

# U.S. Department of Labor

Occupational Safety and Health Administration  
310 West Wisconsin Avenue, Suite 1180  
Milwaukee, WI 53203  
Phone: (414)297-3315 FAX: (414)297-4299



## Citation and Notification of Penalty

**To:**  
Cargill Meat Solutions Corporation  
and its successors  
200 S. Emmber Lane  
Milwaukee, WI 53233

**Inspection Number:** 315121848  
**Inspection Date(s):** 06/10/2011-11/22/2011  
**Issuance Date:** 12/06/2011  
**Optional Report No.** G272

**Inspection Site:**  
200 South Emmber Lane  
Milwaukee, WI 53233

*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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

**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 decide to request 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. **Therefore, it is suggested that you telephone rather than write.** 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.

When you have scheduled an informal conference, please complete, remove and post the page 4 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

**All abatement verification documents must contain the following information:** 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

**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.

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 your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at [WWW.OSHA.GOV](http://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 12/06/2011. The conference will be held at the OSHA office located at 310 West Wisconsin Avenue, Suite 1180, Milwaukee, WI, 53203 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmer Lane, Milwaukee, WI 53233

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

29 CFR 1910.23(c)(1): Open sided floor(s) or platform(s) 4 feet or more above the adjacent floor or ground level were not guarded by standard railings (or the equivalent as specified in 29 CFR 1910.23(e)(3)(i) through (v)), on all open sides:

- (a) Utility personnel are exposed to a six (6) to eight (8) foot fall hazard when accessing roof top condenser platforms to perform inspection of the units. Condenser platforms did not have fall protection installed.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 4400.00



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
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**Citation 1 Item 2 Type of Violation: **Serious****

29 CFR 1910.119(c)(3): The employer did not provide to employees and their representatives access to process hazard analyses and to all other information required to be developed under 29 CFR, 1910.119:

- (a) The employer did not ensure that all personnel were provided access to process safety information. Information that was not readily accessible includes, but is not limited to Process Hazard Analysis (PHA's), procedures and other PSI Information. This information was maintained in the PSM Coordinators office and was not readily accessible during second and third shifts, or during weekend work.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	12/16/2011
Proposed Penalty:	\$ 7000.00



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmer Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(d)(3)(i)(B): Process safety information pertaining to the equipment in the process did not include the piping and instrument diagrams (P&ID'S):

The employer's P&ID's did not accurately address the following items in-that P&ID's have not been updated for West (Valley) plant since 2000; for East plant since 2004 and for Harvest/Fabrication (Slaughter) plant since 2004. The P&ID's did not identify the following items, including but is not limited to:

(a) Harvest/Fabrication(Slaughter) Plant - Hydro Chiller (MHC-01):

Relief valves installed on the Hydro Chiller unit were not identified on the P&ID.

(b) East Plant - Evaporative Condensers (EEC-01 - EEC-04) P&ID Page R-3:

1. Equipment ID number does not match equipment number on P&ID for each evaporative condenser.
2. Safety Systems listed in the Evaporative Condenser SOP are not listed on the P&ID.
3. The dual relief valves installed on the Evaporative Condensers are not labeled.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 7000.00



**Citation and Notification of Penalty**

Company Name: Cargill Meat Solutions Corporation  
Inspection Site: 200 South Emmer Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(d)(3)(i)(H): Process safety information pertaining to the equipment in the process did not include the safety systems (e.g. interlocks, detection or suppression systems):

- (a) The employer did not identify within Process Safety Information (PSI) safety systems and devices such as but not limited to cut out devices, high level and low level sensors, ammonia detectors, high and low level pressure devices and emergency stop buttons.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 7000.00



## Citation and Notification of Penalty

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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### Citation 1 Item 5 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:

- (a) Hydro Chiller - Harvest/Fabrication Plant: The U-1 Form, Manufacturer's Certificate of Compliance Covering Pressure Vessels was not maintained to document that the Hydro Chiller (MHC-01, Maximo No. 2048) complied with recognized and generally accepted good engineering practices (RAGAGEP).
- (b) Transfer Drum - Harvest/Fabrication Plant: The U-1 Form, Manufacturer's Certificate of Compliance Covering Pressure Vessels was not maintained to document that the Transfer Drum (MPV-04, Maximo No. 2054, National Board No:14908) complied with recognized and generally accepted good engineering practices (RAGAGEP).
- (c) Mechanical Rooms - West (Valley) Plant: The West and East Mechanical Rooms for the West ammonia refrigeration plant did not comply with recognized and generally accepted good engineering practices (RAGAGEP), in-that each room did not have an emergency ventilation system. An emergency ventilation system was installed in the East room that supported the west room for emergency ventilation. An exhaust fan located in the ceiling of the separation wall between the west and east room served as the exhaust fan for the West room and exhausted air into the east room.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 7000.00



