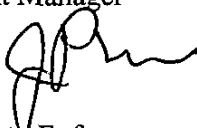


OFFICE OF ENVIRONMENTAL COMPLIANCE
SURVEILLANCE DIVISION

TO: Lourdes Iturralde, Enforcement Manager
FROM: Jeffrey P. Meyers, Manager 
SUBJECT: Surveillance Division Referral to Enforcement Division

Agency Interest Number: 103877

Date of Inspection: April 13, 2004

Media: Check all that apply

Air (inc. asbestos/lead) Water Haz. Waste Risk MPs
Solid Waste (inc. tires) UST Radiation Stage 1 & 2

Complaint related? No Follow up? No _____
Enforcement Action Number

Facility (Include company name, mailing address, and responsible official):

New Orleans Cold Storage Jourdan Terminal
PO Box 26308
New Orleans, LA 70186
Attn Mr. Gary Escoffier, President

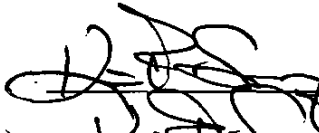
Areas of Concern:

1. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.67(e). The facility failed to develop a written schedule or completion date of when PHA recommendations are to be completed.
2. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.71(a)(1). The facility failed to train any employees of the Jourdan Road facility in an overview of the process, operating procedures where appropriate or safe work practices.
3. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(d)(3). The facility failed to establish inspection frequencies for any inspections.
4. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(b). The facility had no written procedures for mechanical integrity.
5. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(c). The facility had not trained any process operators in the procedures applicable to their job tasks.
6. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.77(b)(3) and (4). The new facility PSSR performed prior to startup did not confirm

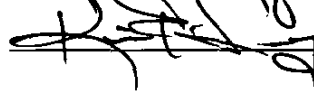
that a process hazard analysis had been performed and that the recommendations had been resolved or implemented. The new facility PSSR performed prior to startup did not confirm that training of each employee involved in operating a process had been completed.

7. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.95(a)(2) and (3). The facility did not have any procedures for the use of emergency response equipment or for its inspection, testing and maintenance. No employees have been trained in the relevant procedures or in the use of the of the emergency response equipment.
8. Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.10(a). The facility did not submit an RPM as required by 68.12(a) prior to introduction of a covered chemical as required by 68.10(a).

Investigator:

 4/21/4

Reviewed (ES Supervisor / Date):

 4/21/4

Date Referred to Enforcement:

CAPP INSPECTION

Report Date: 4/21/04

Date(s) of Stationary Source Audit: 3/31 and 4/6/04

Areas of Concern Noted:

Yes No

AI #: 103877

Name: New Orleans Cold Storage Jourdan Rd

Street Address: 3411 Jourdan Rd

City: New Orleans

State: LA

Zip: 70126

Mailing Address: PO Box 26308

City: New Orleans

State: LA

Zip: 70186

Name, address of Owner/operator or Corporate parent company (if applicable):
same

Owner/operator Phone Number:

Name, title, and phone of person responsible for 40 CFR Part 68 implementation:

Jimmy Bienvenu – Chief Engineer

Name and title of emergency contact:

Day Phone: 504-837-9150

24-hour Phone:

Specific processes audited

Process ID# or Name	Program Level	Audit Elements
Ammonia	3	Selected

Stationary source personnel Involved in audit (accompanied site tours, provided documents and explanations, etc.

Name	Title	Phone #
Jimmy Bienvenu 837-915	Chief Engineer	504-

Lead Auditor: Kevin Sweeney

Auditors:

PRE-AUDIT CHECKLIST

- LAC.5911.A&C Is the facility's registration current and complete?
 Yes No N/A
- LAC.33.III.2 Have the annual Chemical Accident Prevention Program fees been paid?
 Yes No N/A
- 68.1 & 68.12 Has the RMP been reviewed for Applicability (program level) and General Requirements?
 Yes No N/A
Reviewed on site
- 68.155(a)-(g) Has the owner or operator included a brief description of the required elements in the executive summary of the RMP?
 Yes No N/A
Reviewed on site
- 68.165(a)&(b) Does the submitted RMP contain one or more toxic and or flammable worst-case scenario(s) that contain all of the required information accurately, and do the endpoint distances correlate with RMP Comp?
 Yes No N/A
Reviewed on site
- 68.165(a)&(b) Does the submitted RMP contain one or more toxic and or flammable alternate-case scenario(s) that contains all of the required information accurately, and do the endpoint distances correlate with RMP Comp?
 Yes No N/A
Reviewed on site
- 68.42&68.42(b) Does the submitted RMP contain all of the required five year accident history information?
 Yes No N/A
Reviewed on site

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.10(a). The facility did not submit an RPM as required by 68.12(a) prior to introduction of a covered chemical as required by 68.10(a).

