

Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (316) 269-6644.

U.S. Department of Labor Occupational Safety and Health Administration
100 N. Broadway Suite 470
Wichita, KS 67202
Phone: (316) 269-6644 Fax: (316) 269-6185



September 2, 2015

Dear Michael Harding,

On 03/10/2015, an OSHA compliance officer met with you or your representative as part of an inspection at 3167 SE 10TH ST. Topeka, KS 66607. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,



Judy Freeman, Area Director

Your Citation Summary
RESER'S FINE FOODS, INC.
Inspection Number: 1044850

Total Amount Due: \$60700.00
Payment Due Date: 15 working days
after receipt of
this letter

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations : 11
Your First Correction Deadline is:
September 25, 2015

**Step 1 – Choose a Response
Option and
Act within 15 working days**

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (316) 269-6644.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Judy Freeman, Area Director, at (316) 269-6644 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****
2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

 ___ / ___ ___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**
2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

 ___ / ___ ___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days**. Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days**.

Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked **within 15 working days**.

 ___ / ___

U.S. Department of Labor
Occupational Safety and Health Administration
100 N. Broadway
Suite 470
Wichita, KS 67202
Phone: 316-269-6644 Fax: 316-269-6185



Citation and Notification of Penalty

To:
RESER'S FINE FOODS, INC., dba Baked Plant
and its successors
3167 SE 10TH ST.
Topeka, KS 66607

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015

Inspection Site:
3167 SE 10TH ST.
Topeka, KS 66607

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

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

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

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

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/02/2015. The conference will be held by telephone or at the OSHA office located at 100 N. Broadway, Suite 470, Wichita, KS 67202 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1044850

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607
Issuance Date: 09/02/2015

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, 100 N. Broadway, Suite 470, Wichita, KS 67202

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Citation 1 Item 1 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:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of ammonia in that the employer had not documented and implemented compliance with recognized and generally accepted good engineering practices for the marking of Ammonia refrigeration piping and system components to comply with ILAR Bulletin # 114 09/1991; and ANSI A13.1, 2007. Missing Valve Tag Identifications include but are not limited to 5 sets of the High Gas NH₃ Valves; and 2 sets of the Defrost Release Valves.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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 1910.119(e)(3)(i): The Process Hazard Analysis did not address the hazards of the process:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of ammonia in that the Process Hazard Analysis did not address the quality of incoming Ammonia. Methods to verify the purchase of Ammonia such as certificates of analysis or bills of lading were not implemented.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(e)(3)(iv): The process hazard analysis did not address the consequences of the failure of engineering and administrative controls:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not verify that the engine room complied with recognized and generally accepted good engineering practices such as IIAR Bulletin #111 06/02; ANSI/ISA; S91.01-1995; ANSI/ASHRE-15 2007; ANSI/IIAR 2-2008. The consequences of failure of engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases were not implemented to assure that the system operating modes are working at all times, the systems will reliably function when the need arises, and how to address in case the system is not properly working.

- a) Inspection, testing, and calibrating the controls was not conducted in 2012 for the Honeywell E/C-P2 Smart Cell - Ammonia Smart Sensor Module; and in 2014, 2015 for the GasGuard NH3 Ammonia Sensor.
- b) The GasGuard NH3 Ammonia Sensor in the Baked-Plant Engine Room was mounted at 7 feet 6 inches while the Manufacture Operating and Installation Manual states for optimum personnel protection mount the sensor at a height in the breathing zone of the employees and within 30 feet of potential leak sources.
- c) There is only one ammonia detector installed in the engine room to accommodate for the emergency ventilation control and for machinery room electrical shutdown while it was suggested that at least two detectors/sensors must be installed.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(e)(5): The employer did not establish a system to assure that the recommendations were resolved in a timely manner and that the resolution was documented:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not document the resolution of action items from the 2011 Process Hazard Analysis for the Ammonia Refrigeration processes. A system was not established/created to promptly address all the findings and recommendations.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(e)(6): The employer did not update and revalidate by a team meeting the requirements in paragraph (e)(4) of this section, to assure that the process hazard analysis is consistent with the current process, at least every five (5) years after the completion of the initial process hazard analysis:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not provide documentation such as but not limited to the What-If/Checklist Log Sheet and the final reports with findings and recommendations to demonstrate that it had performed updates and revalidations to assure that the process hazard analysis for the Ammonia Refrigeration processes is consistent with the current process, from 1999 when it developed its Process Safety Management program, to the present, except for 2011. There was no document for the updates in between of every five-year timeframe.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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 3 a Type of Violation: **Serious**

