PLAINTIFF'S EXHIBIT

TEX-57

RECEIVED
FEB 20 1979
INDUSTRIAL HYGIENE
HOUSTON OFFICE

NOTE	NOTED
HLH	
ALL	
JDW	
KH	
JH	
KTH	
MAB	

File → F.6 Industrial Hygiene Puget Sound Plant

Anacortes, Washington, February 5, 1979

SAF-IH
TEXACO USA
PUDGET SOUND PLT
Pg 1 of 1
2/5/79

RESEARCH, ENVIRONMENT AND SAFETY DEPARTMENT
FEB 8 1979

JET	2/10
KCIB	
RKM	
ARV	
RDM	
VDS	
Hdl	

RTR 2/14

OSHA-WISHA
UNANNOUNCED COMPLIANCE
INSPECTION

PERSONAL AND CONFIDENTIAL

MEMORANDUM

Mr. T. L. Thompson (THT)
Los Angeles, CA

Attached is copy of "Citation and Notice" from WISHA Industrial Hygiene Survey which was completed on January 23, 1979, and also "Notification of Penalty Assessment" for one alleged serious violation.

All items have been complied with or are in stage of near completion.

PSP does not recommend appeal of this penalty assessment and we request approval for payment.

Signed: P. C. Templeton

P. C. TEMPLETON

JDD-LRR

JET
CTS-JRS-WDE

Attachments

cc: RTR to HLH 2/14

WA-TEX 006826

WA-TEX006826

ATTACH
SAF-IM
TEXACO USA
PUGET SOUND
PCT-TLT 2/5/79

DEPARTMENT OF LABOR AND INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
309 E. 4th AVENUE
P.O. BOX 207
OLYMPIA, WA. 98504

NOTIFICATION OF PENALTY ASSESSMENT

Texaco Inc P. O. Box 622 Anacortes WA 98221	PUGET SOUND	Safety I.D. No. G 8002	Report No. 124921
		County Skagit (29)	Date Citation & Notice of Penalty Assessment 1-31-79
			Penalty No. 6972
	LAB / AWC / MAR / SH / SEC / FILE No.	There is no requirement that this notification be posted	

NOTIFICATION OF PENALTY ASSESSMENT

This notification and the penalty(ies) assessed by the Director of the Department of Labor and Industries, or his authorized representative, shall be deemed to be the final order of the Department and not subject to review by any court or agency unless, within 15 working days from the communication of this notification, you submit a NOTICE OF APPEAL. The NOTICE OF APPEAL should be mailed or otherwise delivered to the Assistant Director of Industrial Safety and Health at the address shown at the top of this notification. If no NOTICE OF APPEAL is filed within the 15 working day period, the proposed penalty(ies) become final and is immediately payable. (RCW 49. 17. 140)
The term "working day" means a calendar day, except Saturdays, Sundays and all legal holidays as set forth in RCW 1.16.050 (RCW 49. 17. 140).

Payment of all penalties shown is to be made by check or money order payable to the order of "Department of Labor and Industries". Payment of penalties should be remitted to the Assistant Director of Industrial Safety and Health at the address shown above.

Section 18(8) of the Act (RCW 49. 17. 140) states: "Civil penalties imposed under this chapter shall be paid to the Director for deposit in the supplemental pension fund established by RCW 51.44.033. Civil penalties may be recovered in a civil action in the name of the department brought in the superior court of the county where the violation is alleged to have occurred, or the Department may utilize the procedures for collection of civil penalties as set forth in RCW 51.48.120 through 51.48.150."

4. On the 31 day of January, 19 79, a citation(s) was issued to you in accordance with the provision of Section 12 of the Washington Industrial Safety and Health Act (RCW 49. 17. 140) herein referred to as the Act. That citation(s), or a copy thereof, accompanies this NOTIFICATION OF PENALTY ASSESSMENT. You are thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED That pursuant to the provisions of Sections 14 and 18 of the Act, the penalty(ies) set forth below is/are being assessed based on the citation(s).

