June 1, 2017

PHILLIPS 66 COMPANY
PHILLIPS 66 COMPANY REFINERY
Attn Jia Shen
1075 W Sam Houston Pkwy N
Houston, TX  77043

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** – The total assessed penalty is $37,800.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Employer Certification of Abatement instruction and form** - Correct all violations and return written verification or additional penalties may result.
- **Employer Appeal Rights** – You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for three working days, whichever is longer. “Working day” means a calendar day, except Saturdays, Sundays and all legal state holidays.

Because this inspection is public information, the result will be posted online 30 days after the above date by the Department of Labor & Industries. You may view it at [https://secure.lni.wa.gov/verify/](https://secure.lni.wa.gov/verify/).

**If you have questions, call the compliance supervisor, Mark Wilson, at (509) 886-6560.**

Respectfully,

Anne F. Soiza

Anne F. Soiza
L&I Assistant Director
Division of Occupational Safety & Health

Enclosure(s)
**Summary of Assessed Penalties Due**
The Citation and Notice of Assessment includes a full description of each violation.

<table>
<thead>
<tr>
<th>Violation Item</th>
<th>Violation Type</th>
<th>WAC</th>
<th>Correction Due Date</th>
<th>Penalty Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-1</td>
<td>Serious</td>
<td>WAC 296-67-021(5)</td>
<td>Not Applicable</td>
<td>$6,300.00</td>
</tr>
<tr>
<td>1-2</td>
<td>Serious</td>
<td>WAC 296-67-029(2)(b)</td>
<td>Not Applicable</td>
<td>$6,300.00</td>
</tr>
<tr>
<td>1-3</td>
<td>Serious</td>
<td>WAC 296-67-037(4)(c)</td>
<td>7/4/2017</td>
<td>$6,300.00</td>
</tr>
<tr>
<td>1-4</td>
<td>Serious</td>
<td>WAC 296-67-037(4)(d)</td>
<td>7/4/2017</td>
<td>$6,300.00</td>
</tr>
<tr>
<td>1-5</td>
<td>Serious</td>
<td>WAC 296-803-50025</td>
<td>Not Applicable</td>
<td>$6,300.00</td>
</tr>
<tr>
<td>1-6</td>
<td>Serious</td>
<td>WAC 296-803-30005</td>
<td>7/4/2017</td>
<td>$6,300.00</td>
</tr>
<tr>
<td><strong>Total Penalty Due</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$37,800.00</strong></td>
</tr>
</tbody>
</table>

**PAYMENT INFORMATION**

*Payment is due 15 working days from receipt of this citation.*

Make check payable to the Department of Labor and Industries.

Write Inspection number 317944043 on the check and mail to:

**Attn:** DOSH Cashier  
Department of Labor and Industries  
PO Box 44835  
Olympia, WA 98504-4835  
Or deliver to: Any L&I office
Violation 1  Item 1  

**Violation Type:** Serious

**WAC 296-67-021(5)**

The employer did not implement safe work practices for the control of hazards for the employees performing rod out procedures to clear bleeder valve(s) in the Alkylation Unit, specifically the 17E-7 Acid Cooler in the following instances:

Instance #1: The detailed work task for each category as referenced in Attachment B - HF Acid PPE matrix, the requirement for Level A gear where exposure to HF vapor is expected and where there is a potential for incidental exposure to liquid HF was not followed as referenced by F-6 HF Acid Safety section 8.6 for categorizing hydrofluoric acid personal protective equipment based on the potential risk of exposure and task being performed in the HF Alky Unit. Employee protection level was downgraded to Level B without following the matrix.

Instance #2: The Variance Procedure did not list the step by step instructions that will be followed to ensure an equivalent level of safety is provided as the existing Safe Practice and Procedure Alky Unit. The variance did not include any of the unusual hazards or conditions that may exists and the precautions that will be taken to protect employees. There was no indication of the large amount of HF and flammables chemical within the equipment to be worked on as required by the A-5 Variances to Safe Practices and Procedures section 8.1.

