES Hazard Alert, Industry Alert HF Alkylation Corrosion recommendation, refiners with HF alkylation facilities should consider conducting a one-time thickness measurement on all installed piping components in spooled sections of carbon steel piping systems in HF acid service, possibly including positive material identification, to determine whether accelerated localized corrosion is occurring.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/07/2020
Proposed Penalty:	\$13260.00



**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

29 CFR 1910.119(j)(4)(ii): The employer's inspection and testing procedures did not follow recognized and generally accepted good engineering practices.

a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer did not establish and implement inspection and testing procedures for Depropanizer Reflux Pumps (P-14A/B) in accordance with employer's chosen RAGAGEPs, API 751 Safe Operation of Hydrofluoric Acid Alkylation Units API Recommended Practice 751, Fourth Edition, May 2013, Section 3.4 and 3.5. Employees working in or around equipment are exposed to fire, explosion, toxic, and corrosive hazards.

b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer did not establish and implement inspection, testing and preventative maintenance procedures for fire water systems including firewater pumps in accordance with employer's chosen RAGAGEPs such as NFPA 25 Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems Section 8.2, and 8.5. Employees working in or around equipment are exposed to fire, explosion, toxic, and corrosive hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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

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

a) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 21, 2019, the employer did not correct deficiencies in HF spray mitigation pumps (P-1150A & B) in a timely manner to assure pumps met the hydraulic curve at 150 percent during an emergency. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazards.

b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: On or about June 20, 2019, the employer did not correct deficiency in HF spray mitigation pump (P-1150B) when employees had to manually start P-1150B during the event due to a remote pump start failure. Employees working on and in the vicinity of equipment containing highly hazardous chemicals are exposed to fire, explosion, toxics, and corrosive hazards.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/07/2020
Proposed Penalty:	\$13260.00

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:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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Citation 1 Item 10 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) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: Employees worked on and in the vicinity of equipment containing highly hazardous chemicals where the employer did not establish and implement written procedures for changing feed composition which contributed to the Deethanizer Charge Pump (P-5A) fire, exposing employees to fire, explosion, toxics, and corrosive hazards, which occurred on and at points up to the destructive event on 6/21/2019.

b) Philadelphia Energy Solutions Refinery Complex, 3144 Passyunk Ave, Philadelphia, PA 19145 - HF Alkylation Unit 433: Employees worked on and in the vicinity of equipment containing highly hazardous chemicals where the employer did not establish and implement written procedures for changing V-1s high and high-high pressure control alarm set points which contributed to the Deethanizer Charge Pump (P-5A) fire, exposing employees to fire, explosion, toxics, and corrosive hazards, which occurred on and at points up to the destructive event on 6/21/2019.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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

**Inspection Number:** 1411622  
**Inspection Date(s):** 06/21/2019 – 12/19/2019  
**Issuance Date:** 12/19/2019



**Citation and Notification of Penalty**

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/07/2020  
\$13260.00

A handwritten signature in black ink, appearing to read "TD", written over a horizontal line.

**Theresa Downs**  
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  
The Wanamaker Building  
100 Penn Square East, 12th Floor  
Philadelphia, PA 19107



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Philadelphia Energy Solutions  
**Inspection Site:** 3145 West Passyunk Avenue, Philadelphia, PA 19145  
**Issuance Date:** 12/19/2019

<b>Summary of Penalties for Inspection Number</b>	<b>1411622</b>
<b>Citation 1, Serious</b>	<b>\$132600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$132600.00</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. You can also make your payment electronically on [www.pay.gov](http://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.

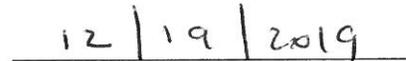
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



**Theresa Downs**  
Area Director



Date