

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND**

8/11/23

In the Matter of:)		
)	Docket No.	Received by
Seafreeze Limited,)	CAA-01-2023-0053	EPA Region 1
)		Hearing Clerk
Respondent.)	CONSENT AGREEMENT	
)	AND FINAL ORDER	
)		

CONSENT AGREEMENT AND FINAL ORDER

1. The issuance of this Consent Agreement (“Consent Agreement” or “Agreement”) and attached Final Order (“Final Order” or “Order”), in accordance with 40 C.F.R. § 22.13(b), simultaneously commences and concludes an administrative penalty assessment proceeding brought under Section 113(d) of the Clean Air Act (“CAA”), 42 U.S.C. § 7413(d), and Sections 22.13 and 22.18 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules”), as codified at 40 C.F.R. Part 22.

2. Complainant is the United States Environmental Protection Agency, Region 1 (“EPA”).

3. Respondent is Seafreeze Limited (“Seafreeze” or “Respondent”).

4. Complainant and Respondent, having agreed that settlement of this action is in the public interest, consent to the entry of this consent agreement and the attached final order without adjudication of any issues of law or fact herein, and Respondent agrees to comply with the terms of this Consent Agreement and Final Order (“CAFO”).

I. PRELIMINARY STATEMENT

5. This Consent Agreement and Final Order is entered into under Sections 113(a)(3)(A) and 113(d) of the CAA, 42 U.S.C. §§ 7413(a)(3)(A) and 7413(d), and the Consolidated Rules of Practice, 40 C.F.R. Part 22.

6. EPA and the U.S. Department of Justice jointly determined that this matter, although it involves alleged violations that occurred more than one year before the initiation of this proceeding, is appropriate for administrative penalty assessment. 42 U.S.C. § 7413(d)(1); 40 C.F.R. § 19.4.

7. The Regional Judicial Officer is authorized to ratify this CAFO, which memorializes a settlement between Complainant and Respondent. 40 C.F.R. §§ 22.4(b) and 22.18(b).

8. The issuance of this CAFO simultaneously initiates and concludes an administrative proceeding for the assessment of monetary penalties, pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d). As discussed below, the CAFO resolves the following violations that Complainant alleges occurred in connection with Respondent's storage and handling of anhydrous ammonia at its fish processing and cold storage facility in North Kingstown, Rhode Island:

a. Failure to design and maintain a safe facility, taking such steps as are necessary to prevent such releases, in violation of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1); and

b. Failure to minimize the consequences of a release should one occur, in violation of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

II. STATUTORY AND REGULATORY AUTHORITY

9. Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), states that the purpose of Section 112(r) and its implementing regulations is “to prevent the accidental release and to minimize the consequences of any such release” of an “extremely hazardous substance.”

10. Pursuant to Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing substances listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), or any other extremely hazardous substance, have a general duty, in the same manner and to the same extent as 29 U.S.C. § 654, to (a) identify hazards which may result from accidental releases of such substances using appropriate hazard assessment techniques; (b) design and maintain a safe facility taking such steps as are necessary to prevent releases; and (c) minimize the consequences of accidental releases which do occur. This section of the CAA is referred to as the “General Duty Clause.”

11. The extremely hazardous substances listed pursuant to Section 112(r)(3) include, among others, anhydrous ammonia.

12. The term “accidental release” is defined by Section 112(r)(2)(A) of the CAA, 42 U.S.C. § 7412(r)(2)(A), as an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source.

13. The term “stationary source” is defined by Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), in pertinent part, as any buildings, structures, equipment, installations, or substance-emitting stationary activities, located on one or more contiguous properties under the control of the same person, from which an accidental release may occur.

14. The term “have a general duty in the same manner and to the same extent as section 654 of title 29 [of the U. S. Code]” means owners and operators must comply with the General Duty Clause in the same manner and to the same extent as employers must comply with the Occupational Safety and Health Act (“OSH Act”) administered by the Occupational Safety and Health Administration (“OSHA”). Section 654 of the OSH Act provides, in pertinent part, that “[e]ach employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees” and “shall comply with occupational safety and health standards promulgated under this act.” 29 U.S.C. § 654.

15. The intent of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), is for facility owners and operators to implement all feasible means to reduce the threat of death, serious injury, or substantial property damage to satisfy the requirements of the General Duty Clause. S. Rep. 101-228, 1990 U.S.C.C.A.N. 3385, 3595 (1989).