Instance #3: The equivalent level of safety requires that the HF Alky Unit will be isolated, chemically cleaned, drained, de-pressured, vented, and bled to atmosphere in preparation for the mechanical work during the 2017 turnaround was not done as listed in the Safe Practices and Procedures Manual Section A-5 Attachment Variance Authorization Form for temporarily changing the PPE requirements.

Instance #4: Contract employees were allowed to perform the rod out procedure without following the Rod Out Procedure section 8.1. The contract employees performed the operation without having seen the video training or having the "hands on" training using the rod out test stand in the shop as required by the Rod Out Procedure section 8.1.

Instance #5: Contract employees performed rod out procedure on the bleeder valve located at the bottom of the 17E-7 Acid Cooler without documentation that they were trained in accordance with the Bleeder Rod Out Practices procedure. The procedure requires only individuals who have documented training on the enclosed rod out tools (see C-1) were permitted to use the rod-out tool.

Instance #6: The February 10th, 2017 rod out of the 17E-7 Acid Cooler bleeder valve did not provide for the identification, elimination and/or the control of hazards of HF acid, flammables and pressure in order to perform work safely as required by the administrative Procedure, Safe Practice and Procedure B-1 Job Safety Analysis.
(JSA).

Instance #7: The HF Acid Section Shutdown for T/A, Policy, AOP17-3.2 specifically identifies that the rod out of bleeder valves must be performed by qualified maintenance personnel in level A/B gear, another warning: specifically states that all equipment must be depressured to 5 psig less before rodding out.

Violations likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to hydrofluoric Acid (HF), Iso-Butane, Pentanes and Alkylates in a loss of containment or upset condition.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: $6,300.00
Violation 1 Item 2  
Violation Type: Serious
WAC 296-67-029(2)(b)

The employer did not inform the contract employer of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process. The contractor employees clearing out bleeder valves using a rod out device on the HF Alky unit 17E-7 Acid Cooler were not informed of the known potential fire, explosion and toxic release hazards related to the contractor's work.

Violations likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to hydrofluoric acid (HF), Iso-Butane, Pentanes and Alkylates in a loss of containment or upset condition.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: $6,300.00

Violation 1 Item 3  
Violation Type: Serious
WAC 296-67-037(4)(c)

The employer did not perform inspection and testing with a frequency consistent with the manufacturer's recommendations that the inspection procedure MUST be completed before each use of the Lawton Industries Inc. Model 34-90-L12 Angle Worm Bleeder Cleaner rod out device. Failure to perform inspections and tests on process equipment used in the HF Alky Unit could result in loss of containment or unwanted releases likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to hydrofluoric Acid (HF), Iso-Butane, Pentanes and Alkylates.

Correct by: 7/4/2017
Assessed penalty: $6,300.00
Violation 1 Item 4  
Violation Type: Serious
WAC 296-67-037(4)(d)

The employer did not document each inspection and test for the rod out device used in the HF Alky Unit to clear out bleeder valve(s). The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test. Failure to document inspections and tests on process equipment could cause equipment to be bypassed or the scheduled inspection and testing missed.

Violations likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to hydrofluoric acid (HF), Iso-Butane, Pentanes and Alkylates in a loss of containment or upset condition.

Correct by: 7/4/2017
Assessed penalty: $6,300.00

Violation 1 Item 5  
Violation Type: Serious
WAC 296-803-50025

The employer did not ensure that all potentially hazardous stored and residual energy is relieved, disconnected, restrained, or otherwise rendered safe. Employees were clearing out bleeder valves using a rod out device on the HF Alky unit 17E-7 Acid Cooler that contained HF Acid and flammables under pressure.

Violations likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to Hydrofluoric Acid (HF), Iso-Butane, Pentanes and Alkylates in a loss of containment or upset condition.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties. 
Assessed penalty: $6,300.00
Violation 1 Item 6  
Violation Type: Serious  
WAC 296-803-30005

The employer did not ensure that the 6" nozzle on the 17E-7 Acid Cooler can accept lockout devices. Employees that were clearing out bleeder valves using a rod out device in the HF Alky unit 17E-7 Acid Cooler containing HF Acid and flammables under pressure could not lock out potentially hazardous stored and residual energy.