5A. Item No.	5B. Type of Violation	5C. Code Violation	5D. Penalty Assessment
3	Serious	WAC 296-24-08411(2)(A)	$150.00

[signature] for 1/26/79
Warren M. Sullivan, Assistant Director of Industrial Safety and Health — DATE SIGNED

Total Penalty Assessed for all Alleged Violations $ 150.00

WA-TEX 006827

WA-TEX006827

2 of 3

DEPARTMENT OF LABOR AND INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
OLYMPIA, WASHINGTON 98504

CITATION & NOTICE

FORM NO. DI ABS (REV. 6/76)

ACTIVITY NO.	NATURE	REGION	COUNTY	INSPECTOR NO.	INSP. NO.	SIC	REPORT NO.
130C HEALTH SURVEY	SCHEDULED	1	33	37+220	0C2 017	0773	2511- 134521

CITATION NO.	ESTABLISHMENT SITE OF ACTIVITY	NO. OF EMPLOYEES	NO. OF VIOLATIONS
	MARCH POINT ANACORTES	01/23719 65	5

MANAGEMENT OFFICIAL CONTACTED AND TITLE

JACK DRUMMOND SAFETY DIR

EMPLOYER'S NAME AND ADDRESS

TESORO INC.
P.O. BOX 622
ANACORTES WA 98221

JACK DRUMMOND
SAFETY DIR

EMPLOYER OR AUTHORIZED REPRESENTATIVE

ASSISTANT DIRECTOR FOR DIVISION OF INDUSTRIAL SAFETY AND HEALTH

WERE EMPLOYEE WALK AROUND PRIVILEGES EXERCISED? YES

WERE CONFERENCES HELD? YES

A copy of this Citation must be prominently posted immediately upon receipt at or near each place a violation referred to in the Citation occurred. (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for three (3) working days, whichever period is longer.
Failure to correct alleged violations by the abatement date may result in a proposed penalty assessment. (RCW 49.17.140).

EMPLOYER: SEE REVERSE SIDE OF THIS FORM FOR NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION & NOTICE

NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION UNLESS OTHERWISE NOTED. ALL CITATIONS ARE TO TITLE 296 WAC.

ITEM NO.	STANDARD, SUBPART, SECTION, PARAGRAPH, SUBDIVISION	CITATION	PROPOSED PENALTY	DESCRIPTION OF ALLEGED VIOLATIONS / LOCATION	ABATEMENT DATE
1	N 1C-4 0167 (3) (a)	0	0	FAILURE TO MEET THE REQUIREMENTS OF WAC 296-24-08167 (3)(a) IN SUPPLYING AIR FOR BREATHING PURPOSES. AIR SUPPLIED SAND BLASTING PELLETS LOCATED IN THE PAINT BOOTH AREA RECEIVES AIR FROM THE PLANT AIR COMPRESSOR LOCATED IN THE BOILER HOUSE. THIS IS NOT A SUPPLIED-AIR TYPE COMPRESSOR. THIS OIL LUBRICATED COMPRESSOR HAS A HIGH TEMPERATURE SHUT-OFF, HOWEVER, FREQUENT AIR SAMPLES TO INSURE COMPLIANCE WITH SEC. 296-24-08167(3) ARE NOT TAKEN.	03/04/79
2	N 1C-2 0107 (1)	0	0	FAILURE TO CONTROL CHEMICAL AGENTS IN SUCH A MANNER TO REDUCE EMPLOYEE CONTACT OR EXPOSURE. ESPECIALLY EASE SPILLED UNDER THE MANCHESTER IN THE INSTRUMENT REPAIR SHOP LOCATED IN THE TURNER TAR CONTROL ROOM.	COMPLIED
3	N 1C-4 0181 (1) (a)	0	0	FAILURE TO ASSURE HEAT RESPIRATORS KEPT PROPERLY FIT FOR EFFICIENT USE AND IN SATISFACTORY WORKING CONDITION.	
				SEE ALSO PARAGRAPH (3) BELOW.	COMPLIED
4	N 1C-4 0181 (3) (a)	0	0	FAILURE TO ASSURE HEAT RESPIRATORS KEPT PROPERLY FIT FOR EFFICIENT USE AND IN SATISFACTORY WORKING CONDITION.	
				SEE ALSO PARAGRAPH (1) ABOVE.	COMPLIED

CONTINUED ON NEXT PAGE - PAGE 2

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES: The Washington Industrial Safety and Health Act, Chapter 49.17 RCW, provides that an employee or representative of employees may appeal any time period set for abatement of conditions cited as violations in this notice. Such Notice of Appeal must refer to this CITATION & NOTICE and include the name of the employer and the date of the inspection and specify the violation and/or abatement date appealed. The Notice of Appeal must be received by the Assistant Director for Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504, within 15 working days of communication of the notice. No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him by the Act.