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
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**Citation 1 Item 6 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:

- (a) The employer did not develop a system to address PHA recommendations and did not ensure they were resolved in a timely manner. Recommendations from the 1999, 2000, and 2004 initial Process Hazard Analysis (PHA) and 2009 PHA revalidation could not be verified as closed and what the final resolution to the recommendation was.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/20/2012
Proposed Penalty:	\$ 7000.00



### Citation and Notification of Penalty

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(f)(1): The employer did not develop and implement written operating procedures that provided clear instructions for safely conducting activities in each covered process consistent with the process safety information and which addressed the elements listed in 29 CFR 1910.119(f)(1)(i) through (f)(1)(v):

- (a) The employer did not develop a written procedure that outlines training requirements for employees that maintain the ammonia refrigeration systems, personnel directly associated with management of the ammonia systems and for employees affected by the system while performing routine job tasks.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 5500.00

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

29 CFR 1910.119(f)(1)(i)(A): The employer's written operating procedures covering the steps for each operating phase did not address initial startup:

- (a) Initial written startup procedures for the East and West (Valley) ammonia refrigeration plant(s) were not developed.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/20/2012
Proposed Penalty:	\$ 5500.00

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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:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmer Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(f)(1)(i)(B): The employer's written operating procedures covering the steps for each operating phase did not address normal operations:

- (a) Relief Valve Moisture Draining: No operating procedure was developed for draining relief valves and pipe lines of moisture.
- (b) Oil Draining Point Procedure: No operating procedure was developed for each oil drain point on the ammonia refrigeration system(s).

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 5500.00</b>



## Citation and Notification of Penalty

**Company Name:** Cargill Meat Solutions Corporation  
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### Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(C): The employer's written operating procedures covering the steps for each operating phase did not address temporary operations:

The employer did not have temporary operating procedures developed for each temporary operating condition identified within each individual equipment Standard Operating Procedure(SOP).

(a) Harvest/Fabrication (Slaughter) Ammonia System: The employer did not develop a temporary operating procedure to address shutting down the Harvest/Fabrication (Slaughter) ammonia system during winter months when the outside temperature is below freezing (32 degree F).

(b) Evaporative Condensers:

1. The employer did not develop a temporary operating procedure for running condenser on only one coil.
2. The employer did not develop a temporary operating procedure for running condensers without the use of fans or water pumps.

(c) High Stage Reciprocating Compressors: The employer did not develop a temporary operating procedure for using the high stage reciprocating compressors to pump down ammonia system components.

(d) Low Stage Reciprocating Compressors: The employer did not develop a temporary operating procedure for using the EAC-02 low stage compressor as a high stage compressor.

(e) High Temperature Accumulator/Inter-cooler (East Only): The employer did not develop a temporary operating procedure for pumping down the entire ammonia system into the High Temperature Accumulator/Inter-cooler and High Pressure Receiver.

(f) Liquid Pumping Vessels (East Only): The employer did not develop an operating procedure for running the pumping system with only one pumping vessel.

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**Citation and Notification of Penalty**

Company Name: Cargill Meat Solutions Corporation  
Inspection Site: 200 South Emmber Lane, Milwaukee, WI 53233

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(g) -8 Degree F Chill/Process Suction Accumulator (West/Valley): The employer did not develop a temporary operating procedure for operating the unit without the TV transfer system.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

Date By Which Violation Must be Abated:	01/08/2012
Proposed Penalty:	\$ 5500.00



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(f)(1)(i)(D): The employer's written operating procedures covering the steps for each operating phase did not address emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown in a safe and timely manner:

- (a) Written procedures that cover emergency shut down of the ammonia refrigeration plant operation(s) did not identify who the qualified operators are, and who is authorized to shutdown the ammonia system(s).

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 5500.00</b>



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
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**Citation 1 Item 12** Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(i)(E): The employer's written operating procedures covering the steps for each operating phase did not address emergency operations:

Written operating procedures did not contain specifications for transition from normal operations to emergency operations for the following procedures (but not limited to):

- (a) Evaporative Condensers: The procedure did not specify actions to be taken by the operator(s) when the Operating Limit Discharge Pressure exceeds normal operating range.
- (b) High Stage Screw Compressor: The procedure did not specify actions to be taken by the operator(s) when the Operating Limit Discharge Pressure, Suction Pressure, Discharge Temperature, Lubrication Oil Pressure and Lubrication Oil Temperature exceeds normal operating ranges.
- (c) High Stage Reciprocating Compressors: The procedure did not specify actions to be taken by the operator(s) when the Operating Limit Discharge Pressure, Suction Pressure, Lubrication Oil Pressure and Lubrication Oil Temperature exceeds normal operating ranges.
- (d) Low Stage Reciprocating Compressors (East Ammonia System): The procedure did not specify actions to be taken by the operator(s) when the Operating Limit Pressure, Low Temperature Accumulator Pressure, Lubrication Oil Pressure, Lubrication Oil Temperature exceeds normal operating pressure ranges.
- (e) Armstrong Purger: The procedure did not specify actions to be taken by the operator(s) when the Operating Limit Pressure exceeds normal operating pressure range.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 5500.00</b>

