

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

Inspection Number: 1100762  
Inspection Date(s): 10/22/2015 - 04/20/2016  
Issuance Date: 04/20/2016



**Citation and Notification of Penalty**

**Company Name:** Reinhart Food Service LLC  
**Inspection Site:** 225 John Hancock Road, Taunton, MA 02780

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Citation 1 Item 1 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:

Refrigerated Warehouse:

On or about October 21, 2015, employer did not establish and implement effective written procedures for inspection and testing of check valves such as check valve (GHX2.05) downstream from solenoid valve GHX2.04 in accordance with the manufacturer's safety procedures for the servicing or replacement of the check valves so that they are replaced before any failure occurs.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Reinhart Food Service LLC  
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**Citation 1 Item 2** Type of Violation: **Serious**

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

Refrigerated Warehouse:

On or about October 21, 2015:

- a) A check valve (GHX2.05) had not been tested or replaced in the intervals consistent with applicable manufacturer's recommendations. Employer had not determined alternative good engineering practices.
- b) The employer's replacement intervals for the ammonia sensors were not consistent with the applicable manufacturer's recommendations. Employer had not determined alternative good engineering practices.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$7000.00

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

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

Refrigerated Warehouse:

On or about October 21, 2015, employer did not ensure that the alarms on the ammonia sensors devices were functioning adequately.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$7000.00

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**Company Name:** Reinhart Food Service LLC  
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**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1910.120(q)(2): The employer did not develop an emergency response plan for emergencies which addressed the following minimum requirements of this standard: 1910.120(q)(2)(i) through 1910.120(q)(2)(xii):

Establishment:

On or about October 21, 2015, employer's Emergency Planning and Response Plan (EPRP) did not address the following minimum requirements of this standard in the event of an accidental release/leak of ammonia refrigerant:

- (ii) Current personnel roles and lines of authority.
- (iii) Emergency recognition and prevention.
- (iv) Safe distances and places of refuge.
- (ix) Emergency alerting and response procedures.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/22/2016  
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**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1910.120(q)(3)(ii): The individual in charge of the incident command system did not identify, to the extent possible, all hazardous substances or conditions present and did not address, as appropriate, site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures and the use of any new technologies:

Establishment:

On or about October 21, 2015, the employer did not take adequate precautions to identify maximum exposure limits to ammonia refrigerant.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$7000.00

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

29 CFR 1910.120(q)(6)(iv): Hazardous materials specialists did not receive at least 24 hours of training equal to the technician level and/or in addition have competency in the areas outlined in 1910.120(q)(6)(iv)(A) through (q)(6)(iv)(I) and/or the employer did not so certify:

Establishment:

On or about October 21, 2015, employer did not ensure that employees who respond with and provide support to hazardous materials technicians demonstrated the competency in areas outline by this section.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Reinhart Food Service LLC  
**Inspection Site:** 225 John Hancock Road, Taunton, MA 02780

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to the hazards associated with being crushed or struck by falling objects:

Refrigerated Warehouse, Cooler Deli CO Aisle: The commercial steel storage racks used to store boxes and pallets of food product such as milk, eggs, cheese and other dairy products, deli meats, and salad dressing were not maintained to prevent collapse of the racks. Columns of the storage racks that stored boxes and pallets of food products were not anchored adequately to the floor. Anchor bolts were significantly damaged, unsecured or sheared. Instances included, but were not limited to; column numbers CO6505/CO6701, CO5305/CO5501, and CO5705/CO5901. Impact panels secured to the columns were also unsecured.

The Reinhart Food Service was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number #1008076, citation number 1, item number 1 and was affirmed as a final order on April 1, 2015, with respect to a workplace located at 214 Samuel Barnet Boulevard in New Bedford, MA.

One feasible method of abatement includes but is not limited to:

1. Install anchors for the columns and the impact panels capable of resisting shear forces caused by horizontal and vertical loads on the rack.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/22/2016
Proposed Penalty:	\$15000.00



**Citation and Notification of Penalty**

**Company Name:** Reinhart Food Service LLC  
**Inspection Site:** 225 John Hancock Road, Taunton, MA 02780

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

Chicken Aisle of Cooler adjacent to entrance to -10 Freezer:

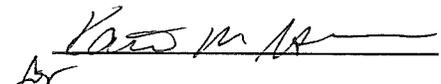
The following electrical cabinets and boxes were not effectively closed:

- a) Disconnect for the door blower had a missing knockout on the left side and a knockout missing on the bottom.
- b) Pad-3 red panel for the fire alarm/extinguishing system had a knockout missing on the left side.

The Reinhart Food Service was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number #911586, citation number 1, item number 4, and was affirmed as a final order on December 13, 2013, with respect to a workplace located at 225 John Hancock Road in Taunton, MA.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 07/22/2016  
Proposed Penalty: \$15000.00

  
**Kenneth Shedden**  
Area Director

U.S. Department of Labor  
Occupational Safety and Health Administration  
639 Granite Street  
4th Floor  
Braintree, MA 02184  
Phone: 617-565-6924 Fax: 617-565-6923



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Reinhart Food Service LLC  
**Inspection Site:** 225 John Hancock Road, Taunton, MA 02780  
**Issuance Date:** 04/20/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1100762</b>
<b>Citation 1, Serious</b>	<b>\$42000.00</b>
<b>Citation 2, Repeat</b>	<b>\$30000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$72000.00</b>

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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. You can also make your payment electronically on [www.pay.gov](http://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

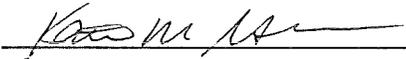
account, the bank will attempt to make the transfer up to 2 times.

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.

  
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Kenneth Shedden  
Area Director

4/20/2016  
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Date