

EMPLOYEE RELATIONS

NOV 20 1987

U.S. DEPARTMENT OF LABOR, OSHA
CORPUS CHRISTI AREA OFFICE
GOVERNMENT PLAZA
400 MANN STREET, ROOM 300
CORPUS CHRISTI, TX 78401
512-888-3257

Reply to the Attention of: RLMH:keg

Nov 19 1987

Champlin Refining Company
P.O. Box 9176
Corpus Christi, TX. 78469

PLAINTIFF'S EXHIBIT

UPRC-131

Attn: Mr. Richard E. Schneck, Plant Manager

Dear Mr. Schneck:

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 which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussion in person or by telephone.

You will note on page 5 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 6 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 vies 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, 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. Therefore, you must take care to schedule the informal conference early enough in the 15-day period to allow time to contest subsequent to the informal conference, should you decide to do so.

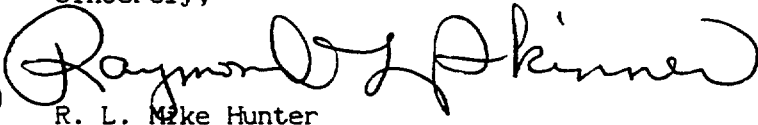
RECEIVED
NOV 30 1987
SAFETY & LOSS
CONTROL DEPT.

CH/W-001204

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 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.

Sincerely,

for 
R. L. Mike Hunter
Area Director

Enclosures

cc: Mr. Allan Tomlinson, President

NOTICE TO EMPLOYEES

An informal conference has been scheduled with OSHA to discuss the citations issued on 11/19/87. The conference will be held at the OSHA office located at Government Plaza, Corpus Christi, TX 78401 on _____ at _____.

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

Citation and Notification of Penalty
U.S. Department of Labor, OSHA

Government Plaza
400 Kern Street, Room 300
Corpus Christi, TX 78401

1. Type of Violation(s)	2. Citation Number
Willful	02

The violation(s) described in this Citation are alleged to have occurred on or about the day the inspection was made, unless otherwise indicated within the description given below.

3. Issuance Date 11/19/87	4. Inspection Number 100654300
5. Reporting ID 0626000	6. CSHO ID C00931
7. Optional Report No. 811	8. Page No. 7 of 10

10. Inspection Date(s):

5/20/87 - 11/18/87

11. Inspection Site:

1801 Nueces Bay Blvd.
Corpus Christi, TX 78409

9. To:
Champion Refining Company
and its successors
P.O. Box 9176
Corpus Christi, TX 78469

The Section
May Be
Reviewed
Before
Posting

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of violation(s) cited below. The Citation must remain posted until the violations cited below have been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer. This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. You must abate the violations referred to in this Citation by the dates listed below and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet, "How to Contest a Citation," for more information.) If you fail to contest the Citation or proposed penalties within 15 working days after receipt of this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. 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 the Citation is affirmed by the Review Commission.

12. Item Number	13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
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- bb) 02/07/86 - While working as a helper the employee received second degree burns to the back of the right knee.
- cc) 03/31/86 - While working as an instrument technician the employee injured his mid lower back and received medical treatment.
- dd) 05/02/86 - While working as a helper the employee injured his right greater toe and lost work days.
- ee) 05/04/86 - While working as an electrician the employee was struck in the eye by a metallic object and received medical treatment.
- ff) 05/10/86 - While removing a pump cap the employee twisted his lower back and received medical treatment.

CH/W-001215

17. Area Director
R. L. Mike Hunter

For Raymond Skinner

18. Last Pg

NOTICE TO EMPLOYEES - The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he 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 within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and penalty.

EMPLOYER RIGHTS AND RESPONSIBILITIES - The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

CITATION AND NOTIFICATION OF PENALTY

ORIGINAL

OSHA-2 (Rev. 1/84)

Total
Penalty
Amount
Citation
Number
or
Payable to:
OSHA
Inspection
Number
and
Penalty