WA-TEX 006828

WA-TEX006828

3403

DEPARTMENT OF LABOR & INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
OLYMPIA, WASHINGTON 98504

CITATION & NOTICE

FORM NO. L&I-207 (REV. 5/73)

SAFETY OR HEALTH	ACTIVITY	REASON FOR INSPECTION	EDITION	COUNTY	INSPECTION NUMBER	ISSUANCE NUMBER	ISSUANCE DATE	CASE NUMBER	REFERENCE NUMBER
CHEC	HEALTH SURVEY	SCHEDULED	1	25	27,024	CCC	01/31/75	25115	124921

LOCATION OF ESTABLISHMENT (BRIEF DESCRIPTION)

NO. OF EMPLOYEES	NO. OF EMPLOYEES INTERVIEWED	NO. OF EMPLOYEE REPRESENTATIVES

MANAGEMENT OFFICIAL CONTACTED AND TITLE

CLOSING CONFERENCE: EMPLOYER(S)

EMPLOYER WALK AROUND REPRESENTATIVE

EMPLOYER, ADDRESS, CITY

TEXACO INC

JACK DRUMMOND

ASSISTANT DIRECTOR FOR DIVISION OF INDUSTRIAL SAFETY & HEALTH

WERE EMPLOYEE WALK AROUND PRIVILEGES EXERCISED?

WERE EMPLOYEES INTERVIEWED?

CONTINUED FROM PAGE 1

A copy of this Citation must be prominently posted immediately upon receipt at or near each place a violation referred to in the Citation occurred. (RCW 49.17.120). It must remain posted until all violations cited therein are corrected or for three (3) working days, whichever period is longer. Failure to correct alleged violations by the abatement date may result in a proposed penalty assessment. (RCW 49.17.140)

EMPLOYEE: SEE REVERSE SIDE OF THIS FORM FOR NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

ALLEGED CODE VIOLATIONS	NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION UNLESS OTHERWISE NOTED ALL CITATIONS ARE TO TITLE 296 WAC	ABATEMENT DATE
	HOSE DETERIORATED AND SEPARATED FROM REGULATOR	
	03-SCTT BAK #20-GAL PLANT TRUCK AIR CYLINDER EMPTY	COMPLIE
4-N-C-2611.02-C	REFERENCE-SHIPPING CONTAINER SPECIFICATION REGULATIONS, DEPARTMENT OF TRANSPORTATION 49 CFR PART 179.300-FAILURE TO MAINTAIN TESTPRATIO FOR MATERIAL IN THAT COMPRESSED AIR CYLINDERS FOR SELF CONTAINED BREATHING APPARATUS HAVE NOT BEEN HYDROSTATICALLY TESTED WITHIN 5 YEARS	
	01-SCTT PAK #42-CRUDE UNIT LAST TEST DATE 1962	03/04/75
	02-SCTT PAK #29-CATALYTIC LAST TEST DATE 1962	03/04/75
	03-SCTT PAK #2-FLARE PIT LAST TEST DATE 1971	03/04/75
5-N-C-2611.01-C	FAILURE TO SECURE ALSO FOUND CYLINDER OF ACETYLENE, AMMONIA IN THE NUMBER ONE PROD UNIT	COMPLIE
	* OCCUPATIONAL EXPOSURE TO BENZENE	
	* OCCUPATIONAL EXPOSURE TO BENZENE	
	THE TYPES OF VIOLATIONS ON THIS CITATION ARE AS DEFINED IN RCW 49.17.180.	

PAGE 2

TYPE CODES - O - Other; S - Serious; W - Willful; R - Repeated; NC - Non-Serious; SUBDIV - Subdivision; ITEM - Item; SEC - Section; Washington Administrative Code; Washington Administrative Code; Revised Code of Washington; Revised Code of Washington; Code of Federal Regulations; Code of Federal Regulations

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES. The Washington Industrial Safety and Health Act, Chapter 49.17 RCW, provides that an employee or representative of employees may appeal any time period set for abatement of conditions cited as violations in this notice. Such Notice of Appeal must refer to this CITATION & NOTICE and include the name of the employer and the date of the inspection and specify the violation and the abatement date appealed. The Notice of Appeal must be received by the Assistant Director for Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504, within 15 working days of communication of the notice." No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him by the Act.

ORIGINAL - EMPLOYER

WA-TEX006829