

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

**Inspection Number:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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

29 CFR 1910.24(b): Fixed stairs were not provided where access to elevations was daily or at each shift for such purposes as gauging, inspection, regular maintenance, etc., where such work may expose employee(s) to acids, caustics, gases, or other harmful substances, or for which purposes the carrying of tools or equipment by hand is normally required:

On or about August 29, 2012, fixed industrial stairs were not provided for access to the roof of the building for daily inspection of ammonia equipment and routine maintenance of ammonia refrigeration equipment.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$7000.00

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:** Richelieu Foods, Inc.  
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**Citation 1 Item 2**    Type of Violation: **Serious**

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

On or about August 29, 2012, the employer did not implement a continuing, effective hearing conservation program, inclusive of audiometric testing for employees in the 1 UP processing department that were exposed to noise exposures that equaled or exceeded an 8-hour time-weighted average sound level of 85 decibels measured on the A scale (dBA), or equivalently a dose of fifty percent.

- a) On December 10, 2012, a Sanitation laborer was exposed to an 8-hour time-weighted average sound level of 88.0 dBA, or an equivalent dose of 76.3%.
- b) On December 10, 2012, a Sanitation laborer was exposed to an 8-hour time-weighted average sound level of 87.9 dBA, or an equivalent dose of 75.2%.
- c) On December 13, 2012, a laborer in the 1 UP department was exposed to an 8-hour time-weighted average sound level of 87.6 dBA, or an equivalent dose of 72.1%.
- d) On December 13, 2012, a laborer in the 1 UP department was exposed to an 8-hour time-weighted average sound level of 87.3 dBA, or an equivalent dose of 68.8%.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$7000.00



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**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 3**    Type of Violation: **Serious**

29 CFR 1910.95(d)(1)(ii): Unless the employer can show that area sampling produces equivalent exposure monitoring, the employer did not use representative personal sampling to comply with the monitoring requirements of 29 CFR 1910.95(d):

On or about August 29, 2012, the employer did not use representative personal sampling to comply with the monitoring requirements of 29 CFR 1910.95(d).

- a) The employer did not conduct area sampling that produced equivalent exposure monitoring, or representative personal sampling, to comply with the monitoring requirements for the Sanitation employees working from 10:00 PM to 6:30 AM.
- b) The employer did not conduct area sampling that produced equivalent exposure monitoring, or representative personal sampling, to comply with the monitoring requirements for the Sanitation employees working from 12:00 AM to 8:30 AM.
- c) The employer did not conduct area sampling that produced equivalent exposure monitoring, or representative personal sampling, to comply with the monitoring requirements for the 1 UP employees.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
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\$7000.00

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**Citation 1 Item 4**    Type of Violation: **Serious**

29 CFR 1910.119(d)(3)(i)(D): The employer did not include in the process safety information compilation, the relief system design and the design basis:

On or about August 29, 2012, the employer did not include in the process safety information compilation, the relief system design and the design basis for the relief system for the anhydrous ammonia refrigeration system, including but not limited to, the following:

- a) Relief system headers and vent lines downstream from the ammonia compressors in Engine Room #1 and #2
- b) Relief system devices on the oil pots for the high pressure recirculator and low pressure recirculator.
- c) Relief system devices on the vessels of the high pressure recirculator and low pressure recirculator.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$5500.00

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

29 CFR 1910.119(d)(3)(i)(E): The employer did not have a compilation of written process safety information pertaining to the ventilation system design.

On or about August 29, 2012, the employer did not have process safety information for the ventilation system design for the engine rooms that housed the anhydrous ammonia compressors.

a) Engine Room #1

b) Engine Room #2

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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03/21/2013  
\$5500.00

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
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**Citation 1 Item 6**    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.

On or about August 29, 2012, the employer did not document that the ammonia refrigeration process equipment complied with recognized and generally accepted good engineering practices.