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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:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(f)(2): Operating procedures were not readily accessible to employees who work in or maintain the process:

- (a) Operating procedures were not readily accessible in-that procedures were maintained in the PSM Coordinators office, that is unaccessible during second shift and overnight operations and during weekend work. Ammonia utility operators would need to contact security or another management official to gain access to the office. Further, procedures were not maintained or accessible when working in the area of the three ammonia refrigeration plants.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 5500.00</b>

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

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

- (a) Operating procedures were not reviewed and certified. Procedures documented as being reviewed showed review dates of May 2005, June 2005 or did not have documentation indicating that the procedure was reviewed.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>

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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:** Cargill Meat Solutions 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 resulting from an accident.

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

29 CFR 1910.119(g)(2): The employer did not provide refresher training at least every three years to the each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process:

- (a) The employer did not provide refresher training every 3 years to ensure that ammonia system operators and all other Process Safety Management (PSM) personnel were aware of changes to procedures.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 5500.00</b>

#### Citation 1 Item 15b 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:

- (a) The employer did not document how utility system employees and other associated personnel were trained on the ammonia refrigeration process, the means used to verify that employees understood the process, and the date(s) that training was completed.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
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**Citation and Notification of Penalty**

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

29 CFR 1910.119(i)(2)(iii): The pre-startup safety review for modified facilities did not confirm that prior to the introduction of highly hazardous chemicals to the process, the modified facility met the requirements contained in management of change, 29 CFR 1910.119(i):

- (a) Offal Cooler (EQ# MPE-58 and MPE-59): Harvest/Fabrication ammonia system: A piping and partial manifold replacement was performed on the Offal Cooler that rerouted piping. No Pre-Startup Safety Review (PSSR) was accomplished before start-up of the ammonia system.
- (b) Harvest/Fabrication (Slaughter) Plant-Air Unit Piping Replacement: Piping was replaced and new valve assemblies installed on existing evaporators at the north side of the Harvest/Fabrication (Slaughter) Plant. Piping replaced was rerouted and tied into a different point on the ammonia receiver. No Pre-Startup Safety Review (PSSR) was accomplished before start-up of ammonia system.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
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**Citation 1 Item 17** 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:

- (a) A written procedure outlining the inspection requirements of piping was not developed.
- (b) A written procedure outlining inspection requirements of pumps was not developed.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



## Citation and Notification of Penalty

**Company Name:** Cargill Meat Solutions Corporation  
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### Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.119(j)(4)(i): Inspections and tests were not performed on process equipment to maintain its mechanical integrity:

(a) The employer did not assure the ongoing mechanical integrity of Vilter Dual Pressure relief valves installed on the Harvest/Fabrication(Slaughter) ammonia system Hydro Chiller (MHC-01). No inspection of the relief valves has been accomplished since 1993 and have not been replaced every five (5) years.

(b) The employer did not assure the ongoing mechanical integrity of Horizontal Receiver (National Board No. 11381) in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

(c) The employer did not assure the ongoing mechanical integrity of High Temperature Pump Receiver PV-02, Equipment No. 2085 (National Board No. 11382) in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

(d) The employer did not assure the ongoing mechanical integrity of Oil Pot PV-03, Equipment No. 4899 (National Board No. 11289) in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

(e) The employer did not assure the ongoing mechanical integrity of West Plant Accumulator PV-04, Equipment No. 2350 (National Board No. 11392) in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

(f) The employer did not assure the ongoing mechanical integrity of West Plant Transfer Drum PV-05, Equipment No. 4900 (National Board No. 11281) in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

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**Citation and Notification of Penalty**

Company Name: Cargill Meat Solutions Corporation  
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(g) The employer did not assure the ongoing mechanical integrity of Oil Pot PV-06, Equipment No. 4901 in that no mechanical integrity inspection has been accomplished on the vessel within the last five (5) years.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>

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

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, or more frequently determined to be necessary by prior operating experience:

(a) The employer did not assure the ongoing mechanical integrity of piping by accomplishing an annual inspection of piping. Inspection of ammonia refrigeration piping last occurred on or about May 2010.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/20/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



**Citation and Notification of Penalty**

Company Name: Cargill Meat Solutions Corporation  
Inspection Site: 200 South Emmer Lane, Milwaukee, WI 53233

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

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:

(a) Harvest/Fabrication (Slaughter) - Hydro Chiller: The employer did not correct identified mechanical integrity deficiencies in a timely manner. The Hydro Chiller was identified to have no valve plug installed on high pressure liquid line valve during the May 2010 mechanical integrity (MI) inspection. The valve plug had not been installed as of October 6, 2011.

