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November 22, 2004

Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge La. 70821-4312  
Attention: Joseph Austin  
Cheryl Easley

James Bienvenu  
New Orleans Cold Storage  
3411 Jourdan Rd.  
New Orleans, La. 70126

Re: COMPLIANCE ORDER  
ENFORCEMENT TRACKING NO. RMPE-C-04-0019,  
AGENCY INTEREST NO. 103877  
DATED 10/27/04

Dear Sir/Madam:

As per instruction from Mr. Austin after our phone conversation I am writing this letter to reply to the above compliance order. The following actions and / or explanations are as follows:

- I. Inspection frequencies were established at the time of the inspection, but were not on the premises. The operators had been previously operating very similar systems and have since been trained on the procedures for this specific building.
- II. PHA recommendations had been completed and a written schedule was available, but had not been implemented at the time of the inspection, however recommendations have been corrected since.
- III. Procedures were in practice at the time of the inspection, but again the written copy was not on site . However, the inspections were being practiced and a daily log which is consistent with our other facilities was and is recorded daily and kept on site for a minimum of five years. It has been our practice in the past to keep these records since initial start-up. In some cases this is over twenty years.

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ENFORCEMENT DIVISION

IV. Employees operating at the facility had been initially trained in this identical process in the past. The proof of their initial training is the Stationary Engineers Certificate, issued by the City of New Orleans, for which the applicant must pass a test to acquire. They also have on file computer generated certificates with dates that they completed curriculum from the International Institute of Ammonia Refrigeration. In addition they are receiving ongoing training specific to this system, it's operating procedures, and/ or refreshers to standard safe practice when performing duties that they will certainly encounter on any system. This documentation is now on site.

V. This has been addressed at item # II.

VI. We have had a meeting regarding this issue and decided that we will amend our R.M.P submission to eliminate this responsibility, reason being we do not have an adequate number of qualified personnel to perform the duties that are required. We will instead try to have as much information available for the emergency personnel that arrive in the event that a situation should arise.

VII. We have submitted our RMP since your initial inspection, however the EPA returned our submission as incomplete because of an error in the software supplied to us by the contractor. We are in the process of getting this corrected and re-submitted.

New Orleans Cold Storage and I both take great pride in the mechanical integrity that we have maintained our plants over the 29 years that I have been employed here. I am working on improving my administrative abilities to compile the documentation in the correct format that is being requested and we are committed to achieving and maintaining compliance. I understand the reason for RMP and I am in total support to try to insure the safety of all who are involved in this process.

We appreciate the assistance of your inspectors in trying to clarify our commitment and would appreciate your patience as we fine tune our program so everyone involved is completely informed on any aspect of this process in order to keep it as safe as possible.

Please allow us, if you would to be re-inspected, as we discussed, and if you could inform me of the date, I would like to be sure that I am available to meet with Mr. Sweeney, or whoever may be the inspector.

Sincerely,



James E. Bienvenu