Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509

Certified mail #7003 1010 0003 5732 0110 11-16-11 JB

Safety Order and Notification of Penalty

To:

Coca-Cola Refreshments,
and its successors
5000 West 25th Street
Speedway, IN 46224

Inspection Site:

5000 West 25th Street
Speedway, IN 46224

Inspection Number: 315051250

Inspection Date(s): 06/22/2011 - 11/09/2011

Issuance Date: 11/16/2011

The violation(s) described in this Safety Order 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.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days

on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s) and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty.

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

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 Indiana Department of Labor/IOSHA at the address shown above.

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 Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 11/16/2011. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

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

Safety Order 1 Item 1a Type of Violation: **Serious**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to high concentrations of ammonia that had the potential to be immediately dangerous to life and health (IDLH) due to inadequate construction and maintenance of the anhydrous ammonia system:

a) Ammonia Compressor Room - The Ammonia Compressor Room was equipped with general dilution ventilation in the form of two large exhaust fans that were installed in the ceiling. The make-up (supply) air for the general dilution ventilation system was supplied through natural ventilation (i.e. wind and convection) through an opening in the West wall on the Second Floor of the Ammonia Compressor Room. The relief valves (RVs) for V-3, V-8, V-2, V-1 and the seven ammonia compressors were all fed into the Main Relief Valve (RV) Pipe which discharged outside of the facility. The Main RV Pipe extended approximately 70.50-inches (5.88-feet) above the roof, and was located approximately 22.75-feet behind and approximately 26.0-feet to the right of the supply vent located on the West wall. The present location of both the supply vent and the RV discharge point essentially created a "loop" where ammonia that was discharged from the RVs could potentially be captured and reintroduced into the Ammonia Compressor Room.

Among other methods, one feasible and acceptable method to correct this hazard is to raise the discharge point of the Main RV Pipe by increasing the height of the Main RV Pipe. Section 9.7.8 of the American Society of Heating, Refrigerating and Air-Conditioning Engineers' (ASHRAE) *Safety Standard for Refrigeration Systems* (ANSI/ASHRAE 15-2010) states that "for systems in which one or more of the following conditions apply, pressure-relief devices and fusible plugs shall discharge to the atmosphere at a location not less than 15 ft (4.57 m) above the adjoining ground level and not less than 20 ft (6.1 m) from any window, ventilation opening, or exit in any building."

b) Facility Wide - Two 115-Volt (AC) Analygas Systems Model Number 21A (Serial Numbers 05450 and 05126) Ammonia Sensors were connected to the anhydrous ammonia system. The ammonia sensor mounted to the outside of the East wall of the Ammonia Compressor Room monitored the atmosphere inside of the Ammonia Compressor Room. The ammonia sensor mounted on the outside of the Main RV Pipe monitored the atmosphere inside of the pipe and determined if any ammonia was leaking to the outside environment. Neither of these ammonia sensors have been precisely calibrated to determine if they were still functioning properly. Specifically, neither of the sensors have been calibrated since they were installed in the anhydrous ammonia system in 1995.

Among other methods, one feasible and acceptable method to correct this hazard is to follow the International Institute of Ammonia Refrigeration's (IIAR) requirements for calibrating and maintaining sensing/monitoring devices (ammonia

vapor detectors). Section 6.6.4 of IIAR's *Guidelines for Start-Up, Inspection and Maintenance of Ammonia Mechanical Refrigerating Systems* (Bulletin No. 110-2002) states that "manufacturer's instructions for inspection, testing, calibration, and overhaul shall be followed." Section 6.6.4 of IIAR Bulletin No. 110-2002 further states that "at least annually, safety cutouts shall be tested." The ammonia sensors' manufacturer, Manning Systems, Inc., recommends that each of the ammonia sensors should be calibrated at least annually (i.e. once every twelve months).

c) Ammonia Compressor Room - The main entrance to the Ammonia Compressor Room was not equipped with tight-fitting or self-closing doors. Although the main entrance to the Ammonia Compressor Room was equipped with an overhead garage door, this overhead door was not automatic and had to be manually lowered and raised. The overhead garage door was equipped with a fusible link which will activate in the event of a fire and close the door. However, there were no devices that would automatically close the overhead door in the event of an ammonia leak. Thus, the overhead door will remain open which could potentially allow ammonia to migrate from the Ammonia Compressor Room to other areas of the facility during an emergency situation (i.e. leak).