***No certification required. Violation Abated.***

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(l)(5): A change covered under 29 CFR 1910.119(l) resulted in a change in the operating procedures or practices required by 29 CFR 1910.119(f), and such procedures or practices were not updated:

(a) Offal Cooler - Harvest/Fabrication ammonia system: Piping and partial manifold replacement was performed in May of 2010 on the Offal Cooler that rerouted piping. No management of change (MOC) was accomplished.

(b) One of two sets of evaporator coils were found to be cracked on Zone 7 Evaporator (Equipment No. 4096) in March of 2008. The cracked coils were isolated by purging the coils and then capped and welded shut. No Management of Change (MOC) was accomplished.

(c) Harvest/Fabrication Ammonia System (Slaughter/Boning) - Air Unit Piping Replacement: Piping was replaced and five new valve assemblies installed on evaporators at the North side of the Boning Plant (Harvest/Fabrication) in May on 2010. Piping replaced did have routing changed and tie in point to the accumulator changed. No Management of Change (MOC) was accomplished.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

29 CFR 1910.119(m)(1): The employer did not investigate each incident which resulted in, or could reasonably have resulted in, a catastrophic release of a highly hazardous chemical in the workplace:

- (a) Ice build-up and a crack in the coils was found in Zone 7 Evaporator coils (Equipment No.4096) in March 2008. The crack resulted in a release of ammonia. No incident investigation had been accomplished.
- (b) The East ammonia refrigeration plant high pressure accumulator flooded causing a high level alarm shut down. No incident investigation was conducted to determine the reason for the high level alarm activation and shut down.

*Certification, and documentation/evidence of abatement is required.*

*Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.*

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>



**Citation and Notification of Penalty**

**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmber Lane, Milwaukee, WI 53233

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

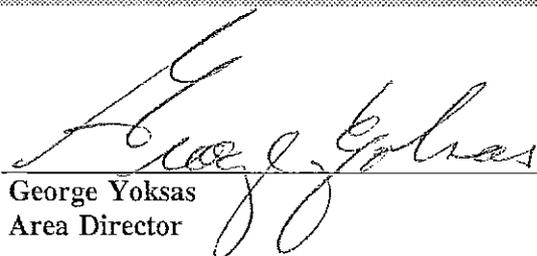
29 CFR 1910.119(o)(4): The employer did not determine and document an appropriate response to each of the findings of the compliance audit required by 29 CFR 1910.119(o)(1), and document that the deficiencies had been corrected:

(a) The employer did not document how deficiencies identified from the 2008 Compliance Audit were completed, such as but not limited to developing an action register to track deficiencies and resolution of deficiencies identified during the compliance audit; development of a procedure for tracking oil added and/or removed from the ammonia refrigeration systems; and development of machinery room ventilation calculations.

***Certification, and documentation/evidence of abatement is required.***

***Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within ten (10) calendar days after the abatement date.***

<b>Date By Which Violation Must be Abated:</b>	<b>01/08/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 7000.00</b>

  
George Yoksas  
Area Director

**U.S. Department of Labor**

Occupational Safety and Health Administration  
310 West Wisconsin Avenue, Suite 1180  
Milwaukee, WI 53203  
Phone: (414)297-3315 FAX: (414)297-4299



**INVOICE/  
DEBT COLLECTION NOTICE**

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**Company Name:** Cargill Meat Solutions Corporation  
**Inspection Site:** 200 South Emmer Lane, Milwaukee, WI 53233  
**Issuance Date:** 12/06/2011

**Summary of Penalties for Inspection Number 315121848**

**Citation 1, Serious** = \$ 146400.00  
**TOTAL PROPOSED PENALTIES** = \$ 146400.00

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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 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.

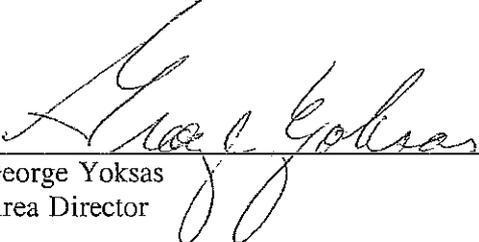
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

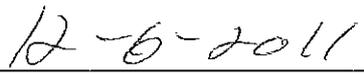
**Interest.** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 1%. Interest 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.

  
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George Yoksas  
Area Director

  
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Date