Violations likely to cause illness and/or serious injury/death due to exposure, fire and/or explosion to Hydrofluoric Acid (HF), Iso-Butane, Pentanes and Alkylates in a loss of containment or upset condition.

Correct by: 7/4/2017  
Assessed penalty: $6,300.00
Employer Certification of Abatement Instructions
Inspection: 317944043

What you must do now:

- Check the correction due date(s) shown on the enclosed Employer Certification of Abatement Form. You must fully correct the hazards by these dates.
- Describe on the form how you corrected each hazard, rather than what you intend to do in the future. Examples:
  - **Right:** All staff have received the required training.
  - **Wrong:** All staff will receive the required training next week.
- Use attachments if you need more space. Submit additional documentation of hazard correction if requested in the citation packet.
- Fill in the date you corrected the hazard and sign.
- Post a copy of the completed form for at least three working days, or until you have corrected all violations, whichever is longer. It must be posted near the hazard location or in a place that is readily accessible by affected employees and their representatives.
- Send your completed form to the address provided.

**Note:** If we do not receive written confirmation you have corrected the hazards, we will take follow-up action, which may include additional penalties. If you provide us with false information, you may face criminal penalties.

If you are unable to fix the hazard(s) by the correction due date(s):

We must receive your written request for an extension before the correction due date(s) listed for the hazard(s). Correction due dates are shown on the enclosed Citation and Notice of Assessment and on your Employer Certification of Abatement Form(s).

Extensions are not automatically granted. To be considered for an extension, you must provide the following:

- Inspection number, employer name, telephone number, and site address.
- Violation and Item number for each requested extension.
- Correction due date on the citation and additional time needed.
- Steps taken to fix the hazard by the correction due date.
- Why you cannot correct the hazard by the correction due date.
- How you will protect your employees until you fix the hazard.

For more information, contact: Mark Wilson, Compliance Supervisor
Or call: (509) 886-6560
Department of Labor and Industries
Dept. of Labor & Industries
519 Grant Road
East Wenatchee, WA 98802

You must post all documentation associated with your request for extension with your citation packet. All postings must remain until you have corrected all violations, or unless you have appealed and received and posted your hearing notice.
Employer Certification of Abatement Form
Inspection: 317944043

UBI: 603159701
Legal Name: PHILLIPS 66 COMPANY
DBA Name: PHILLIPS 66 COMPANY REFINERY
Site Address: 3901 Unick Rd, Ferndale, WA, 98248-9003

Issued: June 1, 2017

You must complete this form and return it to: Ismael Rodriguez, Department of Labor & Industries
Dept of Labor & Industries, 4310 W 24th Ave, Kennewick, WA 99338
Or Fax to: (509) 735-0120

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

<table>
<thead>
<tr>
<th>Violation, Item &amp; Group#</th>
<th>Type of Violation</th>
<th>WAC# Violated</th>
<th>Correction Due Date</th>
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<td></td>
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DOSH USE ONLY

Signature
Name

Title Date Phone No.

DOSH Reviewer's Signature Date
For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** (RCW 49.17.140(1)) “Working day” means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, or personally delivered.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer’s Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer’s requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, **“If you are unable to fix the hazard(s) by the correction due date(s)”**.

**Your appeal must include:**
- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer’s representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
  1. What you think is wrong with the citation and any related facts.
  2. How you think the citation should be changed.
  3. What relief you are seeking and why.

**If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:**
- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

**Posting requirement:**
You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

**Your appeal must include:**
- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

<table>
<thead>
<tr>
<th>Send all appeals to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Director for DOSH</td>
</tr>
<tr>
<td>Attn: Appeals Program</td>
</tr>
<tr>
<td>PO Box 44604</td>
</tr>
<tr>
<td>Olympia, WA 98504-4604</td>
</tr>
<tr>
<td>Fax to: (360) 902-5581 or deliver to: Any L&amp;I office</td>
</tr>
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</table>

For more information call the Appeals Program: **(360) 902-5486.**
PHILLIPS 66 COMPANY
PHILLIPS 66 COMPANY
REFINERY
Attn Jia Shen
1075 W Sam Houston Pkwy N
Houston, TX 77043