Among other methods, one feasible and acceptable method to correct this hazard is to install a door that meets the requirements listed in ANSI/ASHRAE 15-2010. Section 8.11.2 of the ANSI/ASHRAE 15-2010 states that "each refrigerating machinery room shall have a tight-fitting door or doors opening outward, self-closing if they open into the building and adequate in number to ensure freedom for persons to escape in an emergency." Section 8.11.2 also states that "with the exception of access doors and panels in air ducts and air-handling units confirming to Section 8.11.7, there shall be no openings that will permit passage of escaping refrigerant to other parts of the building."

Date By Which Violation Must be Abated: **12/13/2011**
Proposed Penalty: **$7,000.00**

Safety Order 1 Item 1b Type of Violation: **Serious**

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, or approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

Ammonia Compressor Room - Electrical installations and equipment such as, but not limited to receptacles (outlets), motors, pumps, wiring, panels/boxes, switches and lighting fixtures located inside of the Ammonia Compressor Room were not approved or rated for use in a Class I, Division 2 hazardous location.

Date By Which Violation Must be Abated: **12/13/2011**

Safety Order 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.22(b)(1): Aisle(s) or passageway(s) were not kept clear and in good repair where mechanical handling equipment was used:

Warehouse - There were several openings and/or holes located on the surface of the concrete floors located throughout the Warehouse. There were also several openings and/or holes caused by collapsed or misaligned steel grating located directly underneath or in front of the storage racks. These openings and/or holes have caused several forklifts to dump/drop their loads and could potentially cause forklifts to tip over.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **$3,500.00**

Safety Order 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace with an evaluation which included a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer could not identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be IDLH:

Facility Wide - On May 28, 2011, through May 30, 2011, a significant amount/concentration of ammonia was released from the facility's anhydrous ammonia system which contained approximately 8,569 pounds of anhydrous ammonia (operating capacity/charge). Due to an increase in pressure in the anhydrous ammonia system, two relief valves (SRV-4a & SRV-4b) connected to the Glycol Chiller/Surge Drum (V-3) were activated on or about May 28, 2011. Over a three day period (May 28-30, 2011), these two relief valves released between approximately 1,500 and 1,900 pounds of anhydrous ammonia. Due to the way in which the anhydrous ammonia system and its ventilation system were designed, a portion of the anhydrous ammonia released into the outside atmosphere migrated back into the Ammonia Compressor Room. Prior to employees entering the facility after they were evacuated, no monitoring/sampling was performed to determine the ammonia concentration anywhere in the facility. The employer also did not determine if respiratory protection was needed to enter the facility, and did not require any employees to wear respirators before entering the facility after the release occurred.

Date By Which Violation Must be Abated: **12/13/2011**
Proposed Penalty: **$5,000.00**

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

Safety Order 1 Item 4a Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(ii): Flammable or combustible liquid(s) were not stored in tanks or closed container(s):

Lines 1-3 - One-gallon metal containers of Zep Slide, a Class II Combustible Liquid, were stored completely open without any lids or coverings inside of the glass enclosures that surrounded the Labelers. Each of the openings on top of the one-gallon metal containers were located within approximately nine-inches from the lines which were connected to the "glue pots." The "glue pots" were heated to temperatures of between approximately 200 °F and 325 °F.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 4b Type of Violation: **Serious**

29 CFR 1910.106(e)(6)(i): Adequate precautions against the ignition of flammable vapors were not taken:

Lines 1-3 - One-gallon metal containers of Zep Slide, a Class II Combustible Liquid, were stored completely open without any lids or coverings inside of the glass enclosures that surrounded the Labelers. Each of the openings on top of the one-gallon metal containers were located within approximately nine-inches from the lines which were connected to the "glue pots." The "glue pots" were heated to temperatures of between approximately 200 °F and 325 °F.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Safety Order 1 Item 4c Type of Violation: **Serious**

29 CFR 1910.1200(f)(5)(i): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein:

Lines 1-3 - One-gallon metal containers of Zep Slide, a Class II Combustible Liquid, were stored completely open without any lids or coverings inside of the glass enclosures that surrounded the Labelers. Each of these one-gallon metal containers were not labeled, tagged or marked with the identity of the hazardous chemicals contained in each container, or appropriate hazard warning information for the chemicals contained in each container.

