



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
Division of Occupational Safety and Health
PO Box 44600 • Olympia, Washington 98504-4600

October 1, 2010

TESORO REFINING & MARKETING
COMPANY
SHELL ANACORTES REFINING
West March Point Road
Po Box 700
Anacortes, WA 98221

Inspection: 314251315
UBI: 601688778
Region: 1-Health
Inspector: Christian Bannick (V4013)
Reference: 102369626

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 \$2,393,000.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Hazard Correction instructions 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.

The Occupational Safety and Health Administration (OSHA) publishes Division of Occupational Safety and Health (DOSH) inspection results on the Internet at www.osha.gov, since this information is available under provisions of the Federal Freedom of Information Act. It is posted 30 days after the date the results are issued.

If you have questions, call the compliance supervisor, Michael Day, at (425) 290-1425.

Respectfully,

Michael A. Silverstein

Michael A. Silverstein
Assistant Director
Division of Occupational Safety & Health

Enclosure(s)



Citation Invoice

Inspection: 314251315

UBI: 601688778	Issued: October 1, 2010
Legal Name: TESORO REFINING & MARKETING COMPANY	Opening Conference: April 2, 2010
DBA Name: SHELL ANACORTES REFINING	Closing Conference: September 30, 2010
Inspection Site: West March Point Road, Po Box 700, Anacortes, WA, 98221	Inspector: Christian Bannick V4013

Summary of Assessed Penalties

The Citation and Notice of Assessment includes a full description of each violation.

Violation Item	Violation Type	WAC	Correction Due Date	Penalty Amount
1-1	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-2	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-3	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-4	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-5	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-6	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-7	Willful	296-800-16015(1)	10/19/2010	\$55,000.00
1-8	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-9	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-10	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-11	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-12	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-13	Willful	296-67-025(1)	10/19/2010	\$55,000.00
1-14	Willful	296-67-037(4)(b)	10/19/2010	\$70,000.00
1-15	Willful	296-67-037(4)(b)	10/19/2010	\$70,000.00
1-16	Willful	296-67-037(4)(b)	10/19/2010	\$70,000.00
1-17	Willful	296-67-037(4)(b)	10/19/2010	\$70,000.00
1-18	Willful	296-67-037(2)	10/19/2010	\$70,000.00
1-19	Willful	296-67-037(2)	10/19/2010	\$70,000.00
1-20	Willful	296-67-037(2)	10/19/2010	\$70,000.00
1-21	Willful	296-67-037(2)	10/19/2010	\$70,000.00
1-22	Willful	296-67-037(4)(c)	10/19/2010	\$65,000.00
1-23	Willful	296-67-037(4)(c)	10/19/2010	\$65,000.00
1-24	Willful	296-67-037(4)(c)	10/19/2010	\$65,000.00
1-25	Willful	296-67-037(4)(c)	10/19/2010	\$65,000.00
1-26	Willful	296-67-037(5)	10/19/2010	\$65,000.00
1-27	Willful	296-67-037(5)	10/19/2010	\$65,000.00
1-28	Willful	296-67-037(5)	10/19/2010	\$65,000.00
1-29a	Willful	296-67-021(1)(a)(vii)	10/19/2010	\$55,000.00
1-29b	Willful	296-67-021(1)(c)	10/19/2010	\$0.00
1-30	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-31	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-32	Willful	296-67-045(1)	10/19/2010	\$55,000.00

1-33	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-34	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-35	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-36	Willful	296-67-045(1)	10/19/2010	\$55,000.00
1-37	Willful	296-67-017(6)	10/19/2010	\$65,000.00
1-38	Willful	296-67-045(4)	10/19/2010	\$70,000.00
1-39	Willful	296-67-049(1)	10/19/2010	\$65,000.00
2-1	Serious	296-67-037(6)(b)	10/19/2010	\$4,500.00
2-2	Serious	296-67-037(6)(c)	10/19/2010	\$4,500.00
2-3	Serious	296-67-025(3)	10/19/2010	\$3,000.00
2-4	Serious	296-824-50010(2)	10/19/2010	\$5,500.00
2-5	Serious	296-811-30010	10/19/2010	\$5,500.00
Total assessed penalties				\$2,393,000.00