16. EPA routinely consults codes, standards, and guidance issued by chemical manufacturers, trade associations, and fire prevention associations (collectively, “industry standards”) to understand the hazards posed by using various extremely hazardous substances. The industry standards also are evidence of the standard of care that industry itself has recognized to be appropriate for managing those hazards. These industry standards are consistently relied upon by industry safety and fire prevention experts and are sometimes incorporated into state building, fire, and mechanical codes.

17. Sections 113(a) and (d) of the CAA, 42 U.S.C. §§ 7413(a) and (d), the Debt Collection Improvement Act of 1996 (as amended in 2015 by Section 701 of Pub. L. 114–74, 31 U.S.C. § 3701), and EPA’s Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19,

provide for the assessment of civil penalties for violations of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r), in amounts of up to \$55,808 per day per violation for violations that occurred after November 2, 2015 and are assessed on or after January 6, 2023.

III. GENERAL ALLEGATIONS

18. At all times relevant to the violations alleged herein, Respondent operated a cold storage warehouse and distribution facility located at 100 Davisville Pier Road, North Kingston, Rhode Island (the “Facility”).

19. The Facility is located immediately adjacent to Narragansett Bay, approximately one-third of a mile from several marinas, just under 1 mile from a few homes, and less than 1.5 miles from an elementary school, a residential neighborhood, and a small airport.

20. Respondent is a corporation organized under the laws of the State of Rhode Island.

21. As a corporation, Respondent is a “person” within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), against whom an administrative penalty order may be issued under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3).

22. The Facility is a “stationary source” as that term is defined at Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C).

23. At all times relevant to the violations alleged herein, Respondent was the “owner[s] or operator[s]” of the Facility, within the meaning of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

24. At all times relevant to the violations alleged herein, the Facility’s ammonia refrigeration system (“System”) used approximately 8,700 pounds of anhydrous ammonia.

Accordingly, Respondent “stored” and “handled” anhydrous ammonia, which, as indicated in paragraphs 10 and 11 above, is subject to the General Duty Clause.

25. Accordingly, at the time of the violations alleged herein, Respondent operated a stationary source that handled and stored anhydrous ammonia and thus was subject to the General Duty Clause found in Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

26. Due to the dangers associated with anhydrous ammonia, the ammonia refrigeration industry has developed industry standards to control the risks associated with the use of ammonia, specified in Appendix A. These standards are consistently relied upon by refrigeration experts and are sometimes incorporated by reference into state building and mechanical codes.

27. On November 22, 2020, approximately 16 pounds of anhydrous ammonia were released from a cracked nipple on a compressor at the Facility.

28. On January 6, 2021, less than one pound of anhydrous ammonia was released from a leaking seal on a compressor oil pump at the Facility.

29. On June 29, 2021, approximately nine pounds of anhydrous ammonia were released from a leak on the Facility’s autopurger, resulting in an injury to a Seafreeze employee.

30. On July 8, 2021, two duly authorized EPA inspectors and an Eastern Research Group, Inc. (“ERG”) contract inspector (collectively, the “EPA Inspectors”) conducted an inspection at the Facility (the “Inspection”) alongside representatives of the Department of Homeland Security, OSHA, the North Kingstown Fire Department, the Rhode Island Department of Environmental Management, and the Rhode Island State Fire Marshal’s Office. The purpose of EPA’s Inspection was to determine whether Respondent was complying with Section 112(r)

of the CAA, EPCRA, and the Comprehensive Environmental Response, Compensation, and Liability Act's ("CERCLA") release notification procedures.

31. The EPA inspectors toured the Facility's perimeter, storage building, roof, ammonia machinery room ("AMR"), maintenance shop area, freezer and freezer dock area rooms, and forklift maintenance and auxiliary storage rooms.

32. During the Inspection, EPA observed numerous potentially dangerous conditions relating to the anhydrous ammonia refrigeration system at the Facility; additional potentially dangerous conditions were identified based on a review of documents provided by Respondent.

33. The potentially dangerous conditions identified by EPA are listed in the chart attached to and made a part of this CAFO as Appendix A. Appendix A also explains how each of the conditions could lead to a release or inhibit the Facility's ability to minimize the consequences of any release that might occur and includes examples of recognized industry standards of care that could feasibly reduce or eliminate the hazard.

