

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



Citation and Notification of Penalty

To:
Pilgrim's Pride Corporation
and its successors
401 South 3rd Street
De Queen, AR 71832

Inspection Number: 844143
Inspection Date(s): 01/22/2013 - 02/14/2013
Issuance Date: 07/18/2013

Inspection Site:
401 South 3rd Street
De Queen, AR 71832

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.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/18/2013. The conference will be held by telephone or at the OSHA office located at 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 844143

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832
Issuance Date: 07/18/2013

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, 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211**

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



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices.

The employer does not ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices (RAGAGEP).

Instance A. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure that relief valves are replaced every five years in accordance with RAGAGEP such as IIAR Bulletin 110. The following relief valves have been in place for greater than five years:

- a. V-20 (B-1 PSV 01/02)
- b. V-22 (B-2 PSV 01/02)
- c. HX-29 (PSV 01/02)
- d. HS 1 Oil Separator
- e. LS1 Oil Separator
- f. ACC1

Instance B. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure that relief valves are properly sized for relieving capacity, set pressure, and discharged to outdoor locations in accordance with RAGAGEP such as ANSI/IIAR 2-2008. The following relief valves currently do not comply with ANSI/IIAR 2-2008:

- a. HS 1 Oil Separator
- b. LS1 Oil Separator
- c. ACC 1 Oil Separator
- d. ACC 1 Vessel

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must

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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submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2013
Proposed Penalty:	\$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: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

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

29 CFR 1910.119(e)(3)(iii): The process hazard analysis did not address the engineering and administrative controls applicable to the hazards and their interrelationship, such as, appropriate detection methodologies to provide early warning of releases.

The employer does not ensure that the process hazard analysis addressed the engineering and administrative controls applicable to the hazards and their interrelationship including appropriate methodologies to provide early warning of releases.

The employer failed to ensure that the 2009 process hazard analysis addressed engineering controls such as but not limited to ammonia detectors in the North and South Engine rooms to provide early warning of releases. This condition exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking ensure that the process hazard analysis addressed the engineering and administrative controls applicable to the hazards and their interrelationship including appropriate methodologies to provide early warning of releases.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2013
Proposed Penalty:	\$7000.00

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Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.119(e)(3)(v): The process hazard analysis did not address facility siting.
The employer does not ensure the process hazard analysis addressed facility siting.

The employer failed to ensure that the 2009 process hazard analysis addressed facility siting such as but not limited to the use of the south engine room as a maintenance shop/work area for production maintenance personnel. This condition exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the process hazard analysis addressed facility siting.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2013
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.119(e)(5): The employer did not establish a system to assure that the process hazard analysis team's recommendations are resolved in a timely manner and that the resolution is documented.

The employers system does not promptly address the PHA team's findings and recommendations; assuring that the resolution of the recommendations is completed in a timely manner, as soon as possible, and the resolutions are documented.

Instance A: Pilgrims Pride did not ensure that the recommendations, Items 1-23, contained in the 2009 Process Hazard Analysis were resolved in a timely manner, completed as soon as possible, and the resolution for the recommendations were properly documented. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Instance B: Pilgrims Pride did not ensure that recommendations, Items 24, 27, 29, 30; contained in the 2009 Process Hazard Analysis were resolved in a timely manner, completed as soon as possible, or the resolutions were properly documented. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that a system is established to assure that the process hazard analysis teams recommendations are resolved in a timely manner and that the resolution is documented.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2013
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Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 5 Type of Violation: **Serious**

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

The employer does not ensure operating procedures are current and accurate and are certified annually.

Instance A: The violation occurred on or about January 22, 2013 and times prior to where the following operating procedures were not reviewed as often as necessary to assure that they reflect current operating procedures in the North and South engine rooms such as but not limited to:

- a. Neek Chiller Exchanger (HX3)
- b. Air Unit AU28
- c. South System EC-6, EC-12, HPR-4, and Pilot Receiver.

Instance B: The violation occurred on or about January 22, 2013 and times prior thereto, where the following operating procedures were not certified annually such as but not limited to:

- a. High Stage Compressor C-1
- b. Ammonia Unloading North System
- c. High Temperature Re-circulator Pump RP-4
- d. Low Stage Compressor B-1

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure operating procedures are current and accurate and are certified annually.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Proposed Penalty: \$7000.00

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Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
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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 6 a Type of Violation: **Serious**

29 CFR 1910.119(g)(1)(i): Each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process, shall be trained in an overview of the process and in the operating procedures as specified in paragraph (f) of this section. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks.

The employer does not ensure to provide employee training on the operating procedures for the ammonia refrigeration system.

