

**U.S. Department of Labor** Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



03/13/2023

BP Products North America, Inc.  
and its successors  
4001 Cedar Point Rd  
Oregon, OH 43616

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (419) 259-7542.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



**Todd Jensen**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



## Citation and Notification of Penalty

**To:**  
BP Products North America, Inc.  
and its successors  
4001 Cedar Point Rd  
Oregon, OH 43616

**Inspection Number:** 1623687  
**Inspection Date(s):** 09/21/2022 - 02/28/2023  
**Issuance Date:** 03/13/2023

**Inspection Site:**  
4001 Cedar Point Rd  
Oregon, OH 43616

*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 (419) 259-7542. 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 at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 03/13/2023. The conference will be held by telephone or at the OSHA office located at 100 N. Summit Street, Suite 100, Toledo, OH 43604 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1623687**

Company Name: BP Products North America, Inc.  
Inspection Site: 4001 Cedar Point Rd, Oregon, OH 43616  
Issuance Date: 03/13/2023

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, 100 N. Summit Street, Suite 100, Toledo, OH 43604.**

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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### Citation 1 Item 1    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:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that it documented that equipment in the process complied with the employer's chosen recognized and generally accepted good engineering practices such as but not limited to API 520 (2020) Section 5, when the employer did not include an evaluation of excessive built-up backpressure for PSV-1457 located on the tube side of the HVG0/Crude 1 Naphtha Intermediate Reflux Shell & Tube heat exchangers (PR-544011/12). Failure to evaluate excessive built-up back pressure resulted in the exposure of employees to fire and explosion hazards from the release of flammable liquids or gasses.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that it documented that equipment in the process complied with the employer's chosen recognized and generally accepted good engineering practices such as but not limited to API 520 (2020) and API 521 (2015), when the employer did not include an evaluation of two phase flow and all potential relief scenarios for the TIU Fuel Gas Mix Drum (PR-510253) PSV-1464 including but not limited to overfilling of the drum. Failure to evaluate for the potential of two-phase flow and all potential relief scenarios including but not limited to overfilling of the drum, exposed employees to fire and explosion hazards from potential releases of flammable liquids or gasses.
- c) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to document that the level indicator instrumentation used in conjunction with the TIU Fuel Gas Mix Drum (PR-510253) complied with recognized and generally accepted good engineering practices in that level instrumentation relied on for controlling liquid level accumulation in the drum was not designed and utilized for determining liquid levels of naphtha.

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:** 1623687  
**Inspection Date(s):** 09/21/2022 - 02/28/2023  
**Issuance Date:** 03/13/2023



**Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 14, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(e)(1): The process hazard analysis did not identify, evaluate, and address the control of the hazards involved in the process:

a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to identify, evaluate, and control the hazard of high liquid level resulting from all potential flammable liquid overfill scenarios including but not limited to detecting flammables and stopping the flow of liquid naphtha to the TIU Fuel Gas Mix Drum. The Crude 1 PHA did not include the Coker Gas Plant as a source of liquid naphtha during an overfill scenario involving the Absorber Stripper Tower (PR550025), Sour Gas KO Drum (PR510286), Polishing Amine Contactor (PR550032), Sweet Gas KO Drum (PR510283) to the fuel gas header and the TIU Fuel Gas Mix Drum. Failure to control the high level in the TIU Fuel Gas Mix Drum resulted in a release of liquid naphtha, exposing employees to flammable vapor, fire, hydrogen sulfide, and explosion hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

April 14, 2023

Proposed Penalty:

\$15,625.00



**Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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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:

a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to evaluate the TIU Fuel Gas Mix Drum in the Crude 1 Unit for engineering or administrative controls needed to maintain drainage to a closed system and prevent the manual draining of liquid in the drum to the sewer. Open draining of liquid from the mix drum can expose employees to hydrogen sulfide, explosion and fire hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 14, 2023  
\$15,625.00