IV. VIOLATIONS

COUNT I – FAILURE TO DESIGN AND MAINTAIN A SAFE FACILITY

34. The allegations in paragraphs 1 through 33 are hereby realleged and incorporated herein by reference.

35. Pursuant to the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing extremely hazardous substances have a general duty, in the same manner and to the same extent as Section 654 of Title 29, to, among other things, design and maintain a safe facility, taking such steps as are necessary to prevent releases.

36. The recommended industry practice and standard of care for designing and maintaining a safe facility so as to prevent releases of extremely hazardous substances is to base design considerations upon applicable design codes, federal and state regulations, and industry guidelines to prevent releases or minimize their impacts as well as to develop and implement standard operating procedures, maintenance programs, personnel training programs, management of change practices, incident investigation procedures, self-audits, and preventative maintenance programs. EPA's *Guidance for Implementation of the General Duty Clause: Clean Air Act Section 112(r)(1)* (May 2000) ("EPA's GDC Guidance") explains broad categories of measures appropriate for preventing releases of extremely hazardous substances, and the International Institute of Ammonia Refrigeration and others have developed more specific standards and guidelines for preventing releases of ammonia, set out in Appendix A.

37. The instances in which EPA alleges that Respondent failed in its general duty to design and maintain the Facility in a safe manner, taking such steps as are necessary to prevent a release of an extremely hazardous substance, are listed under Conditions 1-5 of Appendix A, which is incorporated by reference into this CAFO. They include, for example, the failure to provide impact protection and adequate supports for piping and equipment, to address areas of breached insulation and corrosion, and to adequately label all ammonia piping.

38. Examples of industry standards associated with each instance in which Respondent failed in its general duty to design and maintain a safe facility (identified in Appendix A) demonstrate that the hazard is recognized by the ammonia refrigeration industry and that the industry has identified a feasible means by which Respondent could have eliminated or reduced the hazard. Further, Appendix A identifies, for each condition, how the failure to address the hazard could lead to or exacerbate a release of anhydrous ammonia and cause harm.

39. Accordingly, from at least September 30, 2018 through April 28, 2022, EPA alleges that Respondent failed to design and maintain a safe facility, taking such steps as were necessary to prevent a release of an extremely hazardous substance, in violation of the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

**COUNT II – FAILURE TO MINIMIZE THE CONSEQUENCES
OF ACCIDENTAL RELEASES THAT MIGHT OCCUR**

40. The allegations in paragraphs 1 through 39 are hereby realleged and incorporated herein by reference.

41. Pursuant to the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing extremely hazardous substances (including anhydrous ammonia) have a general duty, in the same manner and to the same extent as Section 654 of Title 29, to, among other things, minimize the consequences of any accidental releases that do occur.

42. Industry standards and guidelines for minimizing the consequence of an accidental release from ammonia refrigeration systems are found, among other places, in the industry standards referenced in Appendix A. They include emergency planning and preparedness measures, as well as design and maintenance measures to minimize the severity and duration of releases that do occur.

43. The instances in which EPA alleges that Respondent failed in its general duty to minimize the consequences of a release should one occur are listed under Conditions 4 and 6-12 of Appendix A, which is incorporated by reference into this CAFO. They include, for example, the failure to provide safely designed ventilation and pressure relief systems, adequate signage/labeling, and accessible eyewash/safety shower units inside and outside the machinery room.

44. Examples of industry standards associated with each instance in which Respondent failed in its general duty to minimize the consequences of a release (identified in Appendix A) demonstrate that the hazard is recognized by the ammonia refrigeration industry and that the industry has identified a standard means by which Respondent could have eliminated or reduced the hazard. Further, Appendix A identifies, for each condition, how the failure to address the hazard could lead to or exacerbate a release of anhydrous ammonia and cause harm.

