

U.S. Department of Labor

Occupational Safety and Health Administration
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



Citation and Notification of Penalty

To:
UNICOLD CORPORATION
and its successors
3140 Ualena Street
Honolulu, HI 96819

Inspection Number: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013

Inspection Site:
3140 Ualena Street
Honolulu, HI 96819

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 08/09/2013. The conference will be held by telephone or at the OSHA office located at 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 890724

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819
Issuance Date: 08/09/2013

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, 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850**

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

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

Inspection Number: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.22(b)(2): Permanent aisles and passageways were not appropriately marked:

(a) On or about February 13, 2013, throughout the warehouse facility where powered industrial trucks were operated, there were no marked and identified paths of travel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$4900.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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 2 a Type of Violation: **Serious**

29 CFR 1910.23(a)(2): Ladderway floor opening(s) or platform(s) were not guarded by a standard railing with standard toeboard(s) on all exposed sides (except at the entrance to opening) with passage through the railing either provided with a swinging gate or so offset that a person could walk directly into the opening:

(a) An opening on the deck of the roof for engine room #1 where a ladderway was present was not guarded by a standard railing on all exposed sides and the opening was not provided with a swinging gate or with an offset railing.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/13/2013
Proposed Penalty: \$3500.00

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards. Note: Toeboards are only required when persons can pass, there is moving equipment or there is equipment with which falling materials could create a hazard:

(a) On or about February 13, 2013; an area 16 feet in length beside the intersection of two walkways and at the end of a third walkway above the roof of Engine Room #1 was not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/13/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.23(a)(8)(ii): Every floor hole into which persons could accidentally walk was not guarded by a floor hole cover of standard strength and construction:

(a) On or about February 13, 2013; where a hole in the walkway on the deck on above the roof of Engine Room #1 was 4 1/2 inches wide and 9 5/8 inches long was not guarded.

(b) On or about February 13, 2013; a hole in the walkway on the deck above the roof of Engine Room #1 was 10 inches wide and 11 inches long was covered by a scrap of plywood not fastened down and not marked with a warning to indicate the presence of the hole.

(c) On or about February 13, 2013; a hole along the edge of a walkway above the roof of Engine Room #1 that a person could step into measured 10 1/4 inches by 14 feet and was not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$2800.00

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.24(e): Fixed stairs were not installed at angles to the horizontal of between 30 degrees and 50 degrees:

(a) On or about February 13, 2013; the stairs leading from the roof above Engine Room #1 to the ammonia system service deck was installed at 57 degrees to the horizontal.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$2800.00

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.24(h): Standard railings were not provided on the open sides of all exposed stairways and stair platforms:

- (a) On or about February 13, 2013; where fixed industrial stairs leading from the roof above Engine Room #1 to the deck above did not have a midrail on the right side of the steps as viewed while standing at the bottom of the steps.
- (b) On or about February 13, 2013; where fixed industrial stairs leading from the roof above Engine Room #1 to the deck above did not have a stair rail on the left side of the steps as viewed while standing at the bottom of the steps.
- (c) On or about February 13, 2013; where fixed industrial stairs located between docks 8 & 9 leading from the truck yard to the loading dock did not have a midrail on either side of the steps.
- (d) On or about February 27, 2013; stairs leading to the backup generator door at the left end front side of the building did not have a stair rail.
- (e) On or about February 27, 2013; the stair platform to the backup generator door at the right end front side of the building did not have a handrail.
- (f) On or about February 27, 2013; the stair platform to the backup generator door at the right end front side of the building did not have a handrail.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Proposed Penalty:

09/13/2013
\$2800.00

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.36(e)(1): A side-hinged door was not used to connect any room to an exit route:

(a) On or about February 13, 2013; an overhead door was used to connect areas in the warehouses to the exit route.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$3500.00

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

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.36(g)(1): Ceiling of an exit route was not at least seven feet six inches. Any projection from the ceiling must not reach a point less than six feet eight inches from the floor:

- (a) The entrance steps coming from the front door had a point where the headroom clearance was 5'-5 29/32 inches from the front edge of the tread to the overhead obstruction.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$2800.00

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
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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points:

(a) On or about February 13, 2013; where the exit from warehouse on the west side was blocked by truck trailers leaving an egress pathway of only 17 1/2 inches.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/15/2013
Proposed Penalty:	\$4900.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.37(a)(2): Exit routes were not arranged so that employees did not have to travel toward a high hazard area:

