

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



Citation and Notification of Penalty

To:
Case Farms Processing, Inc., dba Case Farms Chicken
and its successors
P.O. Box 185
Winesburg, OH 44690

Inspection Number: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015

Inspection Site:
1818 County Road 160
Winesburg, OH 44690

7014 2120 0003 6943 4750

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. 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 this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. 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 this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as 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.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she 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 and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

U.S. Department of Labor
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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/01/2015. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1069909

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690
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List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 200 N. High Street, Room 620, Columbus, OH 43215**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

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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 1 a Type of Violation: **Serious**

29 CFR 1910.101(b): "Compressed gases." The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks shall be in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in Sec. 1910.6:

- a. On or about June 10, 2015, in the front of chicken house no. 1, two refrigerant gas cylinders, containing a 1,1,1,2 tetrafluoroethane, pentafluoroethane mixture (UN 1078), were not secured to prevent them from being knocked over and damaged while in storage.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5500.00

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

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 1 Item 1 b Type of Violation: **Serious**

29 CFR 1910.102(a): Cylinders. Employers must ensure that the in-plant transfer, handling, storage, and use of acetylene in cylinders comply with the provisions of CGA Pamphlet G-1-2003 ("Acetylene") (Compressed Gas Association, Inc., 11th ed., 2003):

- a. On or about June 10, 2015, in the front of chicken house no. 1, an acetylene gas cylinder (UN 1001) was not secured to prevent it from being knocked over and damaged while in storage.
- b. On or about June 10, 2015, in the front of chicken house no. 1, an acetylene gas cylinder (UN 1001) in storage and designed to accept a cap did not have a valve protection cap in place and hand-tightened.

Date By Which Violation Must be Abated:

Corrected During Inspection

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Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.119(d)(2)(i): Information concerning the technology of the process shall include at least the following:

29 CFR 1910.119(d)(2)(i)(D): Safe upper and lower limits for such items as temperatures, pressures, flows or compositions:

a. On or about June 10, 2015, the process safety information pertaining to the technology of the ammonia refrigeration system did not include all of the safe upper and lower limits for such items as temperatures, pressures, and levels in equipment including, but not limited, to the following: high pressure receiver (HPR), high temperature recirculator (R-1), low temperature recirculator (R-2), 300 ton heat exchanger (RWC-3), 250 ton heat exchanger (RWC-4), compressors (C-2 through C-8), accumulator (A-1), thermosyphon vessel (TSV), transfer vessel (TV-1), and evaporative condensers (EC-1 - EC-3).

Date By Which Violation Must be Abated:
Proposed Penalty:

01/03/2016
\$5500.00

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.119(f)(1): The employer shall 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 shall address at least the following elements:

29 CFR 1910.119(f)(1)(ii): Operating limits:

- a. On or about June 10, 2015, the written "Standard Operating Procedure Accumulator A-1" did not contain accurate operating limits including, but not limited to, the following: the high level limits, temperature limits, and pressure limits were not identified.
- b. On or about June 10, 2015, the written "Standard Operating Procedure High Pressure Receiver HPR" did not contain accurate operating limits including, but not limited to, the following: the temperature limits and pressure limits were not identified.
- c. On or about June 10, 2015, the written "Standard Operating Procedure Recirculator Vessel R-1" did not contain accurate operating limits including, but not limited to, the following: the high level cutout and high level alarm were both set at 70% in lieu of the identified 90% and 80%, respectively; and the temperature limits and pressure limits were not identified.
- d. On or about June 10, 2015, the written "Standard Operating Procedure Recirculator Vessel R-2" did not contain accurate operating limits including, but not limited to, the following: the high level cutout was set at 80% in lieu of the identified 90%; the low level cutout and low level alarm as identified in the procedure did not exist; and the temperature limits and pressure limits were not identified.
- e. On or about June 10, 2015, the written "Standard Operating Procedure RWC-3" for the Morris 300 ton heat exchanger did not contain accurate operating limits including, but not limited to, the following: the low suction pressure was 28 psig and the high suction pressure was 50 psig in lieu of the identified <28 psig and >28 psig, respectively; the high level limits and temperature limits were not identified; and the consequences of deviation was loss of cooling for water in lieu of the identified loss of refrigeration in the cooler.