45. Accordingly, from at least September 30, 2018 through May 26, 2022, EPA alleges that Respondent failed to minimize the consequences of an accidental release of an extremely hazardous substance should one occur, in violation of the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

V. TERMS OF SETTLEMENT

46. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

- a. Admits that EPA has jurisdiction over the subject matter alleged in this CAFO;
- b. Neither admits nor denies the specific factual allegations contained in this CAFO;
- c. Consents to the assessment of a civil penalty as stated below;
- d. Consents to the issuance of any specified compliance or corrective action order;
- e. Consents to the conditions specified in this CAFO;
- f. Consents to any stated Permit Action;

- g. Waives any right to contest the alleged violations of law set forth in Section IV of this CAFO; and
 - h. Waives its right to appeal the Final Order accompanying this Consent Agreement.
47. For the purpose of this proceeding, Respondent also:
- a. Agrees that this CAFO states a claim upon which relief can be granted against Respondent;
 - b. Acknowledges that this CAFO constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;
 - c. Waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this CAFO, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1);
 - d. Consents to personal jurisdiction in any action to enforce this Consent Agreement or Final Order, or both, in the United States District Court for the District of Rhode Island; and
 - e. Waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the Consent Agreement or Final Order, or both, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action.

48. Respondent certifies that it has corrected the violations alleged in this CAFO and is currently operating the Facility in compliance with the requirements of the General Duty Clause. Such compliance includes compliance with the key safety measures for ammonia refrigeration systems posted by EPA at <https://www.epa.gov/sites/default/files/2018-05/documents/listofkeymeasurements.pdf>.

49. Pursuant to Sections 113(a)(3)(A), (d)(2)(B) and (e) of the CAA, 42 U.S.C. § 7413(a)(3)(A), (d)(2)(B) and (e), and taking into account the relevant statutory penalty criteria, the applicable penalty policies, and Respondent's cooperation in agreeing to perform the non-penalty obligations in this CAFO, EPA has determined that it is fair and proper to assess a civil penalty of \$122,622 for the violations alleged in this matter. Respondent consents to the issuance of this CAFO and consents for purposes of settlement to:

- a. pay the penalty cited in paragraph 50 below; and
- b. perform the non-penalty conditions described in paragraphs 52 through 56 below.

Penalty Payment

50. Respondent agrees to:

- a. Pay the civil penalty of \$122,622 ("EPA Penalty") within 30 calendar days of the Effective Date of the CAFO;
- b. Pay the EPA Penalty using any method, or combination of methods, provided on the website <http://www.epa.gov/financial/additional-instructions-making-payments-epa>, and identifying every payment with "*In re Seafreeze Limited*, Docket No. CAA-01-2023-0053"; and

c. Within 24 hours of payment of the EPA Penalty, send proof of payment to the Regional Hearing Clerk and Laura J. Berry by email at the following email addresses. "Proof of payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to the EPA requirements, in the amount due, and identified with "*In re Seafreeze Limited*, Docket No. CAA-01-2023-0053":

Laura J. Berry
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
Berry.LauraJ@epa.gov

Wanda I. Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
Santiago.Wanda@epa.gov
and
R1_Hearing_Clerk_Filings@epa.gov

51. **Collection of Unpaid Civil Penalty:** Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), specifies the consequences of failure to pay the penalty on time. There are other actions EPA may take if respondent fails to timely pay: (a) refer the debt to a credit reporting agency or a collection agency pursuant to 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33; (b) collect the debt by administrative offset (*i.e.*, the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H; (c) suspend or revoke Respondent's licenses or other privileges; or (d) suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, 40 C.F.R. § 13.17.

In any collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

Non-Penalty Conditions

52. As a condition of settlement, in accordance with the requirements of the General Duty Clause, by no later than February 1, 2024, Respondent shall update its Process Hazard Review for the anhydrous ammonia refrigeration system at the Facility to consider whether natural hazards, including but not limited to the Facility's location in a Level "A" hurricane evacuation zone that could be subject to storm surges and hurricane-force winds, and consequences of those natural hazards pose risks that should be addressed.

53. As soon as possible, but no later than February 1, 2024, Respondent shall submit to EPA the following documents:

- a. A copy of the updated PHR described in paragraph 52 above, including a list of recommendations resulting from the exercise and a schedule for implementation of those recommendations; and
- b. A list of expenditures associated with implementing the requirements of paragraphs 52-53.

54. The Chief of EPA Region 1's Waste and Chemical Compliance Section shall have the authority to extend the deadlines in paragraphs 52-53 for good cause, and the parties shall endeavor to communicate informally before missing deadlines or demanding stipulated penalties.