- a) The discharge from the pressure relief devices in Engine Room 2 was not arranged to avoid spraying refrigerant on persons in the vicinity, specifically the catwalk on the Frick condensor.
- b) The employer did not ensure that the safety relief valves were removed and replaced within 5 years, or developed an alternative replacement interval based on documented in-service relief valve life, or followed the manufacturer's replacement frequency recommendation for the 250 PSI Safety Relief valve on High Temp Recirculator.
- c) The employer did not ensure that the safety relief valves were removed and replaced within 5 years, or developed an alternative replacement interval based on documented in-service relief valve life, or followed the manufacturer's replacement frequency recommendation for the 250 PSI Safety Relief valve on Low Temp Recirculator.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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

29 CFR 1910.119(e)(5): The employer did not establish a system to promptly address the PHA team's findings and recommendations:

On or about August 29, 2012, the employer did not establish a system to promptly address the PHA team's findings and recommendations from the March, 2009 PHA, including, but not limited to, the following:

- a) Recommendations 1.3, 1.8, for developing a policy and procedure for addressing safety relief valves every 5 years.
- b) Recommendations 1.16, 6.15, 8.1, for developing a policy and procedure for documentation of preventative maintenance inspections and tests.
- c) Recommendation 15.1 to ensure that safety reliefs are relieving to safe locations.
- d) Recommendation 15.12 to address additional roof access and egress.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

**Date By Which Violation Must be Abated:**  
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**Citation 1 Item 8**    Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(B): 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 normal operations.

On or about August 29, 2012, the employer did not develop and implement written operating procedures that provide clear instructions for safely conducting oil pot draining activities on equipment containing oil pots, including, but not limited to, the following:

- a) The oil pot on the low temperature recirculator
- b) The oil pot on the high temperature recirculator

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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

29 CFR 1910.119(j)(2): The employer did not establish written procedures to maintain the on-going integrity of process equipment.

On or about August 29, 2012, the employer did not establish written procedures to maintain the anhydrous ammonia refrigeration system, including, but not limited to, the following:

- a) Written procedures for inspection of uninsulated anhydrous ammonia process piping.
- b) Written procedures for inspection of insulated/corrosion-under-insulation inspections for anhydrous ammonia process piping.
- c) Written procedures for testing of all safety cutouts on the Ammonia compressors.
- d) Written procedures for interior inspection of reciprocating Ammonia compressors.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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**Company Name:** Richelieu Foods, Inc.  
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**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(iv): The employer did not document each inspection and test that had been performed on process equipment. The documentation did not identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test.

On or about August 29, 2012, the employer did not document each inspection and test that had been performed on the anhydrous ammonia refrigeration system, including, but not limited to, the following:

- a) Testing of the high pressure cut-outs on the reciprocating compressors
- b) Testing of the high temperature cut-outs on the reciprocating compressors
- c) Annual interior inspection of the reciprocating compressors

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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**Citation 1 Item 11** Type of Violation: **Serious**

29 CFR 1910.119(o)(1): The employer did not certify that they have evaluated compliance with the provisions of this section:

The employer did not certify or evaluate compliance with the provisions of this section of the process safety management system for the anhydrous ammonia refrigeration system.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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**Citation 1 Item 12** Type of Violation: **Serious**

29 CFR 1910.120(q)(2): The employer did not develop an emergency response plan for emergencies which addressed the following minimum requirements of this standard: 1910.120(q)(2)(i) through 1910.120(q)(2)(xii):

On or about August 29, 2012, the employer's emergency response plan did not include the following minimum requirements of the standard for an emergency release of Nitrogen.

- a) Emergency recognition and prevention
- b) Safe distances and places of refuge
- c) Evacuation routes and procedures
- d) Emergency medical treatment and first aid
- e) Emergency alerting and response procedures
- f) PPE and emergency equipment

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**  
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**03/21/2013**  
**\$7000.00**

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**Citation 1 Item 13** Type of Violation: **Serious**

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

On or about August 29, 2012, the employer did not protect employees with personal fall protection from fall hazards of approximately 20 feet when employees were climbing the frame work for unjamming the conveyors in the north line spiral freezer.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$7000.00

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.