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f. On or about June 10, 2015, the written "Standard Operating Procedure RWC-4" for the Morris 250 ton heat exchanger did not contain accurate operating limits including, but not limited to, the following: the low suction pressure was 28 psig and the high suction pressure was 50 psig in lieu of the identified <28 psig and >28 psig, respectively; the high level limits and temperature limits were not identified; and the consequences of deviation was loss of cooling for water in lieu of the identified loss of refrigeration in the cooler.

g. On or about June 10, 2015, the written "Standard Operating Procedure Condenser EC-1" did not contain accurate operating limits including, but not limited to, the following: the temperature limits were not identified and pressure limits were not properly identified.

h. On or about June 10, 2015, the written "Standard Operating Procedure Condenser EC-2" did not contain accurate operating limits including, but not limited to, the following: the temperature limits were not identified and pressure limits were not properly identified.

i. On or about June 10, 2015, the written "Standard Operating Procedure Condenser EC-3" did not contain accurate operating limits including, but not limited to, the following: the temperature limits were not identified and pressure limits were not properly identified.

j. On or about June 10, 2015, the written "Standard Operating Procedure Compressor #3 (C-3)" did not contain accurate operating limits including, but not limited to, the following: the capacity control pressure as identified in the procedure did not exist and was not accurate.

k. On or about June 10, 2015, the written "Standard Operating Procedure Compressor #6 (C-6)" did not contain accurate operating limits including, but not limited to, the following: the low suction pressure cutout was 14 inches HG in lieu of the identified 13.0 psig; and the capacity control pressure as identified in the procedure did not exist and was not accurate.

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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1. On or about June 10, 2015, the written "Standard Operating Procedure Compressor #8 (C-8)" did not contain accurate operating limits including, but not limited to, the following: the capacity control pressure was not accurate and was not identified as capacity control volume.

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01/03/2016
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Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.1030(f)(2)(i): Hepatitis B vaccination shall be made available after the employee has received the training required in paragraph (g)(2)(vii)(I) and within ten working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons:

a. At the workplace, the employer did not make available the hepatitis B vaccine for employees that were part of the MERT (Medical Emergency Response Team) and were designated and authorized to provide first aid and CPR.

Date By Which Violation Must be Abated:
Proposed Penalty:

01/03/2016
\$5500.00

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

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Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.119(d)(2)(i): Information concerning the technology of the process shall include at least the following:

29 CFR 1910.119(d)(2)(i)(C): Maximum intended inventory:

a. On or about June 10, 2015, the process safety information pertaining to the technology of the ammonia refrigeration system did not include an accurate maximum intended inventory for ammonia.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(d)(2)(i)(C), which was contained in OSHA inspection number 77245, citation number 1, item number 1(b) and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$27500.00

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Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.119(f)(1): The employer shall 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 shall address at least the following elements:

- a. As of June 10, 2015, the employer did not develop and implement written operating procedures consistent with PSI that provided clear instructions for safely conducting activities involved in the operations of the thermosyphon vessel (TSV) including oil draining instructions without an oil pot.
- b. On or about June 10, 2015, the written "Standard Operating Procedure Accumulator A-1" did not clearly identify the following valves throughout the procedure: HSS hand valve, HPL hand valve, and PO valve.
- c. On or about June 10, 2015, the written "Standard Operating Procedure Recirculator Vessel R-1" identified oil pot draining in the task flow diagram when no oil pot existed, and had steps 6 and 7 reversed in section 11, Oil Draining.
- d. On or about June 10, 2015, the written "Standard Operating Procedure Recirculator Vessel R-2" identified oil pot draining in the task flow diagram when no oil pot existed, and had steps 6 and 7 reversed in section 11, Oil Draining.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.119(f)(1)(i)(B), which was contained in OSHA inspection number 77245, citation number 1, item number 3(a) and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/03/2016
Proposed Penalty: \$27500.00