The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure employees were trained on operating procedures for the ammonia refrigeration system. The operating procedures include, but are not limited to:

- a. High Stage Compressor C-1
- b. Ammonia Unloading North System
- c. High temperature re-circulator Pump RP-4
- d. Low stage compressor B-1.

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure employees are trained in operating procedures of the ammonia refrigeration system.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 6 b Type of Violation: **Serious**

29 CFR 1910.119(g)(3): The employer did not prepare a record, which contained the identity of the employee, and the date of training was completed.

The employer does not ensure that a record is prepared to identify the employee and that date training was completed.

The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed ensure a record was prepared identifying the name of the employee and date in which the employee was trained on the operation of the ammonia refrigeration system and its operating procedures. The operating procedures include but limited to:

- a. High Stage Compressor C-1
- b. Ammonia Unloading North System
- c. High Temperature Re-circulator Pump RP-4
- d. Low Stage Compressor B-1.

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure employees are initially trained in an overview of the process and in the operating procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

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Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 7 Type of Violation: **Serious**

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

The employer does not ensure written procedures are established and implemented to maintain the on-going mechanical integrity of process equipment.

Instance A. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure detailed written procedures were established and implemented for testing of safety cutouts. Identified cutouts include but not limited to:

- a. Compressor Discharge High/Low Pressure
- b. Compressor High/Low Oil Pressure Differential
- c. Compressor High Discharge Temperature
- d. High/Low Vessel Levels.

Instance B. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure detailed written procedures were established and implemented for determining locations for conducting thickness measurements of piping and vessels. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Instance C. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure detailed written procedures were established and implemented for the visual external inspections of insulated piping and vessels. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Instance D. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure detailed written procedures were established and implemented for the inspection of relief valves and relief vent system(s). These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is

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taking to ensure written procedures are established and implemented to maintain the on-going mechanical integrity of process equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
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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 8 a Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(ii): Inspections and testing procedures performed on process equipment to maintain its mechanical integrity did not follow recognized and generally accepted good engineering practices.

The employer does not ensure inspections and tests performed on process equipment to maintain its on-going mechanical integrity followed recognized and generally accepted good engineering practices (RAGAGEP).

The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure inspection and tests of ammonia refrigeration equipment cutouts followed RAGAGEP such as IIAR Bulletin 110. Identified cutouts include but are not limited to:

- a. Compressor Discharge High/Low Pressure
- b. Compressor High/Low Oil Pressure Differential
- c. Compressor High Discharge Temperature,
- d. High/Low Vessel Levels.

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure inspections and tests performed on process equipment to maintain its on-going mechanical integrity followed recognized and generally accepted good engineering practices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 8 b Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(iv): The documentation of the inspection or test that been performed on process equipment to maintain its mechanical integrity did not identify the date of 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, and the results of the inspection or test.

The employer does not ensure inspections and tests performed on process equipment are documented with the date, serial number or equipment identifier, a description, and the result(s) of the inspection or test.

The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure inspections and tests performed on ammonia refrigeration system cutouts were documented with the date, serial number or equipment identifier, a description of the test/inspection performed, and the result(s) of the inspection or test. Identified cutouts include but are not limited to:

- a. Compressor Discharge High/Low Pressure
- b. Compressor High/Low Oil Pressure Differential
- c. Compressor High Discharge Temperature
- d. High/Low Vessel Levels.

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure inspections and tests performed on process equipment are documented with the date, serial number or equipment identifier, a description, and the result(s) of the inspection or test.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: Pilgrim's Pride Corporation
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Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.119(l)(1): The employer did not establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures; and, changes to facilities that affect a covered process.

The employer does not ensure written procedures are established and implemented to manage changes to the equipment, procedures, and changes to the facilities in the covered process.

The violation occurred in the South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure that written management of change procedures were established and implemented for removing equipment from ammonia refrigeration service. Identified out of service equipment still in place include but not limited to:

- a. Compressor RC-13
- b. Compressor RC-17
- c. Oil Separator OS-1
- d. Oil Separator OS-3
- e. Oil Separator OS-10
- f. Oil Separator OS-13.

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures are established and implemented to manage changes to the equipment, procedures, and changes to the facilities in the covered process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2013
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Company Name: Pilgrim's Pride Corporation
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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 2 Item 1 a Type of Violation: **Willful**

29 CFR 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices:

The employer does not ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices.