**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

**Citation 1 Item 14** Type of Violation: **Serious**

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

On or about August 29, 2012, the employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces, such as but not limited to:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.139(d)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**03/21/2013**  
**\$7000.00**

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**Citation 1 Item 15** Type of Violation: **Serious**

29 CFR 1910.146(c)(4): When the employer decided that its employees would enter permit spaces, the employer did not develop and implement a written permit space entry program that complied with 29 CFR 1910.146:

On or about August 29, 2012, the employer did not develop a written permit space entry program for employee entry into permit required confined spaces, including but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP line spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP line spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$7000.00

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
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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 16 a Type of Violation: **Serious****

29 CFR 1910.146(d)(3)(iii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations, including isolating the permit space.

On or about August 29, 2012, the employer did not develop the procedures and practices necessary to isolate the permit spaces from the Nitrogen system and the mechanical hazards of the conveyor chains.

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP line spiral freezer
- d) Space beneath the 2 UP spiral freezer
- e) Space beneath the 3 UP spiral freezer
- f) Space beneath the MAP line spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
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**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 16 b Type of Violation: **Serious****

29 CFR 1910.147(d)(3): All energy isolating devices that were needed to control the energy to the machine or equipment was not physically located and operated in such a manner as to isolate the machine or equipment from the energy source:

On or about August 29, 2012, the employer did not operate all energy isolating devices needed to control the energy to equipment, specifically electrical circuit breakers for conveyor chains beneath the spiral freezers, including but not limited to, the following:

- a) 3 UP spiral freezer
- b) MAP line spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**

**03/21/2013**

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
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**Citation 1 Item 16 c Type of Violation: **Serious****

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

On or about August 29, 2012, the employer did not ensure that lockout or tagout devices were affixed to each energy isolating device by authorized employees, specifically electrical circuit breakers for chains beneath the spiral freezers, including but not limited to, the following:

- a) 3 UP Spiral freezer
- b) MAP line spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:

03/21/2013

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
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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 17 a** Type of Violation: **Serious**

29 CFR 1910.146(d)(3)(iv): Under the permit space program, the employer did not develop and implement the means, procedures, and practices necessary for safe permit entry operations, including, but not limited to, purging, inerting, flushing or ventilatin the permit spaces as necessary to eliminate or control atmospheric hazards.

On or about August 29, 2012, the employer did not develop and implement the procedures and practices for ventilation of Nitrogen inside permit spaces to ensure safe permit entry operations, including but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
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**Citation 1 Item 17 b Type of Violation: **Serious****

29 CFR 1910.146(d)(3)(vi): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices to verify that conditions in a permit space were acceptable for entry throughout the duration of an authorized entry:

On or about August 29, 2012, the employer did not develop and implement the procedures and practices to verify that conditions inside permit spaces were acceptable for entry throughout the duration of an authorized entry, including but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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**Citation 1 Item 17 c Type of Violation: **Serious****

29 CFR 1910.146(d)(4)(i): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not ensure that testing and monitoring equipment needed to comply with 29 CFR 1910.146(d)(5) was maintained and used properly:

On or about August 29, 2012, the employer did not maintain the hand-held oxygen meter properly and did not ensure that employees used the equipment properly when entering permit required confined spaces.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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**Citation 1 Item 17 d** Type of Violation: **Serious**

29 CFR 1910.146(d)(5): Permit-required confined space(s) were not evaluated as required under (d)(5)(i) through (d)(5)(vi) of this paragraph when entry operations were conducted.

On or about August 29, 2012, the employer did not evaluate the atmosphere prior to and during entry into permit required confined spaces when entry operations were conducted, including but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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**Citation 1 Item 18** Type of Violation: **Serious**

29 CFR 1910.146(d)(4)(vii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not ensure that equipment, such as ladders, needed for safe ingress and egress by authorized entrants were provided:

On or about August 29, 2012, the employer did not ensure that employees entering permit required confined spaces were provided equipment needed for safe ingress or egress, including but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

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**Citation 1 Item 19** Type of Violation: **Serious**

29 CFR 1910.146(d)(9): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and for preventing unauthorized personnel from attempting a rescue.

