

**U.S. Chemical Safety and
Hazard Investigation Board**

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Hon. John S. Bresland
Chairman and CEO

Hon. William B. Wark
Board Member

Hon. William E. Wright
Board Member



December 3, 2009

Andrew E. Colsky, Esq.
Director
Sensitive Security Information Office
Transportation Security Administration
601 S. 12 Street
Arlington, VA 20598-6031

Dear Mr. Colsky:

The United States Chemical Safety and Hazard Investigation Board (CSB or Board) intends hold a press conference in Houston Texas on December 10, 2009, to issue an urgent recommendation to the CITGO Refining and Chemicals Company L.P. in Corpus Christi. At the press conference the CSB intends to issue an urgent safety recommendation to the refinery and to show a short 1-2 minute video of the actual incident. CITGO has formally objected to the release of the video in a December 2, 2009, letter to the CSB investigator-in-charge citing national security and security sensitive information (SSI) concerns pursuant to 46 USC §§ 70102 and 70103; 33 CFR Part 105, Subparts C and D; 49 CFR Parts 15 and 1520.

The CSB disagrees with this assertion and believes that it is vital to show the video and update the community on what actually happened at the site back in July. In our opinion the video depicts an unremarkable view of typical refinery piping equipment with no specific indication even of where highly toxic materials such as hydrofluoric acid are stored. We also note that CITGO has not to date disclosed to the public the full extent of the hydrofluoric acid release to the atmosphere which endangered public health in Corpus Christi. We further draw attention to recent Congressional action contained in the DHS appropriation act for 2010 which prohibits the misuse of SSI designation to conceal evidence of corporate safety lapses or to prevent public embarrassment.

Accordingly, based on the procedures developed during your review of the Bayer Crop Science SSI issues earlier this year, the Board respectfully requests a similar expedited review of the CITGO security camera videos and the CSB urgent recommendation for any national security or SSI concerns. I have related below the essential findings of the CSB investigation thus far.

On July 19, 2009, a hydrocarbon gas release occurred in the CITGO Corpus Christi East Refinery hydrogen fluoride (HF) alkylation unit at 1802 Nueces Bay Boulevard, Corpus

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Christi, Texas. The release ignited causing extensive damage; the ensuing fire burned for several days. The fire critically injured one CITGO employee. One other employee was treated for possible HF exposure during emergency response activities.

The incident occurred when violent shaking in the process recycle piping broke two threaded connections, releasing highly flammable hydrocarbons. The shaking was caused by nearly complete flow blockage, which occurred due to the sudden failure of a control valve. The control valve failed when an internal plug unthreaded from the valve stem, closing the valve. The only existing bypass valve was manually operated and became inaccessible following the hydrocarbon release.

The cloud of releasing hydrocarbons reached an adjacent unit and ignited. The ensuing fire caused multiple failures, releasing HF. CITGO reported to the Texas Commission on Environmental Quality that approximately 21 tons (42,000 pounds) of HF released from alkylation unit piping and equipment, but was captured by the HF water mitigation system. CITGO reported 30 pounds of HF were not captured by the mitigation system.

While scientific studies have shown water mitigation systems to be an effective method of airborne HF removal, these studies indicate that the highest possible removal efficiency is 95 percent. The highest expected efficiency of field systems like the one used by CITGO is likely 90 percent or less. Based on 90 percent efficiency, the atmospheric release from the alkylation unit would have been about 2 tons (4,000 pounds).

Prevailing winds during the incident carried any HF not captured by the water mitigation system toward the Corpus Christi ship channel and Nueces Bay. CITGO installed the HF water mitigation system after a release and fire in the alkylation unit had resulted in an uncontrolled release of HF from the refinery in April 1997.

HF is a corrosive, highly toxic chemical which boils at room temperature. Contact with HF liquid or vapor can severely burn skin, eyes, and other tissue. Burns from HF are particularly dangerous and require immediate and chemical-specific treatment by trained medical personnel.

Processes using 1,000 pounds or more of HF must comply with the Occupational Safety and Health Administration (OSHA) Process Safety Management Standard for Highly Hazardous Chemicals (29 CFR 1910.119) and the U.S. Environmental Protection Agency (EPA) Chemical Accident Prevention Program (40 CFR 68). In addition, HF is listed as an extremely hazardous substance for the purposes of emergency planning under the EPA Emergency Planning and Community Right-to-Know Act.

The CITGO Alkylation Unit Process Hazard Analysis, conducted in accordance with the OSHA Process Safety Management Standard for Highly Hazardous Chemicals (29 CFR 1910.119) and the EPA Chemical Accident Prevention Program (40 CFR 68), assumes that the HF mitigation system is available to minimize the consequences of an HF release.

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During this incident, CITGO nearly exhausted its stored water supply for fire suppression and HF mitigation on the first day of the multi-day incident response. About 11.5 hours after the initial release, before the water supply was completely exhausted, the Refinery Terminal Fire Company began pumping salt water from the Corpus Christi ship channel into the CITGO fire water system using a barge equipped for firefighting. Multiple failures occurred during the salt water transfer, including multiple ruptures of the barge-to-shore transfer hoses and two water pump engine failures.

CITGO impounded the salt water used for HF mitigation and fire suppression on-site. Chemical analysis indicates salt water captured some of the released HF. In the event of HF release the water mitigation system provides the last defense against an HF release into the surrounding community.

CITGO's PSM/RMP Incident Investigation Team Interim Recommendations (for the July 19, 2009 HF alkylation unit release and fire) did not include any recommendations addressing the HF mitigation system water supply. On November 1, 2009, CITGO restarted the HF alkylation unit.

CITGO operates two US refineries with HF alkylation units, one in Corpus Christi, TX and one in Lemont, IL. API Recommended Practice 751, *Safe Operation of Hydrofluoric Acid Alkylation Units*, recommends refineries audit the safety of HF alkylation operations every three years. API 751 details elements to be included as part of a comprehensive audit plan.

CITGO has never conducted a safety audit of HF alkylation operations at either of its US refineries equipped with HF alkylation units pursuant to recommendations of API Recommended Practice 751, *Safe Operation of Hydrofluoric Acid Alkylation Units*.

Under 42 U.S.C. §7412(r)(6)(C) (ii), the Board is charged with "recommending measures to reduce the likelihood or the consequences of accidental releases and proposing corrective steps to make chemical production, processing, handling and storage as safe and free from risk of injury as is possible ..." Furthermore, Board procedures authorize the issuance of an urgent safety recommendation before a final investigation report is completed where there is a safety issue considered an imminent hazard that has the potential to cause serious harm unless it is rectified in a short timeframe.

Accordingly, based on the findings described above, the Board is contemplating issuing two urgent recommendations to CITGO, Inc. In order to meet the deadline for the release of the recommendations, the CSB requests an expedited review of the videos and the urgent recommendation.

If you have any questions concerning the above material, please do not hesitate to call me at (202) 261.7624 or (202) 378.3517 (cell). I will note that none of the material thus far received from CITGO has been stamped "SSI" in accordance with applicable Coast Guard regulations. The transmittal letter from the attorneys, however, makes a sweeping

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claim, similar to what was done in Bayer Crop Science, that the documents supplied should be considered SSI materials.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris W. Warner".

Christopher W. Warner, General Counsel

Attached:

- CD of video security camera coverage of the release
- December 2, 2009 letter from CITGO Refinery
- Draft CSB Urgent Recommendations