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 314251315 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**



Citation and Notice of Assessment Inspection: 314251315

UBI: 601688778

Issued: October 1, 2010

Legal Name: TESORO REFINING & MARKETING
COMPANY

Opening Conference: April 2, 2010

DBA Name: SHELL ANACORTES REFINING

Closing Conference: September 30, 2010

Inspection Site: West March Point Road, Po Box 700 Anacortes,
WA 98221

Inspector: Christian Bannick
V4013

Violation 1 Item 1

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee #1 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 2

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 2 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00



Citation and Notice of Assessment Inspection: 314251315

Violation 1 Item 3

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 3 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 4

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 4 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 5

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 5 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 6

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 6 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 7

Violation Type: Willful

WAC 296-800-16015(1)

On or about April 1, 2010, The Tesoro Refinery did not select Personal Protective Equipment for Employee # 7 where hazards were present, or likely to be present based upon the type of operation being conducted and historical knowledge regarding the potential hazards that could be anticipated.

Failure to effectively evaluate process hazards and select the appropriate personal protective equipment based upon those hazards, both known and anticipated, place workers at risk of serious injury or death from exposure to toxic or flammable gases, liquids and vapors.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 8

Violation Type: Willful

WAC 296-67-025(1)

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 1 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 9

Violation Type: Willful

WAC 296-67-025(1)

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 2 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 10

Violation Type: Willful

WAC 296-67-025(1)

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 3 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 11
WAC 296-67-025(1)

Violation Type: Willful

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 4 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 12
WAC 296-67-025(1)

Violation Type: Willful

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 5 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 13

Violation Type: Willful

WAC 296-67-025(1)

The Tesoro Refinery did not ensure that prior to being involved in operating a newly assigned process that Employee # 6 was trained in an overview of the process and in the operating procedures as specified in WAC 296-67-021, and which included as emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. Failure to ensure that employees are trained places them at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 14

Violation Type: Willful

WAC 296-67-037(4)(b)

The Tesoro Refinery's procedures for inspection and testing reactor effluent exchanger E6600-B did not follow recognized and generally accepted good engineering practice such as those published by the American Petroleum Institute. Failure to apply good engineering practices for inspection and testing could lead to mechanical failures and subsequent serious injury or death to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 15

Violation Type: Willful

WAC 296-67-037(4)(b)

The Tesoro Refinery's procedures for inspection and testing reactor effluent exchanger E6600-E did not follow recognized and generally accepted good engineering practice such as those published by the American Petroleum Institute. Failure to apply good engineering practices for inspection and testing could lead to mechanical failures and subsequent serious injury or death to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 16

Violation Type: Willful

WAC 296-67-037(4)(b)

The Tesoro Refinery's procedures for inspection and testing reactor effluent exchanger E6600-C did not follow recognized and generally accepted good engineering practice such as those published by the American Petroleum Institute. Failure to apply good engineering practices for inspection and testing could lead to mechanical failures and subsequent serious injury or death to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 17

Violation Type: Willful

WAC 296-67-037(4)(b)

The Tesoro Refinery's procedures for inspection and testing reactor effluent exchanger E6600-F did not follow recognized and generally accepted good engineering practice such as those published by the American Petroleum Institute. Failure to apply good engineering practices for inspection and testing could lead to mechanical failures and subsequent serious injury or death to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 18

Violation Type: Willful

WAC 296-67-037(2)

The Tesoro Refinery did not implement written procedure I-08.08 for effluent exchanger E6600-B to maintain the ongoing integrity of the process equipment such as Sections 7.1.1, 7.2, 7.3, and Attachment B Sections 2.0, 5.0, 6.0, 7.0 and 9.0. Failure to implement inspection and testing procedures on process equipment could result in loss of containment with fires and explosions exposing workers to serious hazards capable of causing serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 19

Violation Type: Willful

WAC 296-67-037(2)

The Tesoro Refinery did not implement written procedure I-08.08 for effluent exchanger E6600-E to maintain the ongoing integrity of the process equipment such as Sections 7.1.1, 7.2, 7.3, and Attachment B Sections 2.0, 5.0, 6.0, 7.0 and 9.0. Failure to implement inspection and testing procedures on process equipment could result in loss of containment with fires and explosions exposing workers to serious hazards capable of causing serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 20
WAC 296-67-037(2)