Hazard Assessment Documentation [68.39]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator maintained on site the required documentation for the hazard assessments (worst case and alternative release scenario)?

Yes No N/A

Process Safety Information [68.65]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Process Hazard Analysis [68.67]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.67(e). The facility failed to develop a written schedule or completion date of when PHA recommendations are to be completed.

Operating Procedures [68.69]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Biennu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Training [68.71]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Biennu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.71(a)(1). The facility failed to train any employees of the Jourdan Road facility in an overview of the process, operating procedures where appropriate or safe work practices.

Mechanical Integrity [68.73]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Biennu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(d)(3). The facility failed to establish inspection frequencies for any inspections.

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(b). The facility had no written procedures for mechanical integrity.

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.73(c). The facility had not trained any process operators in the procedures applicable to their job tasks.

Management of Change [68.75]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Observation: Not Covered

Pre-Startup Safety Review [68.77]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.77(b)(3) and (4). The new facility PSSR performed prior to startup did not confirm that a process hazard analysis had been performed and that the recommendations had been resolved or implemented. The new facility PSSR performed prior to startup did not confirm that training of each employee involved in operating a process had been completed.

Compliance Audits [68.79]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Observation: Not due.

Incident Investigation [68.81]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Observation: None to evaluate

Employee Participation [68.83]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Observation: Not covered

Hot Work Permit [68.85]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Observation: Not covered

Contractors [68.87]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

Observation: Not covered

Emergency Response - Applicability [68.90]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Bienvenu

Documentation: Facility RMP Plan developed by consultant (Bonnar).

68.90(a) Employees of a stationary source will respond to emergencies?

Yes No N/A

If YES see 68.95(a) BELOW

If NO proceed to following questions

Employees of the stationary source WILL NOT RESPOND to accidental releases of regulated substances:

68.90(b)(1) For stationary sources with any regulated toxic substance held in a process above the threshold quantity, is the stationary source included in the community emergency response plan developed under EPCRA?

Yes No N/A

68.90(b)(2) For stationary sources with only regulated flammable substances held in a process above the threshold quantity, has the owner or operator coordinated response actions with the local fire department?

Yes No N/A

68.90(b)(3) Are appropriate mechanisms in place to notify emergency responders when there is a need for a response?

Yes No N/A

Emergency Response - Program[68.95]

Has the owner or operator developed and implemented an emergency response program for the purpose of protecting public health and the environment?

Yes No N/A

Area of Concern: LAC 33:III.5901. A as described by 40 CFR 68.95(a)(2) and (3).
The facility did not have any procedures for the use of emergency response equipment or for its inspection, testing and maintenance. No employees have been trained in the relevant procedures or in the use of the of the emergency response equipment.

Management – [68.15]

Inspector Name: Kevin Sweeney

Facility Contact: Jimmy Biennu

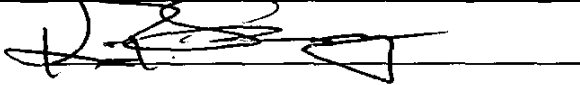
Documentation: Facility RMP Plan developed by consultant (Bonnar).

Has the owner or operator complied with the requirements of this section of the accident prevention regulations?

Yes No N/A

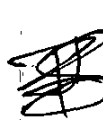
Signatures:

Lead Auditor:

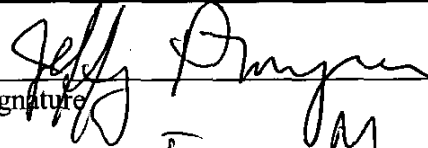


Auditors:

Approved by:

 4/21/04

Signature



Date

5-10-04

Title

Env. Manager

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
FIELD INTERVIEW FORM**

AGENCY INTEREST#: 103877 INSPECTION DATE: 4/6/14 TIME OF ARRIVAL: 9:35

ALTERNATE ID#: _____ DEPARTURE DATE: 4/6/14 TIME OF DEPARTURE: _____

FACILITY NAME: ^(ID, Type/Number) New Orleans Cold Storage Jordan RD PH#: 504 2464521

LOCATION: 3411 Jourdan Rd N.O. LA 70126

RECEIVING STREAM (BASIN/SUBSEGMENT): _____ PARISH NAME: Orleans

MAILING ADDRESS: SAME
(Street/P.O. Box) (City) (State) (ZIP)

FACILITY REPRESENTATIVE: Jimmy Bienvenu TITLE: Chief Engineer

FACILITY REPRESENTATIVE PHONE NUMBER: 504 2464521
NAME, TITLE, ADDRESS and TELEPHONE of RESPONSIBLE OFFICIAL (if different from above): _____