Instance A. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure that an emergency shutdown system was installed for the North and South engine rooms in accordance with recognized and generally accepted good engineering principles in accordance with RAGAGEP such as ANSI/IIAR 2, IIAR 111, and ANSI/ASHRAE 15. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Instance B. The violation occurred in the South engine room where the employer failed to ensure that the emergency mechanical ventilation system in the South engine room is either activated by an ammonia detector or run continuously and has a supervisory alarm to detect failures or shutdown of the system; in accordance with RAGAGEP such as ANSI/ASHRAE 15. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure it documented that equipment in the process complied with recognized and generally accepted good engineering practices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Inspection Number: 844143
Inspection Date(s): 01/22/2013 - 02/14/2013
Issuance Date: 07/18/2013



Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

Date By Which Violation Must be Abated: 08/09/2013
Proposed Penalty: \$70000.00

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: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

Citation 2 Item 1 b Type of Violation: **Willful**

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that were outside acceptable limits (as defined by process information in 29 CFR 1910.119(d) before further use or in a safe and timely manner.

The employer does not ensure deficiencies are corrected in equipment that is outside acceptable limits before further use or in a safe and timely manner.

Instance A. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure that an emergency shutdown system was installed for the North and South engine rooms. These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

Instance B. The violation occurred in the South engine room where the employer failed to ensure that the emergency mechanical ventilation system in the South engine room is either activated by an ammonia detector or run continuously and has a supervisory alarm to detect failures or shutdown of the system. This condition exposed employees to fire, explosion hazards and/or inhalation hazards.

Instance C: The violation occurred in the South engine room on or about January 22, 2013 and at times prior thereto where the employer failed to ensure the ammonia detector that was used to shut down the boiler(s) in the event of a release was repaired and returned to service in a timely manner. This condition exposed employees to fire, explosion hazards and/or inhalation hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure deficiencies are corrected in equipment that is outside acceptable limits before further use or in a safe and timely manner.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

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

29 CFR 1910.119(j)(4)(iii): The frequency of inspections and tests of process equipment to maintain its mechanical integrity, was not consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience.

The employer does not ensure the frequency of tests and inspections are consistent with recognized and generally accepted good engineering practices (RAGAGEP) or the manufacturers' recommendations.

Instance A. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure the frequency of inspection and tests of ammonia refrigeration equipment cutouts were inspected and tested annually in accordance with RAGAGEP such as IIAR Bulletin 110. Identified cutouts include but not limited to:

- a. Compressor Discharge High/Low Pressure
- b. Compressor High/Low Oil Pressure Differential
- c. Compressor High Discharge Temperature
- d. High/Low Vessel Levels.

Instance B. The violation occurred in the North and South engine rooms on or about January 22, 2013 and at times prior thereto where the employer failed to ensure the external visual inspection of vessels and piping were conducted annually in accordance with RAGAGEP such as IIAR Bulletin 110.

Identified vessels include but not limited to:

- a. Temperature Accumulator (V-2)
- b. High Temperature Accumulator (V-1)
- c. SC2
- d. North High Pressure Receiver
- e. South High Pressure Receiver
- f. North Reserve Vessel
- g. Exchanger HX-1
- h. Intercooler V-3
- i. Exchanger HX-8
- j. V-11 Surge Drum

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Citation and Notification of Penalty

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832

These conditions exposed employees to hazards of fire and explosion or inhalation of ammonia vapors.

PILGRIM'S PRIDE CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(j)(4)(iii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #313880775, CITATION NUMBER #1, ITEM 1, ISSUED ON APRIL 8, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 19740 US 90 WEST, LIVE OAK FL 32064. THIS FILE BECAME A FINAL ORDER ON MAY 4, 2011.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the frequency of tests and inspections are consistent with recognized and generally accepted good engineering practices or the manufactures recommendations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/09/2013
Proposed Penalty: \$38500.00

A handwritten signature in black ink that reads "Carlos M. Reynolds". The signature is written in a cursive style and is positioned above a horizontal line.

Carlos M. Reynolds
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



INVOICE / DEBT COLLECTION NOTICE

Company Name: Pilgrim's Pride Corporation
Inspection Site: 401 South 3rd Street, De Queen, AR 71832
Issuance Date: 07/18/2013

Summary of Penalties for Inspection Number	844143
Citation 1, Serious	\$61500.00
Citation 2, Willful	\$70000.00
Citation 3, Repeat	\$38500.00
TOTAL PROPOSED PENALTIES	\$170000.00

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.

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

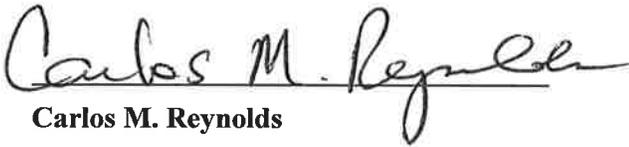
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Carlos M. Reynolds
Area Director

7-18-13
Date