Date By Which Violation Must be Abated: Corrected During Inspection

Safety Order 1 Item 4d Type of Violation: **Serious**

29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the appropriate hazard warnings:

Lines 1-3 - One-gallon metal containers of Zep Slide, a Class II Combustible Liquid, were stored completely open without any lids or coverings inside of the glass enclosures that surrounded the Labelers. Each of these one-gallon metal containers were not labeled, tagged or marked with the identity of the hazardous chemicals contained in each container, or appropriate hazard warning information for the chemicals contained in each container.

Date By Which Violation Must be Abated: Corrected During Inspection

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

Safety Order 1 Item 5a Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees in activities covered by this section:

Facility Wide - The facility's anhydrous ammonia system contained sources of energy including, but not limited to chemical (ammonia), electrical and pneumatic. Maintenance employees performed maintenance and servicing activities on the anhydrous ammonia system such as, but not limited to draining excess oil from the system. Although the anhydrous ammonia system contained multiple sources of energy, no machine-specific lockout/tagout (LOTO) procedures were developed or implemented for either the anhydrous ammonia system as a whole and/or its individual components (compressors, valves, etc.).

Date By Which Violation Must be Abated: **12/13/2011**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 5b Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to Items A-D of this section:

Facility Wide - The written lockout/tagout (LOTO) procedure for the Palletizers did not mention that the Palletizers possessed hydraulic and pneumatic energy sources. The LOTO procedure for the Palletizers also never discussed how to specifically isolate and/or control these energy sources. The LOTO procedure also required that employees use the locks that were hanging on the Palletizers to lockout the Palletizers. However, the LOTO procedure never discussed or required that employees affix labels to the locks to identify which employee applied the lock to the Palletizer(s).

Date By Which Violation Must be Abated: **12/13/2011**

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

Safety Order 1 Item 6a Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that the purpose and function of the energy control program was understood by employees and that the knowledge and skills required for the safe application, usage and removal of energy control devices were acquired by employees:

Facility Wide - Maintenance employees and Machine Operators performed maintenance and servicing activities inside of the Palletizers including, but not limited to removing jammed pallets and/or materials, cleaning up spilled materials and/or hydraulic fluid, and changing and/or repairing feed chains and other moving components.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 6b Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(iii)(B): Additional retraining was not provided whenever a periodic inspection under 29 CFR 1910.147(c)(6) revealed that there were deviations from or inadequacies in the employee's knowledge or use of the energy control procedures:

Facility Wide - Maintenance employees and Machine Operators performed maintenance and servicing activities inside of the Palletizers including, but not limited to removing jammed pallets and/or materials, cleaning up spilled materials and/or hydraulic fluid, and changing and/or repairing feed chains and other moving components. Although some of the maintenance employees and Machine Operators were provided lockout/tagout (LOTO) training, most of these employees were not provided additional LOTO training when it was discovered that employees were not adequately following the employer's energy control program and energy control procedures.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Safety Order 1 Item 6c Type of Violation: **Serious**

29 CFR 1910.147(d)(1): The authorized employee did not have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy before the authorized or affected employee turned off the machine or equipment in preparation for the shutdown:

Palletizers 1 & 2, Middle of the Facility Towards the West Wing - Maintenance employees and Machine Operators performed maintenance and servicing activities inside of the Palletizers including, but not limited to removing jammed pallets and/or materials, cleaning up spilled materials and/or hydraulic fluid, and changing and/or repairing feed chains and other moving components. Although one or both of the emergency (e-stop) buttons were activated prior to maintenance employees and Machine Operators entering the Palletizers, locks or similar devices were not affixed to the e-stop buttons or other electrical disconnects on the Palletizers. Prior to entering the Palletizers, locks or similar devices were also not affixed to the disconnecting means to eliminate and/or control additional sources of energy on the Palletizers including, but not limited to pneumatic, hydraulic and gravity.