Violation Type: Willful

The Tesoro Refinery did not implement written inspection procedure I-08.06 for effluent exchanger E6600-B to maintain the on-going integrity of the process equipment. Failure to implement inspection procedures on process equipment could result in loss of containment with fires and explosions exposing workers to serious hazards capable of causing death or serious injury to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 21
WAC 296-67-037(2)

Violation Type: Willful

The Tesoro Refinery did not implement written inspection procedure I-08.06 for effluent exchanger E6600-E to maintain the on-going integrity of the process equipment. Failure to implement inspection procedures on process equipment could result in loss of containment with fires and explosions exposing workers to serious hazards capable of causing death or serious injury to workers.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 22

Violation Type: Willful

WAC 296-67-037(4)(c)

The frequency of Tesoro Refinery's wet fluorescent magnetic particle inspection of effluent exchanger E6600-B was not consistent with applicable manufacture's recommendations, good engineering practices, and or prior operating experience. Failure to inspect process equipment at established frequencies or as indicated by prior operating experience, could result in loss of containment and subsequent fires and explosions exposing workers to hazards capable of causing death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 23

Violation Type: Willful

WAC 296-67-037(4)(c)

The frequency of Tesoro Refinery's wet fluorescent magnetic particle inspection of effluent exchanger E6600-E was not consistent with applicable manufacture's recommendations, good engineering practices, and or prior operating experience. Failure to inspect process equipment at established frequencies or as indicated by prior operating experience, could result in loss of containment and subsequent fires and explosions exposing workers to hazards capable of causing death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 24

Violation Type: Willful

WAC 296-67-037(4)(c)

The frequency of Tesoro Refinery's wet fluorescent magnetic particle inspection of effluent exchanger E6600-C was not consistent with applicable manufacture's recommendations, good engineering practices, and or prior operating experience. Failure to inspect process equipment at established frequencies or as indicated by prior operating experience, could result in loss of containment and subsequent fires and explosions exposing workers to hazards capable of causing death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 25

Violation Type: Willful

WAC 296-67-037(4)(c)

The frequency of Tesoro Refinery's wet fluorescent magnetic particle inspection of effluent exchanger E6600-F was not consistent with applicable manufacture's recommendations, good engineering practices, and or prior operating experience. Failure to inspect process equipment at established frequencies or as indicated by prior operating experience, could result in loss of containment and subsequent fires and explosions exposing workers to hazards capable of causing death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 26
WAC 296-67-037(5)

Violation Type: Willful

The Tesoro Refinery did not correct deficiencies associated with effluent exchanger E6600 shell and tube side warm up lines before further use or in a safe and timely manner when necessary means are taken to assure safe operation. Failure to correct known equipment deficiencies could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 27
WAC 296-67-037(5)

Violation Type: Willful

Tesoro Refinery did not correct deficiencies associated with effluent exchanger E6600 A/B companion flanges and temporary clamps before further use or in a safe and timely manner when the necessary means are taken to assure safe operation. Failure to correct known equipment deficiencies could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 28
WAC 296-67-037(5)

Violation Type: Willful

Tesoro Refinery did not correct deficiencies associated with effluent exchanger E6600 D/E companion flanges and temporary clamps before further use or in a safe and timely manner when the necessary means are taken to assure safe operation. Failure to correct known equipment deficiencies could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 29a

Violation Type: Willful

WAC 296-67-021(1)(a)(vii)

Tesoro Refinery did not develop and implement written procedures for startup following turnaround, or after an emergency shutdown of E6600 exchangers that provided clear instructions for safely conducting activities involved in the process consistent with the process safety information that addressed steps for each operating phase. Failure to provide operators clear operating instructions could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 29b

Violation Type: Willful

WAC 296-67-021(1)(c)

Tesoro Refinery did not develop and implement written operating procedures for startup of E6600 exchangers that provided clear instructions for safely conducting activities involved in the process consistent with the process safety information and all safety and health considerations. Failure to provide operators clear operating instructions could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an exposure or accident. A single penalty is applied to the first item in the group.