55. Approval of Deliverables.

a. After reviewing any document that is required to be submitted pursuant to this CAFO (the "Submission") EPA shall, in writing (i) approve the Submission; (ii) approve the

Submission with specified conditions; (iii) approve part of the Submission and disapprove the remainder; or (iv) disapprove the Submission.

b. If the Submission is approved, Respondent shall take all actions required by the Submission in accordance with the schedules or requirements therein. If the Submission is conditionally approved or approved only in part, Respondent shall, upon written direction from EPA, take all actions required by the Submission that EPA determines are technically severable from any disapproved portions.

c. If the Submission is disapproved in whole or in part, Respondent shall, within 30 days or such other time as the Parties agree to in writing, correct all deficiencies and resubmit the Submission, or disapproved portion thereof, for approval in accordance with the preceding subparagraphs. If the resubmission is approved in whole or in part, Respondent shall proceed in accordance with the preceding subparagraphs.

d. Any stipulated penalties applicable to the original Submission, as provided in paragraphs 57 through 61 of this CAFO, shall accrue during the 30-day period or other specified period during which deficiencies are being corrected, but shall not be payable unless the resubmission is untimely or is disapproved in whole or in part, provided that, if the original Submission was so deficient as to constitute a material breach of Respondent's obligations under this CAFO as determined by EPA, the stipulated penalties applicable to the original Submission shall be due and payable notwithstanding any subsequent resubmission.

e. If a resubmission or portion thereof is disapproved in whole or in part, EPA may again require Respondent to correct any deficiencies, in accordance with the preceding subparagraphs, subject to the right of EPA to seek stipulated penalties as provided in the preceding subparagraphs.

56. **Notifications.**

a. Submissions required by this CAFO shall be in writing and shall be sent by email to the following recipients:

Tyler Diercks
Waste and Chemical Compliance Section Inspector
U.S. Environmental Protection Agency, Region 1
Diercks.Tyler@epa.gov

and

Laura J. Berry
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
Berry.LauraJ@epa.gov

b. EPA will send all written communications to the following representative(s) for Respondent:

Soren Dalsager
President
Seafreeze Limited
100 Davisville Pier
North Kingstown, RI 02852
sdalsager@profand.com

and

Brad Kernan
Compliance and Safety Officer
Seafreeze Limited
100 Davisville Pier
North Kingstown, RI 02852
brad@seafreezeld.com

c. All documents submitted to EPA in the course of implementing this CAFO shall be available to the public unless identified as confidential by Respondent pursuant to 40 C.F.R. Part 2 Subpart B and determined by EPA to merit treatment as confidential business information in accordance with applicable law.

Stipulated Penalties

57. Respondent's failure to comply with each of the provisions in paragraphs 52 through 56 above (the "Non-Penalty Conditions") shall become liable for stipulated penalties as set forth below.

58. In the event that Respondent fails to satisfactorily complete all provisions related to the Non-Penalty Conditions as described above in paragraphs 52 through 56, Respondent shall be liable for stipulated penalties in the following amounts: \$500 per day for the first fifteen (15) days of such violation; \$1,000 per day for the sixteenth (16th) through thirtieth (30th) days of such violation; and \$1,500 per day for each day of violation thereafter. The determination of whether the Non-Penalty Conditions have been satisfactorily completed shall be in the sole discretion of EPA.

59. Respondent shall pay stipulated penalties not more than fifteen (15) days after receipt of written demand by EPA for such penalties. The method of payment shall be in accordance with the provisions of paragraph 50 above. Interest and late charges shall be paid as stated in paragraph 60.

60. *Collection of Unpaid Stipulated Penalty for Failure to Perform Non-Penalty Conditions:* Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. In the event that Respondent fails to timely pay any portion of the stipulated penalty relating to the performance of the Non-Penalty Conditions, the penalty shall be payable, plus accrued interest, without demand. Interest shall be payable at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2) and shall accrue from the original date on which the penalty was due to the date of payment. In addition, a penalty charge

of six percent per year will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. Should assessment of the penalty charge on the debt be required, it will be assessed as of the first day payment is due under 31 C.F.R. § 901.9(d). In any such collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

61. EPA may, in the unreviewable exercise of its discretion, reduce or waive stipulated penalties otherwise due under this CAFO.

Additional Provisions

62. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of all parties and approval of the Regional Judicial Officer, except that the Regional Judicial Officer need not approve written agreements between the parties modifying schedules for the Non-Penalty Conditions described in paragraphs 52 through 56.