On or about August 29, 2012, the employer did develop procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and for preventing unauthorized personnel from attempting a rescue in permit-required confined spaces, such as but not limited to:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP spiral freezer
- d) Space below the 2 UP spiral freezer
- e) Space below the 3 UP spiral freezer
- f) Space below the MAP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

03/21/2013  
\$7000.00

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 20** Type of Violation: **Serious**

29 CFR 1910.146(e)(1): Before entry was authorized, the employer did not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit:

On or about August 29, 2012, the employer did not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit for entry by sanitation and maintenance employees into permit-required confined spaces, such as but not limited to, the following:

- a) 2 UP spiral freezer
- b) 3 UP spiral freezer
- c) MAP line spiral freezer
- d) Space beneath the 3 UP spiral freezer
- e) Space beneath the MAP line spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**03/21/2013**  
**\$7000.00**

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 21** Type of Violation: **Serious**

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

On or about August 29, 2012, the employer did not provide training to employees whose work required entry into permit required confined spaces, such as but not limited to, the following:

- b) MAP Spiral Freezer
- c) 3 UP Spiral Freezer
- d) Space beneath the MAP spiral freezer
- e) Space beneath the 3 UP spiral freezer

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$7000.00

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 22** Type of Violation: **Serious**

29 CFR 1910.157(g)(4): Employees who have been designated to use fire fighting equipment as a part of the emergency action plan were not provided training in the use of appropriate equipment upon initial assignment and at least annually thereafter:

On or about August 29, 2012, employees identified in the emergency action plan to use fire fighting equipment had not received training in the use of the appropriate equipment annually.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$4400.00

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 23** Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

On or about August 29, 2012, the employer did not provide machine guarding to protect the operator and other employees in the area from the hazards created by the Grote pepperoni slicer machine in the 2 UP department.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$7000.00**

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 1 Item 24** Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

The employer did not provide effective information and training to employees on hazardous chemicals in their work area at the time of their initial assignment, including but not limited to, Nitrogen.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**03/21/2013**  
**\$7000.00**

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:** Richelieu Foods, Inc.

**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D)(h):

On or about August 29, 2012, the employer did not develop energy control procedures that clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(B) and (c)(4)(ii)(D):

- a) Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.
- b) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

Richelieu Foods, Inc., was previously cited for a violation of this Occupational Safety And Health Standard or its equivalent standard, 29 CFR 1910.146(c)(4)(ii)(B), which was contained in OSHA Inspection Number 313129009, Citation Number 01, Item Number 03, and was affirmed as final order on October 2, 2009, with respect to the workplace located at 121 Industrial Drive, Beaver Dam, Wisconsin, 53916.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$38500.00

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

**Inspection Number:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 2 Item 2**    Type of Violation: **Repeat**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

On or about August 29, 2012, the employer did not conduct a periodic inspection of the energy control procedures at least annually.

Richelieu Foods, Inc., was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard, 29 CFR 1910.146(c)(6)(1), which was contained in OSHA Inspection Number 313129009, Citation Number 01, Item number 04, and was affirmed as final order on October 2, 2009, with respect to the workplace located at 121 Industrial Drive, Beaver Dam, Wisconsin, 53916.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$38500.00

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:** 622339  
**Inspection Date(s):** 08/29/2012 - 02/27/2013  
**Issuance Date:** 02/28/2013



**Citation and Notification of Penalty**

**Company Name:** Richelieu Foods, Inc.  
**Inspection Site:** 121 Industrial Drive, Beaver Dam, WI 53916

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**Citation 3 Item 1**    Type of Violation: **Other-than-Serious**

29 CFR 1910.119(f)(3): The employer did not annually certify that operating procedures were current and accurate.

On or about August 29, 2012, the employer did not annually certify the operating procedures for the anhydrous ammonia refrigeration system.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/21/2013  
\$.00

A handwritten signature in black ink, appearing to read "Kimberly A. Stille", written over a horizontal line.

**Kimberly A. Stille**  
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.