Date By Which Violation Must be Abated:

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

Safety Order 1 Item 7a Type of Violation: **Serious**

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices were not singularly identified:

a) Line 1 Palletizer, Middle of the Facility Towards the West Wing - Locks were hung from the handles and set above the emergency stop (e-stop) buttons on the Palletizer. These locks were sometimes used by Machine Operators and maintenance employees for the locking out the emergency (e-stop) buttons and/or electrical components on the Palletizers. However, these locks were not labeled or marked with the identity of the employee who applied the lock, or singularly identified by some other effective means (color, number, etc.).

b) Line 2 Palletizer, Middle of the Facility Towards the West Wing - Locks were hung from the handles and set above the emergency stop (e-stop) buttons on the Palletizer. These locks were sometimes used by Machine Operators and maintenance employees for the locking out the e-stop buttons and/or electrical components on the Palletizers. However, these locks were not labeled or marked with the identity of the employee who applied the lock, or singularly identified by some other effective means (color, number, etc.).

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 7b Type of Violation: **Serious**

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

Palletizers 1 & 2, Middle of the Facility Towards the West Wing - Maintenance employees and Machine Operators performed maintenance and servicing activities inside of the Palletizers including, but not limited to removing jammed pallets and/or materials, cleaning up spilled materials and/or hydraulic fluid, and changing and/or repairing feed chains and other moving components. Although one or both of the emergency (e-stop) buttons were activated prior to maintenance employees and Machine Operators entering the Palletizers, locks or similar devices were not affixed to the e-stop buttons or other electrical disconnects on the Palletizers. Prior to entering the Palletizers, locks or similar devices were also not affixed to the disconnecting means to eliminate and/or control additional sources of energy on the Palletizers including, but not limited to pneumatic, hydraulic and gravity.

Date By Which Violation Must be Abated: **12/13/2011**

Safety Order 1 Item 7c Type of Violation: **Serious**

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee did not affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she began work, and did not remove those devices when he or she stopped working on the machine or equipment being serviced or maintained:

Facility Wide - Maintenance employees and Machine Operators performed maintenance and servicing activities inside of the Palletizers including, but not limited to removing jammed pallets and/or materials, cleaning up spilled materials and/or hydraulic fluid, and changing and/or repairing feed chains and other moving components. When maintenance employees and Machine Operators performed maintenance and servicing activities simultaneously, no group lockout/tagout devices and/or system were used on the Palletizers, and only one employee would apply a lock to one of the emergency (e-stop) buttons located on the outside of the Palletizers.

Date By Which Violation Must be Abated: 12/13/2011

Safety Order and Notification of Penalty

Company Name: Coca-Cola Refreshments
Inspection Site: 5000 West 25th Street, Speedway, IN 46224

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

Safety Order 1 Item 8a Type of Violation: **Serious**

29 CFR 1910.147(e)(2)(ii): After lockout or tagout devices were removed and before machines or equipment was started, affected employees were not notified that the lockout or tagout device(s) have been removed:

Facility Wide - Maintenance employees affixed locks to the disconnecting means of machinery and/or equipment such as, but not limited to the ammonia compressors and the Palletizers. On multiple instances, maintenance employees' locks were removed by employees and/or supervisors who did not originally apply the locks to the machinery and/or equipment. Once removed, the maintenance employees' locks were set on their desks or carts. Prior to removing maintenance employees' locks from machinery and equipment, the employees and/or supervisors did not contact the specific maintenance employee who applied the lock to inform them that their lock was removed.

Date By Which Violation Must be Abated: **12/13/2011**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 8b Type of Violation: **Serious**

29 CFR 1910.147(e)(3): Each lockout or tagout device was not removed from each energy isolating device by the employee who had applied the device:

Facility Wide - Maintenance employees affixed locks to the disconnecting means of machinery and/or equipment such as, but not limited to the ammonia compressors and the Palletizers. On multiple instances, maintenance employees' locks were removed by employees and/or supervisors who did not originally apply the locks to the machinery and/or equipment. Once removed, the maintenance employees' locks were set on their desks or carts. Prior to removing maintenance employees' locks from machinery and equipment, the employees and/or supervisors did not contact the specific maintenance employee who applied the lock to inform them that their lock was removed.

Date By Which Violation Must be Abated: **12/13/2011**

Robert A. Kattau
Director, Industrial Compliance

Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509

INVOICE/DEBT COLLECTION NOTICE

Company Name: Coca-Cola Refreshments
Inspection Site: 5000 West 25th Street, Speedway, IN 46224
Issuance Date: 11/16/2011

Summary of Penalties for Inspection Number 315051250

Safety Order 01, Serious	=	$40,500.00
Total Proposed Penalties		$40,500.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

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

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).

Robert A. Kattau
Director, Industrial Compliance

11-16-11
Date