## **Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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### 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 the failure of engineering and administrative controls:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that the PHA addressed the consequences of failure of administrative controls by not following the South/Coker Gas Plant: Bypassing and Returning to Service Coker Gas Plant Procedure (CGP 02.004). The procedure required closing FV-3816 while the Coker Gas Plant was in bypass mode. During the incident, FV-3816 was opened causing the Absorber Stripper Tower (PR-550025) and the downstream equipment including the TIU Fuel Gas Mix Drum (PR-510253) to overfill with liquid naphtha. This led to a direct path of liquid naphtha, causing an uncontrollable high level in the TIU Fuel Gas Mix Drum, exposing employees to fire, explosion hazards, and toxic gases from potential releases of fuel gas, flammable liquids, and hydrogen sulfide.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that the PHA addressed the consequences of failure of administrative controls by not following Coker Gas Plant and NHT Feed Surge Drum Safe Operating and Design Limits which required steps to avoid an overfill scenario of the Absorber Stripper Tower (PR-550025) to include verifying that the Absorber Stripper Tower bottom valve (XV-3821) was open. Keeping this valve closed led to overfilling of the Absorber Stripper Tower (PR-550025) and the downstream equipment including the TIU Fuel Gas Mix Drum (PR-510253). This led to a direct path of liquid naphtha, causing an uncontrollable high level in the TIU Fuel Gas Mix Drum, exposing employees to fire, explosion hazards, and toxic gases from potential releases of fuel gas, flammable liquids, and hydrogen sulfide.
- c) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that the PHA addressed the consequences of failure of engineering controls when the high-level switch (LSH-805) was not available to detect high level of flammables in the TIU Fuel Gas Mix Drum during an overfill scenario of the Absorber Stripper Tower (PR-550025) and downstream vessels. Failure to evaluate loss of engineering controls resulted in an uncontrollable high level in the TIU Fuel Gas Mix Drum, exposing employees to fire, explosion hazards, and toxic gases from potential releases of fuel gas, flammable liquids, and hydrogen sulfide.

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:** 1623687  
**Inspection Date(s):** 09/21/2022 - 02/28/2023  
**Issuance Date:** 03/13/2023



**Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 26, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(e)(6):The employer did not update and revalidate by a team meeting the requirements in paragraph (e)(4) of this section, to assure that the process hazard analysis is consistent with the current process, at least every five (5) years after the completion of the initial process hazard analysis:

a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that the most recent PHA revalidation reflected current process equipment and conditions, in that the high-level switch (LSH-805) was not available to detect high level of flammables in the TIU Fuel Gas Mix Drum during a high liquid level event. Failure to ensure that engineering control safeguard taken credit for in PHA revalidations are in place and operational, can contribute to an uncontrollable high level in the TIU Fuel Gas Mix Drum, exposing employees to fire, explosion hazards, and toxic gases from potential releases of fuel gas, flammable liquids, and hydrogen sulfide.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 26, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(f)(1)(i)(C): The employer did not develop and implement written operating procedures that provide clear instructions for safely conducting temporary operations:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that temporary operating procedures were developed and implemented for operation of the Crude 1 Unit while the Coker Gas Plant and SatGas/NHT Units were intended to be in a by-pass condition. The lack of operating procedures for this transient operating condition contributed to carry-over of naphtha to the TIU Fuel Gas Mix Drum and led to liquid in the fuel gas system, exposing employees to fire and explosion hazards.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that operating procedures developed for bypassing the Coker Gas Plant were implemented. Failure to implement this established procedure (CGP 02.004 - Bypassing and Returning to Service Coker Gas Plant) contributed to FCV-3816 being opened, allowing naphtha to overflow downstream process vessels and flow into the refinery's fuel gas system, exposing employees to fire and explosion hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 14, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(f)(1)(i)(D): The employer did not develop and implement written operating procedures that provide clear instructions for emergency shutdown, including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that emergency shutdown of process equipment in the NHT/Sat Gas units occurred when requested by outside operators. Upset conditions involving the lifting and reseating of PSV-1457 and PSV-1462 caused process equipment vibration and instability. A release of naphtha during this upset condition exposed employees to explosion and fire hazards.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that emergency operating procedures for the Crude 1 Unit Crude Tower (PR556936) included the scenario involving the loss of all three process pumpharounds on the tower simultaneously, which can inhibit process temperature control and stable operation of the tower. Failure to shutdown the Crude Unit during this process upset condition can expose employees to explosion and fire hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 14, 2023  
\$15,625.00





**Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.119(f)(1)(i)(E):The employer did not develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and did not address at least emergency operations:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that procedure PSM 025 was implemented for the closing of PSV-1457 in the SatGas/NHT Unit, for the purpose of reseating the relief valve, exposing employees to explosion and fire hazards.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that emergency operating procedures were developed and implemented for the safe draining of liquid from the TIU Fuel Gas Mix Drum in the Crude 1 Unit during process upset conditions. The lack of emergency operating procedures for this condition exposed employees to hydrogen sulfide, explosion and fire hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 14, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(f)(4): The employer did not develop and implement safe work practices to provide for the control of hazards during operations such as lockout/tagout; confined space entry; opening process equipment or piping; and control over entrance into a facility by maintenance, contractor, laboratory, or other support personnel:

a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that safe work practices were developed and implemented for the safe draining of liquid from the TIU Fuel Gas Mix Drum in the Crude 1 Unit during process upset conditions. The lack of safe work practices developed and implemented for this work activity exposed employees to hydrogen sulfide, explosion and fire hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 26, 2023  
Proposed Penalty: \$0.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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

29 CFR 1910.119(f)(1)(ii): The employer did not develop and implement written operating procedures that provided clear instructions for safely conducting activities involved in each covered process consistent with the process safety information that addressed operating limits:

a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that the procedure for Normal Operation of Crude 1 (CRD1 02.012) included steps to avoid or correct deviations in process parameters, including for liquid level in the TIU Fuel Gas Mix Drum. The lack of detailing steps to avoid or correct deviations for all process parameters such as liquid level, exposed employees to hydrogen sulfide, explosion and fire hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 26, 2023  
Proposed Penalty: \$15,625.00



**Citation and Notification of Penalty**

**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.119(g)(1)(i): Each employee involved in operating a process was not provided training which included emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks:

- a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that operators in the Crude Unit were trained to respond to rising liquid levels in the TIU Fuel Gas Mix Drum located in the Crude 1 Unit, in that there was no prohibition against draining the liquid to the oily water sewer. This lack of training resulted in employees being exposed to fire, explosion and hydrogen sulfide hazards.
- b) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that inside and outside operators were trained to evaluate and identify the presence of naphtha in the TIU Fuel Gas Mix Drum located in the Crude 1 Unit, during transient, temporary operating conditions, including the NHT/SatGas and Coker Gas Plants being outside of normal operating conditions. The lack of training resulted in employees being exposed to fire, explosion and hydrogen sulfide hazards.
- c) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to ensure that inside and outside operators were trained on operating limits of the TIU Fuel Gas Mix Drum, related to liquid level, including the consequences of deviation and steps to avoid and correct liquid level outside of acceptable limits. The lack of training resulted in employees being exposed to fire, explosion and hydrogen sulfide hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: April 14, 2023  
Proposed Penalty: \$15,625.00

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:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616

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Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.119(e)(3)(vi): The process hazard analysis did not address human factors:


a) BP Products North America, Inc. - Oregon, Ohio: On or about September 20, 2022, the employer failed to address human factors in the process hazard analysis to ensure that delays in screen loading on the South A Board in the Control Room were corrected to allow for timely operator response in the event of an upset condition. Delays in the inside board operators to access control board screens timely, can inhibit their response in the operating units in the South Area.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 14, 2023  
\$0.00

  
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**Todd Jensen**  
Area Director

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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name:** BP Products North America, Inc.  
**Inspection Site:** 4001 Cedar Point Rd, Oregon, OH 43616  
**Issuance Date:** 03/13/2023

Summary of Penalties for Inspection Number: 1623687

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$15,625.00
Citation 1 Item 5, Serious	\$15,625.00
Citation 1 Item 6, Serious	\$15,625.00
Citation 1 Item 7, Serious	\$15,625.00
Citation 1 Item 8a, Serious	\$15,625.00
Citation 1 Item 8b, Serious	\$0.00
Citation 1 Item 9, Serious	\$15,625.00
Citation 1 Item 10, Serious	\$15,625.00
Citation 2 Item 1, Other-than-Serious	\$0.00

**TOTAL PROPOSED PENALTIES:** \$156,250.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.



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**Todd Jensen**  
Area Director

March 13, 2023

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Date