63. Respondent agrees that the time period from the Effective Date of this CAFO until all of the conditions specified in paragraphs 52 through 56 are completed (the "Tolling Period") shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by Complainant on any claims (the "Tolled Claims") set forth in Section IV of this CAFO. Respondent shall not assert, plead, or raise in any fashion, whether by answer, motion or otherwise, any defense of laches, estoppel, or waiver, or other similar equitable defense based on the running of any statute of limitations or the passage of time during the Tolling Period in any action brought on the Tolled Claims.

64. The provisions of this Agreement shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

65. By signing this CAFO, Respondent acknowledges that this CAFO will be available to the public and agree that this CAFO does not contain any confidential business information or personally identifiable information.

66. By signing this CAFO, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents.

67. By signing this CAFO, both parties agree that each party's obligations under this CAFO and EPA's compromise of statutory maximum penalties constitute sufficient consideration for the other party's obligations.

68. By signing this CAFO, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

69. Complainant and Respondent, by entering into this CAFO, each consent to accept digital signatures hereupon. Respondent further consents to accept electronic service of the fully executed CAFO, by email, at sdalsager@profand.com and brad@seafreezeltd.com. Respondent understands that these email addresses may be made public when the CAFO and Certificate of Service are filed and uploaded to a searchable database.

VI. EFFECT OF CONSENT AGREEMENT AND ATTACHED FINAL ORDER

70. In accordance with 40 C.F.R. § 22.18(c), completion of the terms of this CAFO resolves only Respondent's liability for federal civil penalties for the violations specifically alleged above.

71. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 113(d) of the CAA for the violations alleged herein. Compliance with this CAFO shall not be a defense to any other actions subsequently commenced pursuant to federal laws and regulations administered by EPA for matters not addressed in this CAFO, and it is the responsibility of Respondent to comply with all applicable provisions of federal, state, or local law.

72. The civil penalty provided under this CAFO, and any interest, nonpayment penalties, and charges described in this CAFO, shall represent penalties assessed by EPA within the meaning of 26 U.S.C. § 162(f) and are not tax deductible for purposes of federal, state or local law. Accordingly, Respondent agrees to treat all payments made pursuant to this CAFO as penalties within the meaning of 26 C.F.R. § 1.162-21, and further agrees not to use these payments in any way as, or in furtherance of, a tax deduction under federal, state, or local law.

73. For purposes of the identification requirement of Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 1.162-21(b)(2), performance of the conditions in paragraph 52 is restitution or required to come into compliance with the law.

74. This CAFO constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.

75. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, or be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

76. EPA reserves the right to revoke this CAFO and settlement penalty if and to the extent that EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to EPA, and EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

77. This CAFO in no way relieves Respondent or its employees of any criminal liability, and EPA reserves all its other criminal and civil enforcement authorities, including the authority to seek injunctive relief and the authority to undertake any action against Respondent in response to conditions which may present an imminent and substantial endangerment to the public health, welfare, or the environment.

78. Except as qualified by paragraphs 51 and 60 (overdue penalty and stipulated penalty collection), each party shall bear its own costs and fees in this proceeding including attorney's fees. Respondent specifically waives any right to recover such costs from EPA pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, or other applicable laws.

VII. EFFECTIVE DATE

79. Respondent and Complainant agree to issuance of the attached Final Order. This CAFO shall become effective after execution of the Final Order by the Regional Judicial Officer, on the date of filing with the Regional Hearing Clerk.

The foregoing Consent Agreement, *In the Matter of Seafreeze Limited*, Docket No. CAA-01-2023-0053, is hereby stipulated, agreed, and approved for entry.

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY:

James Chow, Acting Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 1

The foregoing Consent Agreement, *In the Matter of Seafreeze Limited*, Docket No. CAA-01-2023-0053, is hereby stipulated, agreed, and approved for entry.

FOR RESPONDENT:



Jim Bouras, Chief Financial Officer
Seafreeze Limited

Date: AUGUST 8, 2023

FINAL ORDER

Pursuant to 40 C.F.R. §§ 22.18(b) and (c) of EPA's Consolidated Rules of Practice and Sections 113(d)(1) and (d)(2)(B) of the Clean Air Act, 42 U.S.C. §§ 7413(d)(1) and (d)(2)(B), the foregoing Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified. Respondent is ordered to pay the civil penalty amount specified in the Consent Agreement, in the manner indicated. The terms of the Consent Agreement will become effective on the date it is filed with the Regional Hearing Clerk.