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

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Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1910.119(f)(1): The employer shall 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 shall address at least the following elements:

29 CFR 1910.119(f)(1)(i): Steps for each operating phase:

29 CFR 1910.119(f)(1)(i)(B): Normal operations:

a. On or about June 10, 2015, the written "Standard Operating Procedure Accumulator A-1" did not address oil draining instructions without an oil pot.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(f)(1)(i)(B), which was contained in OSHA inspection number 77245, citation number 1, item number 3(a) and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/03/2016

Proposed Penalty:

\$27500.00

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.119(f)(1): The employer shall 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 shall address at least the following elements:

29 CFR 1910.119(f)(1)(iv): Safety systems and their functions:

- a. On or about June 10, 2015, the written standard operating procedures did not address the safety systems and their functions.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(f)(1)(iv), which was contained in OSHA inspection number 77245, citation number 1, item number 3(b) and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2016
Proposed Penalty:	\$27500.00

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

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.119(g)(2): Refresher training. Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The employer, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training:

- a. As of June 10, 2015, the employer did not provide refresher training every three years on the standard operating procedures for two employees involved as back-up for emergency shutdown of the ammonia refrigeration system.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(g)(2), which was contained in OSHA inspection number 77245, citation number 1, item number 10 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2016
Proposed Penalty:	\$22000.00

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.119(j)(2): Written procedures. The employer shall establish and implement written procedures to maintain the on-going integrity of process equipment:

- a. As of June 10, 2015, the employer did not establish and implement written mechanical integrity procedures for inspecting and testing of piping and flanges.
- b. As of June 10, 2015, the employer's written mechanical integrity procedure for inspecting and testing safety cutouts, "Standard Operating Procedure Refrigeration Safety Cutouts", did not accurately identify the low suction pressure and low oil pressure under operating limits and did not identify the frequency of inspections and tests for low suction pressure cutout, high discharge pressure cutout, low oil pressure cutout/oil differential cutout, vessel high level testing, ventilation testing, emergency stop testing, and ammonia sensor shutdown testing.
- c. As of June 10, 2015, the employer's written mechanical integrity procedure for testing and calibrating the Cool Air Ammonia Leak Detectors addressed three units in lieu of four.
- d. As of June 10, 2015, the employer did not establish and implement written mechanical integrity procedures for inspecting and testing the low level switch and alarm on the high temperature recirculator (R-1).

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(j)(2), which was contained in OSHA inspection number 77245, citation number 1, item number 11 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation 2 Item 7 Type of Violation: **Repeat**

29 CFR 1910.119(j)(4)(iii): The frequency of inspections and tests of process equipment shall be consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience:

a. On or about August 12, 2015, in the ammonia refrigeration system, the inspections and testing of insulated and uninsulated piping and associated components such as flanges were not performed annually as consistent with RAGAGEP and the frequency established by the employer's Mechanical Integrity Program.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(j)(4)(iii), which was contained in OSHA inspection number 77245, citation number 1, item number 12 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/03/2016
Proposed Penalty: \$27500.00

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Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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Citation 2 Item 8 Type of Violation: **Repeat**

29 CFR 1910.119(l)(1): The employer shall establish and implement written procedures to manage changes (except for "replacements in kind") to process chemicals, technology, equipment, and procedures; and, changes to facilities that affect a covered process:

a. A management of change covering the construction of the building (white building rebuild) on or about January 2012 around the 300 ton heat exchanger (RWC-3) and associated piping was not written and implemented to ensure that the changes to the facility did not affect the ammonia covered process.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(l)(1), which was contained in OSHA inspection number 77245, citation number 1, item number 13 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$27500.00

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: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 9 Type of Violation: **Repeat**

29 CFR 1910.119(o)(4): The employer shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected:

a. The employer did not promptly determine and document an appropriate response to 12 of the findings, item numbers 2.17, 2.13, 2.23, 8.16, 8.2, 8.22, 8.23, 12.1, 12.14, 12.88, 12.5, and 12.34, on the compliance audit dated on or about February 13 and 14, 2012.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.119(o)(4), which was contained in OSHA inspection number 77245, citation number 1, item number 14(e) and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2016
Proposed Penalty:	\$27500.00