Correct by: 10/19/2010
Assessed penalty: Included in Violation 1 Item 29A

Violation 1 Item 30

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the change made to the warm up steps during the March 2009 start up and those conducted in February and March of 2008 on the E6600 effluent exchangers. Failure to manage changes could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 31

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the change made to the E6600 start up procedures on or about April 1, 2009. Failure to manage changes could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 32

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the changes made to the operating limit minimum hydrogen oil ratio feed to Naphtha Hydrotreater. Failure to manage process changes could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 33

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the change made by placing mechanical clamps on the companion flanges between effluent exchangers E-6600 A/B and D/E on or about March 2009. Failure to manage process changes could lead to death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 34

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the change made by placing the Anacortes Corrosion Awareness and Management Program (ACAMP) on hold indefinitely beginning the third quarter of 2004. Failure to manage process safety changes could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 35

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the change made by discontinuing the process hazard analysis revalidation system that included mechanical integrity and corrosion control review in 2006. Failure to manage process safety changes could result in death or serious injury.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 36

Violation Type: Willful

WAC 296-67-045(1)

Tesoro Refinery did not establish and implement written procedures to manage the changes made by temporarily or permanently suspending inspection procedure I-08.07 on or about September 2009. Failure to manage process changes could result in serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$55,000.00

Violation 1 Item 37

Violation Type: Willful

WAC 296-67-017(6)

The Tesoro Refinery did not ensure that the 2006 Process Hazard Analysis Revalidation was consistent with the current process. Failure to identify and evaluate inconsistencies could lead to serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 1 Item 38

Violation Type: Willful

WAC 296-67-045(4)

The Tesoro Refinery did not update process safety information following changes made to the E6600 effluent exchangers on or about December 2005. Failure to update process safety information could result in serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$70,000.00

Violation 1 Item 39

Violation Type: Willful

WAC 296-67-049(1)

The Tesoro Refinery did not investigate each incident which resulted in, or could reasonably have resulted in, a catastrophic release of highly hazardous chemicals in the workplace. Failure to investigate incidents could result in their recurrence and cause serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$65,000.00

Violation 2 Item 1

Violation Type: Serious

WAC 296-67-037(6)(b)

Tesoro Refinery did not ensure that appropriate checks and inspections were performed to assure that equipment, such as the E6600 warm up lines and replacement tube bundle, were installed properly and consistent with the design specifications. Lack of quality assurance inspections and checks could lead to improper installations of process equipment and result in serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$4,500.00

Violation 2 Item 2

Violation Type: Serious

WAC 296-67-037(6)(c)

Tesoro Refinery did not ensure that maintenance materials, spare parts and equipment were suitable for the process application for which they will be used, such as the E-6600 bellows assemblies. Failure to maintain suitable spare parts could lead to equipment failures and subsequent loss of containment placing workers at risk of serious injury or death.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$4,500.00

Violation 2 Item 3

Violation Type: Serious

WAC 296-67-025(3)

Tesoro Refinery did not ascertain that each employee involved in operating a process had received and understood the training required by this section. Tesoro did not prepare a record for at least six operators involved with the E6600 start up procedures being used on or about April 1, 2010 which contains the identity of the employee, the date of the training, and the means used to verify the at the employee understood the training.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$3,000.00

Violation 2 Item 4

Violation Type: Serious

WAC 296-824-50010(2)

Tesoro refinery did not ensure that all emergency responders and their communications were coordinated and controlled by the Incident Commander (IC). Not maintaining communications with response personnel can cause fatal injuries due to hazardous substances, explosions, smoke inhalation, or struck by debris and equipment.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$5,500.00

Violation 2 Item 5

Violation Type: Serious

WAC 296-811-30010

Tesoro Refinery did not assure that all Fire Brigade members were fully trained prior to the incident response on the morning of April 2nd, 2010. The First Response Fire Crew was deployed to battle a complex incident beyond their scope of training. A Fire Brigade member did not receive live fire training and participate in any Fire Brigade drills. Deploying a Fire Brigade member to a role of fire suppression beyond their scope of training can cause fatal injuries due to burns, hazardous substances, explosions, smoke inhalation, or struck by debris and equipment.