- (a) On or about February 13, 2013; where the meeting area in the parking lot next to office front door on Ualena Street for employees was between Engine Room #1 and Engine Room #2 where the two highest concentration areas of ammonia were stored and used.
- (b) On or about February 13, 2013; where the meeting area in the parking lot next to office front door on Ualena Street for employees was downwind from the prevailing wind direction and the most anticipated area where smoke, fumes, and gases would migrate in the event of an emergency within the warehouse area.
- (c) On or about February 13, 2013; where emergencies in warehouses with exits only on the dock side in Warehouses #1, 2 and 3 would force workers to come both past Engine Room #2 and past the ammonia lines within their own warehouse area to reach the parking lot meeting area next to Ualena Street.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/13/2013
Proposed Penalty:	\$4900.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Stairs or a ramp were not provided where the exit route was not substantially level:

- (a) The exit route out of Emergency Exit #1 was not substantially level and stairs or a suitable ramp were not provided.
- (b) The exit route out of Emergency Exit #2 was not substantially level and stairs or a suitable ramp were not provided.
- (c) The exit route out of Emergency Exit #3 was not substantially level and stairs or a suitable ramp were not provided.
- (d) The exit route out of Emergency Exit #4 was not substantially level and stairs or a suitable ramp were not provided.
- (e) The exit route out of Emergency Exit #5 was not substantially level and stairs or a suitable ramp were not provided.
- (f) The exit route out of Emergency Exit #12 was not substantially level and stairs or a suitable ramp were not provided.
- (g) The exit route out of Emergency Exit #13 was not substantially level and stairs or a suitable ramp were not provided.
- (h) The exit route out of Emergency Exit #14 was not substantially level and stairs or a suitable ramp were not provided.
- (i) The exit route out of Emergency Exit #16 was not substantially level and stairs or a suitable ramp were not provided.

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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Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

(j) The exit route out of Emergency Exit #17 was not substantially level and stairs or a suitable ramp were not provided.

(k) The exit route out of Emergency Exit #18 was not substantially level and stairs or a suitable ramp were not provided.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2013
\$4900.00

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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 11 a Type of Violation: **Serious**

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

(a) Exit door #12 could not be seen as product was placed in front of the exit and the sign marking it as an exit was covered by stored product as well.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2013
\$4900.00

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

(a) On or about February 13, 2013; exit signs were not illuminated to a surface value of at least five foot-candles by a reliable light source.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/13/2013

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

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Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

(a) On or about February 13, 2013; where the employer had not developed and implemented a hearing monitoring program for employees working in the engine rooms where noise levels exceeded 95 dBA.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/13/2013
\$3500.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.119(d)(3)(i): The employer did not compile information pertaining to the equipment in the process:

- (a) On or about February 13, 2013; where the employer did not compile complete and up-to-date piping and instrumentation diagrams as required by 29 CFR 1910.119(d)(3)(i)(B).
- (b) On or about February 13, 2013; where the employer did not compile complete and up-to-date information pertaining to the electrical classification diagrams as required by 29 CFR 1910.119(d)(3)(i)(C).
- (c) On or about February 13, 2013; where the employer did not compile complete and up-to-date information pertaining to the relief system design and design basis as required by 29 CFR 1910.119(d)(3)(i)(D).
- (d) On or about February 13, 2013; where the employer did not compile complete and up-to-date information pertaining to the ventilation system design and design codes as required by 29 CFR 1910.119(d)(3)(i)(E) and (F).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
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09/13/2013
\$4900.00

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Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 14 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:

(a) On or about February 13, 2013; where the emergency vent pipe exiting from Engine Room #1 that did not comply with recognized and generally accepted good engineering practices. The vent piping did not discharge 15 feet above ground or 20 feet above a building entry. The emergency vent piping did not conform to ANSI/ASHRAE 15-2004 Section 9.7.8. Additionally, the discharge did not terminate such that ammonia would not spray directly on personnel and debris could not enter the piping.

(b) On or about February 13, 2013; where engine Room #3 did not have continuous venting and did not comply with the International Institute of Ammonia Refrigeration (IIAR) Bulletin No. 111 06/02 3.2.1 Emergency Ventilation Rate minimum ventilation of 12 air changes per hour for the quantity of refrigerant in the largest system.

(c) On or about February 13, 2013; where runs of piping in Engine Room #1 were not labeled as to the content, whether it was high pressure or low pressure, and did not indicate the direction of flow.

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Company Name: UNICOLD 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 15 a 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, assure that the recommendations are resolved in a timely manner and that the resolution was documented:

The employer did not address recommendations made from the Process Hazard Analysis (PHA) audit teams as soon as possible where:

(a) Recommendation 09PHA-01 from the 2009 PHA states, "Update the refrigeration piping and instrumentation diagrams to show all pressure relief valve assemblies on engine room vessels." Target completion date of 2010 passed and on or about February 20, 2013; this condition was observed.

(b) Recommendation R23 from the 2004 PHA states, "Place wind socks (or other wind direction indicators) in locations that can be seen from all potential emergency exits." Target completion date was verified on March 25, 2004, on or about February 20, 2013; there were no windsocks that could be seen when exiting the North facing emergency exits fronting Koapaka Street.