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: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 10 Type of Violation: **Repeat**

29 CFR 1910.176(b): Secure storage. Storage of material shall not create a hazard. Bags, containers, bundles, etc., stored in tiers shall be stacked, blocked, interlocked and limited in height so that they are stable and secure against sliding or collapse:

a. On or about June 10, 2015, in the rear chemical storage room for bases (chicken house no. 1), acids were stored together with bases such as, but not limited to, the following: two 55 gallon containers of Divoact H-32 containing hydrochloric acid (pH 1) were stored with bases, one of which was stored adjacent to five 304 gallon totes of Ecolab Sanova Base 25% containing sodium chlorite (pH 12.2-12.8).

b. On or about June 10, 2015, in the rear chemical storage room for bases (chicken house no. 1), acids were stored together with bases such as, but not limited to, the following: two 55 gallon containers of AFCO 8738 38% Sodium Bisulfite (pH 4.1-4.6) were stored among five 304 gallon totes of Ecolab Sanova Base 25% containing sodium chlorite (pH 12.2-12.8), ten 55 gallon containers of Aquamark Sodium Hypochlorite 12.5% (pH 11-13), eight 55 gallon containers of OxyChem Technical Sodium Chlorite Solution 31.25 (pH >12), and four 55 gallon containers of Sentinel Solutions TRANSIT-C containing sodium hydroxide and potassium hydroxide (pH 13).

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.176(b), which was contained in OSHA inspection number 77245, citation number 1, item number 26 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22000.00

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: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 11 Type of Violation: **Repeat**

29 CFR 1910.1030(g)(2)(ii): Training shall be provided as follows:

29 CFR 1910.1030(g)(2)(ii)(B): At least annually thereafter:

a. As of June 24, 2015, the annual bloodborne pathogen refresher training for employees who were part of the MERT (Medical Emergency Response Team) and were designated and authorized to provide first aid and CPR was past due.

Case Farms Processing, Inc., was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.1030(g)(2)(ii)(B), which was contained in OSHA inspection number 77245, citation number 2, item number 4 and was affirmed as a final order on May 16, 2013, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/03/2016
\$22000.00

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: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.119(j)(4)(iv): The employer shall document each inspection and test that has been performed on process equipment. The documentation shall 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:

- a. On or about June 10, 2015, the Annual Inspection of Structure and Pipe Supports, dated June 18, 2014, identified a piece of process equipment as RWC-4 (240 ton) in lieu of the actual RWC-2 (140 ton).
- b. On or about June 10, 2015, the Annual Inspection of Structure and Pipe Supports, dated June 6, 2015, identified a piece of process equipment as RWC-4 (240 ton) in lieu of the actual RWC-4 (250 ton).

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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: 1069909
Inspection Date(s): 06/10/2015 - 08/12/2015
Issuance Date: 12/01/2015



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(m)(2)(i): The employer shall establish a record of the qualitative and quantitative fit tests administered to an employee including:

29 CFR 1910.134(m)(2)(i)(C): Specific make, model, style, and size of respirator tested:

- a. At the workplace, the employer's fit test record for a refrigeration technician dated on or about June 18, 2015, did not identify the model of the respirator.
- b. At the workplace, the employer's fit test record for a refrigeration technician dated on or about April 30, 2015, did not identify the make, model, style, and size of the respirator.
- c. At the workplace, the employer's fit test record for a maintenance technician dated on or about December 12, 2014, did not identify the size of the respirator.

Date By Which Violation Must be Abated:
Proposed Penalty:

01/03/2016
\$0.00

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

Deborah J. Zubaty
Area Director

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
200 N. High Street
Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



INVOICE / DEBT COLLECTION NOTICE

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690
Issuance Date: 12/01/2015

Summary of Penalties for Inspection Number	1069909
Citation 1, Serious	\$22000.00
Citation 2, Repeat	\$286000.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$308000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

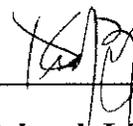
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Deborah J. Zubaty
Area Director