29 CFR 1910.119(f)(1): The employer did not develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not perform the following:

- a) The employer did not develop a written operating procedure or a task procedure with clear instructions as when/what conditions to use, how to use it, and who is authorized to activate the Ammonia Emergency Shut-Off button in case of Ammonia leaking related to the intended use of the emergency stop buttons located outside each exit of the engine rooms.
- b) The employer did not develop written operating procedures for the following process equipment Baked Plant Unit CS14; CS22; CS23; CS24; AP3; AP4; V1-HPR; V2-RECIRCULATOR; V3-RECIRCULATOR; CS21; GP1; Baked Plant Unit - FRICK Compressors C1, C2, and C3.
- c) The employer did not develop written operating procedures with clear instructions for receiving Ammonia which addresses quality control for raw materials and control of hazardous chemical inventory levels of the incoming Ammonia as how to receive fresh or make-up Ammonia.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Date By Which Violation Must be Abated:
Proposed Penalty:

09/25/2015
\$7000.00

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



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(f)(1)(i)(D): The employer did not develop and implement written operating procedures that provide clear instructions for 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 is executed in a safe and timely manner:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that all of the current operating procedures for ammonia process equipment including but not limited to the Frick Ammonia Screw Compressor OP-C-4, OP-C-5, and OP-B-1 did not reflect any discussion about the handling of the emergency situation. The operating procedures did not include information explaining how to determine when it is safe to enter the engine room or what personal protective equipment to wear before entering to isolate the leaking equipment.

a) On or about March 03, 2015, Baked Plant/Engine Room, an employee entered the engine room to perform valve closing to isolate the gasket leaking at the C-4 compressor. The employee was exposed to hazards in that a portable ammonia detector was not utilized to assess the unknown ammonia concentration levels prior to perform the task.

b) On or about March 3, 2015, Baked Plant/Engine Room, an employee entered the engine room to perform valve closing to isolate the gasket leaking at the C-4 compressor. The employee had a full beard while wearing a full-face respirator. Employee was exposed to respiratory hazards in that an efficient seal was not established to protect him from exposure to the unknown ammonia concentration levels.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Date By Which Violation Must be Abated:

09/25/2015

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(f)(1)(iii)(D): The employer's written operating procedures covering operating limits did not address quality control for raw materials and control of hazardous chemical inventory levels:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not develop written operating procedure such as Receiver Charging (Procedures for inbounding/receiving Ammonia) which addresses quality control for raw materials and control of hazardous chemical inventory levels of the incoming Ammonia as how to receive fresh or make-up Ammonia. The written procedure shall explain how to verify that the Ammonia received is refrigerant grade, how to manage the receipt, and what the physical connection to the system is.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(f)(3): The operating procedures were not reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to facilities. The employer did not certify annually that these operating procedures were current and accurate:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the current written operating procedures for the Ammonia process equipment including but not limited to the following were not reviewed and certified annually to assure that they reflected current and accurate operating practice:

- a) Evapco - OP-CS1, 2012, 2013, 2014
- b) Evapco - OP-CS2, 2012, 2013, 2014
- c) Spiral - OP-CS3, 2012, 2013, 2014
- d) Packing Room - OP-CS5, 2012, 2013, 2014
- e) Packing Room - OP-CS6, 2012, 2013, 2014
- f) Spiral - OP-CS7, 2012, 2013, 2014
- g) Evapco - OP-CS8, 2012, 2013, 2014
- h) Evapco - OP-CS9, 2012, 2013, 2014
- i) Evapco - OP-CS10, 2012, 2013, 2014
- j) Evapco - OP-CS11, 2012, 2013, 2014
- k) Evapco - OP-CS12, 2012, 2013, 2014
- l) Evapco - OP-CS14, 2012, 2013, 2014
- m) Evapco - OP-CS15, 2012, 2013, 2014
- n) Evapco - OP-CS16, 2012, 2013, 2014
- o) Evapco - OP-CS17, 2012, 2013, 2014
- p) Evapco - OP-CS18, 2012, 2013, 2014
- q) Spiral Pack-Off - OP-19, 2012, 2013, 2014
- r) Spiral Pack-Off - OP-20, 2012, 2013, 2014
- s) Evaporators/Evapco TFCS5-15510VF-10L - OP-25, 2012, 2013, 2014
- t) Evapco - OP-CS29, 2012, 2013, 2014
- u) Evapco - OP-CS30, 2012, 2013, 2014

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

- v) Evaporators - OP-31, 2012, 2013, 2014
- w) Evaporators - OP-33, 2012, 2013, 2014
- x) Imeco Evaporative Condenser/1994 Plant - OP-EC-1, 2012, 2013, 2014
- y) Imeco Evaporative Condenser/1994 Plant - OP-EC-2, 2012, 2013, 2014
- z) Imeco Evaporative Condenser/1994 Plant - OP-EC-3, 2012, 2013, 2014
- aa) +10 V-2 High Recirculator Pump AP-1/1994 - OP-AP-1, 2012, 2013, 2014
- ab) +10 V-2 High Recirculator Pump AP-2/1994 - OP-AP-2, 2012, 2013, 2014

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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 4 a Type of Violation: **Serious**

29 CFR 1910.119(g)(1)(i): The employer did not train each employee involved in the operating process, in a overview of the process and in the operating procedures as specified in paragraph (f) of 29 CFR 1910.119:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not provide training for the Refrigeration Department employees regarding specific safety and health hazards, emergency operations to include shut down and safe work practices related to their assigned duties and responsibilities to perform tasks in the ammonia process. Ammonia Technician employees have not received the required knowledge, skills, and abilities including but not limited to the training on the Baked Plant site-specific operating procedures; safe work practice such as lockout/tagout; opening process equipment or piping (Line Break Procedure).

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$7000.00

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(g)(2): Refresher training was not provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The employer, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not consult with Ammonia Technician employees concerning the frequency of their need for refresher training.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(g)(3): The employer did not prepare a record which contained the identity of the employee, the date of training, and the means used to verify that the employee understood the training:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the following was not provided:

- a) The employer provided operating procedures for ammonia refrigeration equipment, but did not provide any documentation of training for the Ammonia Technician employees.
- b) The employer did not provide any documentation of the means that the employer used to verify through demonstration that the Ammonia Technician employees understood any training they received including but not limited to the training on the Baked-Plant site-specific standard operating procedures; startup and shutdown; safe work practice such as lockout/tagout; opening process equipment or piping (Line Break Procedure).

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(h)(2)(i): The employer, when selecting a contractor, did not obtain and evaluate information regarding the contract employer's safety performance and program:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not obtain and evaluate the safety and health performance and written programs of the contractor that delivers or unloads ammonia from a tank truck to the ammonia refrigeration system.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$3300.00

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

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

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not establish and implement the written mechanical integrity program procedures to ensure the on-going integrity of process equipment such as pressure vessel, storage tanks, piping, emergency shutdown equipment, controls (monitors, high level alarms), relief venting equipment, and pumps. The employer did not address procedures for repairing, rerating, or replacing pressure vessels, receivers, piping, or materials and spare parts control, authorizations, and approval for repairs, steps to accomplish for repairing or replacing equipment, frequency of replacement, employee training and qualifications, welding and heat treating requirements, inspection and testing after repair, and documentation requirements.