The following additional correction documentation is required for this violation: Contact DOSH Investigation Team Leader.

Correct by: 10/19/2010
Assessed penalty: \$5,500.00

What you must do now:

- Check the correction due date(s) shown on the enclosed Hazard Correction 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 Hazard Correction 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:

Or call: (425) 290-1425

Michael Day, Compliance Supervisor

Department of Labor and Industries

729 - 100th Street SE

Everett, WA

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.



Hazard Correction Form

Inspection: 314251315

UBI: 601688778

Issued: October 1, 2010

Legal Name: TESORO REFINING & MARKETING COMPANY

DBA Name: SHELL ANACORTES REFINING

Site Address: West March Point Road, Po Box 700, Anacortes, WA, 98221

**You must complete this form and return it to: Christian Bannick, Department of Labor & Industries
DOSH, 1720 Ellis Street Suite 200, Bellingham, WA 98225--460
Or Fax to: (360) 647-7310**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-1	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-2	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-3	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-4	Willful	296-800-16015(1)	10/19/2010

I certify that the hazards described in this Employer Certification of Hazards Corrected 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)).

Signature Name

Title Date Phone No.

DOSH USE ONLY

DOSH Reviewer's Signature Date



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How you corrected the hazard →			
Date you corrected the hazard →			
1-5	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-6	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-7	Willful	296-800-16015(1)	10/19/2010
How you corrected the hazard →			

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Date you corrected the hazard →			
1-8	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-9	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-10	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			

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1-11	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-12	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-13	Willful	296-67-025(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-14	Willful	296-67-037(4)(b)	10/19/2010

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How you corrected the hazard →			
Date you corrected the hazard →			
1-15	Willful	296-67-037(4)(b)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-16	Willful	296-67-037(4)(b)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-17	Willful	296-67-037(4)(b)	10/19/2010
How you corrected the hazard →			

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Date you corrected the hazard →			
1-18	Willful	296-67-037(2)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-19	Willful	296-67-037(2)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-20	Willful	296-67-037(2)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-21	Willful	296-67-037(2)	10/19/2010

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How you corrected the hazard →			
Date you corrected the hazard →			
1-22	Willful	296-67-037(4)(c)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-23	Willful	296-67-037(4)(c)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-24	Willful	296-67-037(4)(c)	10/19/2010
How you corrected the hazard →			

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Date you corrected the hazard →			
1-25	Willful	296-67-037(4)(c)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-26	Willful	296-67-037(5)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-27	Willful	296-67-037(5)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			

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1-28	Willful	296-67-037(5)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-29a	Willful	296-67-021(1)(a)(vii)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-29b	Willful	296-67-021(1)(c)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-30	Willful	296-67-045(1)	10/19/2010

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How you corrected the hazard →			
Date you corrected the hazard →			
1-31	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-32	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-33	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			

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Date you corrected the hazard →			
1-34	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-35	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-36	Willful	296-67-045(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-37	Willful	296-67-017(6)	10/19/2010

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How you corrected the hazard →			
Date you corrected the hazard →			
1-38	Willful	296-67-045(4)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
1-39	Willful	296-67-049(1)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
2-1	Serious	296-67-037(6)(b)	10/19/2010
How you corrected the hazard →			

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Date you corrected the hazard →			
2-2	Serious	296-67-037(6)(c)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
2-3	Serious	296-67-025(3)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			
2-4	Serious	296-824-50010(2)	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			

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Signature Name

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2-5	Serious	296-811-30010	10/19/2010
How you corrected the hazard →			
Date you corrected the hazard →			

POST THIS DOCUMENT

I certify that the hazards described in this Employer Certification of Hazards Corrected 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)).

Signature Name

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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.

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 on your citation.)
- 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.

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.

Send all appeals to:

Assistant Director for DOSH
Attn: Appeals Program
PO Box 44604
Olympia, WA 98504-4604
Fax to: **(360) 902-5581** or deliver to: **Any L&I office**

For more information call the Appeals Program: **(360) 902-5486.**

TESORO REFINING &
MARKETING COMPANY
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West March Point Road
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