(c) Recommendation R12 from the 2004 PHA states, "Perform and document an annual test of all high level switches in the system that shut down compressors. Status, Complete. Unicold will perform a test on an annual basis on each of 5 suction vessels. Target completion was verified on 3/25/04. Unicold Corporation Annual Compressor and Receiver Safety Test revealed testing on the high level switch for the Low Pressure Receiver and Intercooler for engine room 1 and Low Pressure Receiver for engine room 3." On or about February 20, 2013; there were no documents to show that the Inter-Pressure Receiver (150 lb ammonia capacity, 1963) and the Low Pressure Receiver (150 lb ammonia capacity, 1963) in engine room two had the annual test as indicated by the employer.

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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Occupational Safety and Health Administration

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Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.119(o)(4): The employer did not promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected:

(a) Where the 2009 PHA-03 found that piping needed to be labeled, and on or about February 13, 2013; piping runs in the Engine Room #1 still needed to be labeled.

(b) Where the 2009 PHA-01 was to update the refrigeration piping and instrumentation diagrams to show all pressure relief valve assemblies on engine room vessels. The completion date was 2010. The drawings needed to be updated to cover several changes as noted during the OSHA inspection, but the P&ID drawings had not been updated and employees were using drawings dated before the 2009 PHA was done.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

The employer did not inspect and/or test process equipment with applicable manufacturers' recommendations and good engineering practices to include but not limited to:

- (a) The High Pressure Receivers (McCulloch & Sons, SN 16551 1963).
- (b) The Low Pressure Receivers (UNK, 1963).
- (c) Intercoolers (UNK, 1963).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/13/2013
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.119(j)(4)(iv): The employer did not document each inspection and test that has 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:

- (a) On or about February 13, 2013; where records for the inspections of the High Pressure Receiver, Low Pressure Receiver and Intercoolers for engine rooms 1, 2 and 3 did not contain the name of the person who performed the inspection or test and the serial number or other identifier of the equipment.
- (b) On or about February 13, 2013; where piping inspections performed on March 2, 2010 did not contain the signature of the person who performed the inspection.
- (c) On or about February 13, 2013; where evaporator and Receiver monthly tests only contained columns for a checkmark. There was no indication in the MI Program or Preventative maintenance for the type of inspection or tests to be performed on either the receivers or the evaporators.
- (d) On or about February 13, 2013; where there was no information on tests for the exhaust fans in engine room 2 and 3.
- (e) On or about February 13, 2013; where there was no information on tests for controls, interlocks or solenoids involved with shutdown of the system.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/13/2013

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that were outside acceptable limits (defined by the process safety information on paragraph (d) of this section) before further use or in a safe and timely manner when necessary means were taken to assure safe operation:

- (a) This violation was observed on or about February 20, 2013; on compressor number #5 in Engine Room #1; where one of the second stage compressors in series was observed to be without a pressure relief valve venting to a safe location. Observations made revealed that compressor #4, Vilter VSR 301 was protected via PRV H5601. Per the employer process safety information, compressor #5, Vilter 458 should have been protected with PRV R/S H2.
- (b) This violation was observed on or about February 13, 2013; where the employer did not address and correct corrosion to electrical boxes in Engine Room #1. Significant corrosion had occurred on two junction boxes which could allow moisture to get to wiring and it had not been repaired or scheduled for repair.
- (c) This violation was observed on or about February 13, 2013; where the employer did not address and correct corrosion to piping in Engine Room #1 or take steps such as painting the pipe to reduce and or prevent further corrosion.
- (d) This violation was observed on or about February 13, 2013; where the employer did not seal the cover on an electrical box at one of the screw compressors in Engine Room #1. The cover was left hanging open and water was dripping on the box.
- (e) This violation was discovered on or about February 13, 2013; where the ammonia detectors tested on or about 12/28/12, 12/29/12 and 1/9/12 failed and the employer did not address the hazard.
- (f) This violation was discovered on or about February 13, 2013; where the Alley strobe and alarm for engine room 1 did not activate during the 2012 tests and the employer did not address the hazard.

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/13/2013
Proposed Penalty:	\$4900.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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 18 a Type of Violation: **Serious**

29 CFR 1910.119(n): The employer did not implement an emergency plan for the entire plant in accordance with the provisions of the hazardous waste and emergency response provisions contained in 29 CFR 1910.120 (a), (p) and (q):

(a) This violation was observed on or about February 13, 2013; where the employer did not develop and implement emergency action plan procedures for an emergency evacuation of the facility that could be followed in the event of an emergency.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2013
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 18 b 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:

- (a) On or about February 13, 2013; it was discovered that the employer had provided an emergency response plan which included drawings showing routes to be used for emergency evacuation and the routes for emergency evacuation either did not exist or were blocked. Coordination and communication of the actual emergency plan is required by 29 CFR 1910.120(q)(2)(i).
- (b) On or about February 13, 2013; it was discovered that the employers emergency response plan did not outline the minimum training as required by 29 CFR 1910.120(q)(2)(ii), nor were emergency responders trained.
- (c) On or about February 13, 2013; it was discovered that the employers emergency response plan did not consider safe distances and places of refuge for an emergency that included the release of large amounts of ammonia as required by 29 CFR 1910.120(q)(2)(iv).
- (d) On or about February 13, 2013; it was discovered that evacuation routes would not be available for the safe evacuation of employees during an emergency such as a fire or ammonia release as required by 29 CFR 1910.120(q)(2)(vi).
- (e) On or about February 13, 2013; it was discovered that the employer had not developed and implemented an emergency alerting and response procedure that would recognize the difference between an ammonia release and other types of emergencies as required by 29 CFR 1910.120(q)(2)(ix).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2013

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.165(b)(3): The employee alarm was not distinctive and recognizable as a signal to evacuate the work area or to perform action designated under the emergency action plan:

(a) This violation was observed on or about February 13, 2013; where the alarm system was not distinctive and did not provide information such that employees could take the appropriate action for the emergency.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/13/2013

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

Citation 1 Item 19 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:

(a) This violation was discovered on or about February 13, 2013; where the employer had not evaluated the workplace to determine if any confined space were permit-required confined spaces and a list of permit-required confined spaces had not been developed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2013
\$3500.00

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

(a) This violation was observed on or about February 13, 2013; where the area in front of electrical panels and the pathway leading to the electrical panels was used for storage which blocked egress to the panels and preventing them from being readily accessible.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2013
Proposed Penalty:	\$2800.00

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.305(b)(2)(i): Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

(a) This violation was observed on or about February 13, 2013; where the outlet mounted in a handy box used to plug in the air conditioner in the Facility Manager's office did not have a cover on the outlet.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2013
\$2800.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

- (a) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#1 could not be opened from the inside.
- (b) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#2 could not be opened from the inside.
- (c) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#3 could not be opened from the inside.
- (d) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#4 could not be opened from the inside.
- (e) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#5 could not be opened from the inside.
- (f) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#6 could not be opened from the inside.
- (g) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#12 could not be opened from the inside.
- (h) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#13 could not be opened from the inside.
- (i) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#14 could not be opened from the inside.

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

(j) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#15 could not be opened from the inside.

(k) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#16 could not be opened from the inside.

(l) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#17 could not be opened from the inside.

(m) This violation was observed on February 20, 2013; and times prior thereto where emergency exit door#18 could not be opened from the inside.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/15/2013
Proposed Penalty:	\$56000.00

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: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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 2 a Type of Violation: **Willful**

29 CFR 1910.37(a)(3): Exit routes were not free and unobstructed; materials or equipment were placed, either permanently or temporarily, within the exit route:

This violation was discovered on or about February 13, 2013; and times thereafter where:

- (a) The exit route to Emergency Exit #12 was blocked by boxes and other materials.
- (b) The exit routes through the storage racks in the C&S Wholesale Grocers area had been closed off with boxes stored on pallets.
- (c) The exit routes through the storage area of Eight Points Distributors had been blocked with boxes stored on pallets.
- (d) The exit route out of the center of Warehouse #1 to the emergency exit doors #2, #3 and #4 had been blocked.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/13/2013
Proposed Penalty:	\$56000.00

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

(a) On or about February 13, 2013; routes to exits were not labeled or signs posted to clearly indicate the route to the nearest exit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2013

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: 890724
Inspection Date(s): 02/13/2013 - 04/15/2013
Issuance Date: 08/09/2013



Citation and Notification of Penalty

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

(a) On or about February 13, 2013; where a fire extinguisher was located behind a metal storage rack frame requiring a user to reach either through or around the rack to retrieve the extinguisher.

Date By Which Violation Must be Abated:

08/15/2013

Proposed Penalty:

\$0.00

A handwritten signature in black ink, appearing to read "Galen Lenke". The signature is written over a horizontal line.

Galen Lenke
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
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



INVOICE / DEBT COLLECTION NOTICE

Company Name: UNICOLD CORPORATION
Inspection Site: 3140 Ualena Street, Honolulu, HI 96819
Issuance Date: 08/09/2013

Summary of Penalties for Inspection Number	890724
Citation 1, Serious	\$84700.00
Citation 2, Willful	\$112000.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$196700.00

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.

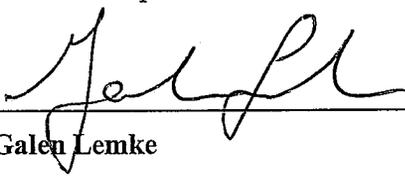
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Galen Lemke
Area Director

8/9/13

Date