INSPECTION TYPE: RMP CET PROGRAM INVOLVED: AIR WASTE WATER OTHER

INSPECTOR'S OBSERVATIONS: (e.g. AREAS AND EQUIPMENT INSPECTED, PROBLEMS, DEFICIENCIES, REMARKS, VERBAL COMMITMENTS FROM FACILITY REPRESENTATIVES)

This facility was started up 7/03. Mr. Bienvenu is located at Airline Drive Facility send to OPA AOC's ① No Hazard Assessment (worst case scenario) ② No PHA ③ No training for Jourdan Rd. employees (operating, overview of process, hazards, shutdown or safe work practices) ④ No Mechanical Integrity procedures, inspections, inspection frequency, training or documentation ⑤ PSSR did not document PHA + completion of recommendations or training ⑥

AREAS OF CONCERN:

REGULATION	EXPLANATION	CORRECTED?
⑥	Management system not documented	NO
⑦	No procedures for use of emergency response equipment inspection testing, or maintenance - NO Employee training in procedures, No procedures to review + update ER plan	NO

PHOTOS TAKEN: YES NO SAMPLES TAKEN: YES NO (Attach Chain-of-custody)

RECEIVED BY: SIGNATURE: J. Bienvenu

PRINT NAME: JAMES E. BIENVENU

(NOTE: SIGNATURE DOES NOT NECESSARILY INDICATE AGREEMENT WITH INSPECTOR'S STATED OBSERVATIONS)

INSPECTOR(S): Kevin P. Sweeney CROSS REFERENCE: _____
225-219-3626 ATTACHMENTS: _____

REVIEWER: _____

NOTE: The Information contained on this form reflects only the preliminary observations of the inspector(s). It should not be interpreted as a final determination by the Department of Environmental Quality or any of its officers or personnel as to any matter, including, but not limited to, a determination of compliance or lack thereof by the facility operator with any requirements of statutes regulations or permits. Each day of non-compliance constitutes a separate violation of the regulations and/or the Louisiana Environmental Quality Act.

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
FIELD INTERVIEW FORM**

AGENCY INTEREST#: 103877 INSPECTION DATE: 4/13/04 TIME OF ARRIVAL: 9:30

ALTERNATE ID#: _____ DEPARTURE DATE: 4/13/04 TIME OF DEPARTURE: 11:00

FACILITY NAME: N.O. Cold Storage Jourdan Rd PH #: 504 246 4521

LOCATION: 3411 Jourdan Rd NO LA 70126

RECEIVING STREAM (BASIN/SUBSEGMENT): _____ PARISH NAME: Orleans

MAILING ADDRESS: PO Box 26308 New Orleans LA 70186
(Street/P.O. Box) (City) (State) (ZIP)

FACILITY REPRESENTATIVE: Jimmy Bienvenue TITLE: Chief Eng

FACILITY REPRESENTATIVE PHONE NUMBER: 504 8379150
NAME, TITLE, ADDRESS and TELEPHONE of RESPONSIBLE OFFICIAL (if different from above):
Same

INSPECTION TYPE: RMP PROGRAM INVOLVED: AIR WASTE WATER OTHER _____

INSPECTOR'S OBSERVATIONS: (e.g. AREAS AND EQUIPMENT INSPECTED, PROBLEMS, DEFICIENCIES, REMARKS, VERBAL COMMITMENTS FROM FACILITY REPRESENTATIVES)

Follow up to 4/6/04 inspection. Corrected HAZARD ASSESSMENT - still need to file w/ EPA. Reviewed PMA still no schedule due date or completion of recommendations. Still Need training. MI need Frequency, procedures & inspector training. PSSR PMA training review not done. Management system OK. E.R. Equipment training, procedures, training, & Testing still needs to be done. The above not completed or developed or

AREAS OF CONCERN:

REGULATION	EXPLANATION	CORRECTED?	
<u>implemented</u>	<u>are considered ADC's</u>	YES	NO
_____	_____	YES	NO
_____	_____	YES	NO

PHOTOS TAKEN: YES NO SAMPLES TAKEN: YES NO (Attach Chain-of-custody)

RECEIVED BY: SIGNATURE: [Signature]

PRINT NAME: JAMES BIENVENU
(NOTE: SIGNATURE DOES NOT NECESSARILY INDICATE AGREEMENT WITH INSPECTOR'S STATED OBSERVATIONS)

INSPECTOR(S): Kevin Sweeney CROSS REFERENCE: _____
225 219 3626 ATTACHMENTS: _____

REVIEWER: _____

NOTE: The Information contained on this form reflects only the preliminary observations of the inspector(s). It should not be interpreted as a final determination by the Department of Environmental Quality or any of its officers or personnel as to any matter, including, but not limited to, a determination of compliance or lack thereof by the facility operator with any requirements of statutes regulations or permits. Each day of non-compliance constitutes a separate violation of the regulations and/or the Louisiana Environmental Quality Act.