- a) The employer did not develop and implement a comprehensive written mechanical integrity procedure that addressed inspecting pressure vessels, piping for corrosion under the insulation and minimum wall thickness.
- b) The employer did not develop and implement a written mechanical integrity procedure for evaluating valves such as the King valve in the ammonia process.
- c) The employer did not develop and implement a written mechanical integrity procedure for evaluating relief and vent systems and devices.
- d) The employer did not develop and implement a written mechanical integrity procedure for evaluating emergency shutdown systems.
- e) The employer did not develop and implement a written mechanical integrity procedure for evaluating controls (including monitoring devices and sensors, alarms, and interlocks).

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: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

f) The employer did not develop and implement a written mechanical integrity procedure for evaluating pumps.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$7000.00

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

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.119(j)(3): The employer did not train each employee involved in maintaining the on-going integrity of process equipment in the procedures applicable to the employee's job tasks to ensure that the employee can perform the job tasks in a safe manner:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not provide training for refrigeration employees related to the maintenance activities for the process covered-equipment; the inspection, testing and preventive maintenance procedures applicable to the employee's job tasks.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Citation 1 Item 6 c 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:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the following inspections and tests were not performed:

- a) Inspection and testing was not performed for emergency shutdown systems including but not limited to the King valves.
- b) Inspection and testing was not performed for vessels and tanks such as Evaporators, Autopurgers, High Pressure Receiver V1, and Condensers.
- c) Non-destructive testing on the pressure vessels or ammonia piping lines in the process was not performed.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Citation 1 Item 6 d 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 manufacturer's recommendations and good engineering practices, or more frequently determined to be necessary by prior operating experience:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that inspections and tests have not been performed and documented based on the appropriate inspection frequency required by the employers mechanical integrity inspection program or the applicable manufacturers' recommendations and good engineering practices for the following process equipment:

- a) Frick Ammonia Screw Compressors only have records of Daily Rounds and Annual inspection. There were no records showing other various inspections have been performed for four times per year or every 1000, 5000 hours.
- b) Krack Evaporators only have records of Daily Rounds. There were no records showing other various inspections have been performed for 0.2, 1, 2, 12, or 52 times per year.
- c) Imeco Condensers only have records of Daily Rounds. There were no records showing other various inspections have been performed for 0.02, 1, 2, 4, 12, or 52 times per year.
- d) Teikoku Ammonia Pumps only have records of Daily Rounds. There were no records showing other various inspections have been performed for 0.2, 1 or 12 times per year.
- e) IFS V-1 High Pressure Receiver only has records of Daily Rounds. There were no records showing other various inspections have been performed for 0.2, 1 or 52 times per year.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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 7 a Type of Violation: **Serious**

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

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer had not implemented the management of change program to address changes to the Ammonia process; there have been several changes to the processes such as but not limited to the following:

- a) MOC 2014-1, the employer submitted a document on 7-17-2014 for adding 2 of the 2" Hansen Globe Valves to Hot Gas Header Baked Plant, the document is incomplete in that the employer could not provide document to support that Standard Operating Procedures had been changed; the Process Safety Information such as P&IDs have been updated with the new valves on the drawings; and the Ammonia process employees (Refrigeration Specialists) have been trained.
- b) MOC 2014-2, the employer submitted a document on 2-06-2014 for replacing the Booster Compressor for more capacity (30hp - 58hp), the document is incomplete in that the employer did not fill out all the yes/no questions on the second section of the form. The employer could not provide document to support that the Process Safety Information have been updated; and the Refrigeration Specialists have been trained.
- c) MOC 2014-3, the employer submitted a document on 3-10-2014 for removing the flanges on liquid line and check valves to roof to reduce potential leaks inside plant, the document is incomplete in that the employer could not provide document to support that the Process Safety Information such as P&IDs have been updated with the removing items on the drawings; and the Refrigeration Specialists have been trained about the changes.

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

d) MOC 2014-2, the employer submitted a document on 12-04-2014 for replacing the C-1 Compressor loader un-loader valve with different name brand (Vickers to Yuken), the document is incomplete in that the employer could not provide document to support that the Process Safety Information such as P&IDs have been updated with the replacing valves on the drawings; and the Refrigeration Specialists have been trained about the changes.

e) The employer did not have any management of change (MOC) documentation for the stripping-off/removal of insulation, and the replacing the new piping in 2013.

f) The employer did not have any management of change (MOC) documentation for the installation of the Ammonia Emergency Shut-Off button and the Exhaust Fan switch outside of the engine room.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

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

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not update current standard operating procedures and practices related to the installation and intended use of the Ammonia Emergency Shut-Off devices located outside of the engine rooms. All of the current emergency shutdown procedures within the standard operating procedures including but not limited to the Frick Ammonia Screw Compressor OP-C-4, OP-C-5, and Booster Compressor OP-B-1 did not reflect any discussion about the emergency shutdown devices.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.119(o)(1): The employer did not certify that they had evaluated compliance with provisions of 29 CFR 1910.119 at least every three years to verify that the procedures and practices developed under this standard were adequate and are being followed:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the employer did not certify the following procedures and practices are adequate and being followed:

- a) The employer provided no certifications that it had performed compliance evaluations to verify that its procedures and practices developed under the standard are adequate and being followed for the 2009 PSM Compliance Audit.
- b) The employer provided no certifications that it had performed compliance evaluations to verify that its procedures and practices developed under the standard are adequate and being followed for the 2012 PSM Compliance Audit.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$3300.00

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

Citation 1 Item 8 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:

Employees engaged in production activities throughout the facility were exposed to chemical hazards associated with the catastrophic release of Ammonia in that the following appropriate responses were not promptly determined and documented:

a) The employer did not document the corrective actions pending or taken in relation to each of the deficiencies noted from the 2009 PSM Compliance Audit.

b) The employer did not document the corrected deficiencies from the 2012 PSM Compliance Audit. The audit has uncompleted findings, and the current status is unknown.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is completed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/25/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.134(c)(1): The employer did not establish and implement a written respiratory protection program with worksite-specific procedures in any workplace where respirators were necessary to protect the health of the employee or whenever respirators were required by the employer:

On or about March 3, 2015, An employee engaged in maintenance activities in the Bake Plant Engine Room, for the purpose of valve closure in order to isolate a leaking gasket at the C-4 compressor, was exposed to inhalation and chemical hazards in that a written respiratory program was not provided

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$7000.00

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

Inspection Number: 1044850
Inspection Date(s): 03/10/2015 - 03/13/2015
Issuance Date: 09/02/2015



Citation and Notification of Penalty

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.147(c)(6)(ii): The employer did not certify that periodic inspections of the energy control procedures had been performed:

Employees perform servicing and maintenance activities on equipment including, but not limited to the AU Unit (LO/TO-94-CS1); the Vessel (LO/TO-P004); the Vessel (LO/TO-94-V-1); and the Pump (LO/TO-AP-1) were exposed to hazards associated with the unexpected energizing or start-up of equipment in that periodic inspections of energy control procedures for equipment were not performed nor documented.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:	09/25/2015
Proposed Penalty:	\$3300.00

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: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607

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

29 CFR 1910.305(a)(1)(i): Metal raceways, cable armor, and other metal enclosures for conductors were not connected to all boxes, fittings, and cabinets to provide effective electrical continuity:

Employees engaged in production and maintenance activities on the roof top of Baked Plant were exposed to electrical shock hazards in that the metal raceway for the electrical conductors connected for the Hansen valve was broken exposing live conductors. The broken raceway no longer effectively bonded to ensured electrical continuity.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/25/2015
\$3300.00


Judy Freeman
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
100 N. Broadway
Suite 470
Wichita, KS 67202
Phone: 316-269-6644 Fax: 316-269-6185



INVOICE / DEBT COLLECTION NOTICE

Company Name: RESER'S FINE FOODS, INC., dba Baked Plant
Inspection Site: 3167 SE 10TH ST., Topeka, KS 66607
Issuance Date: 09/02/2015

Summary of Penalties for Inspection Number	1044850
Citation 1, Serious	\$60700.00
TOTAL PROPOSED PENALTIES	\$60700.00

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

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

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

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

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

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

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


Judy Freeman
Area Director

09.02.2015
Date