Date: _____

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1

Appendix A

Recognized and Generally Accepted Good Engineering Practices

In collaboration with the American National Standards Institute, the International Institute of Ammonia Refrigeration (“IIAR”) has issued and updates, among others, Standard 2: *Standard for Safe Design of Closed-Circuit Ammonia Refrigeration Systems* (“ANSI/IIAR 2”); Standard 4: *Installation of Closed-Circuit Ammonia Mechanical Refrigeration Systems* (“ANSI/IIAR 4”); Standard 5: *Start-up and Commissioning of Closed Circuit Ammonia Refrigeration Systems* (“ANSI/IIAR 5”); Standard 6: *Standard for Testing, Inspection, and Maintenance of Closed-Circuit Ammonia Refrigeration Systems* (“ANSI/IIAR 6”); Standard 7: *Developing Operating Procedures for Closed-Circuit Ammonia Mechanical Refrigerating Systems* (“ANSI/IIAR 7”), and Standard 9: *Standard for Minimum System Safety Requirements for Existing Closed-Circuit Ammonia Refrigeration Systems* (“ANSI/IIAR 9”), *inter alia*, along with other applicable standards and guidance. Bulletins and guidance include, without limitation, IIAR Bulletin No. 109, *Guidelines for IIAR Minimum Safety Criteria for a Safe Ammonia Refrigeration System* (1997, and in effect until 2019 when ANSI/IIAR 6 replaced it) (“IIAR Bull. 109”); IIAR Bulletin No. 110, *Guidelines for Start-Up, Inspection, and Maintenance of Ammonia Mechanical Refrigerating Systems* (1993, most recently updated in 2007, and in effect until 2019 when ANSI/IIAR 6 replaced it) (“IIAR Bull. 110”); IIAR Bulletin No. 114, *Guidelines for Identification of Ammonia Refrigeration Piping and Components* (1991, most recently updated in 2018) (“IIAR Bull. 114”); IIAR Bulletin No. 116, *Guidelines for Avoiding Component Failure in Industrial Refrigeration Systems Caused by Abnormal Pressure or Shock* (1992) (“IIAR Bull. 116”); and the Ammonia Refrigeration Management Program (2005, most recently updated in 2019) (“IIAR ARM Program”), which is intended to provide streamlined guidance to systems that have less than 10,000 pounds of ammonia. Also in collaboration with the American National Standards Institute, the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (“ASHRAE”) has issued (and updates) “Standard 15: Safety Standard for Refrigeration Systems.” These standards are consistently relied upon by refrigeration experts and are often incorporated into state building and mechanical codes. The chart cites to the standards of care that were in effect in 2021, when the inspection occurred.

Alleged Hazards/Dangerous Condition	GDC Violation	How Condition Could Lead to or Exacerbate the Consequences of a Release, Causing Harm	Examples of Industry Standards of Care, Showing that (1) Hazard is Recognized by Owner/Operator's Industry, and (2) There are Way(s) to Eliminate or Reduce the Hazard
<p><u>Condition 1</u></p> <p>Peeling paint and surface corrosion were observed on the control pressure receiver (CPR), the high pressure receiver, and piping associated with both vessels.</p>	<p>Failure to design and maintain a safe facility taking such steps as are necessary to prevent releases.</p>	<p>Corrosion can weaken piping and vessels to the point where it fails, causing a release.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to regularly inspect pressure vessels and piping for degradation of the protective coating and corrosion, clean down and repaint areas where corrosion has not yet materially reduced the wall thickness, and measure wall thickness and evaluate the potential for safe further use for areas where corrosion has materially reduced wall thickness. See, e.g., ANSI/IIAR 2-2014 § 13.4.2 (Refrigerant piping shall be isolated and supported to prevent damage from vibration, stress, corrosion, and physical impact.); ANSI/IIAR 9-2020 § 5.1 (All equipment and system components shall be inspected, tested, and maintained in accordance with ANSI/IIAR 6 (2019)); ANSI/IIAR 6-2019 §§ 10.1 (calling for annual visual inspection for pitting or surface damage and degradation of protective coating, i.e., paint, on uninsulated pressure vessels), 10.1.1 (Where pitting, surface damage, general corrosion, or a combination thereof, is visually observed on a metal surface of the pressure vessel, deficient areas shall be further evaluated.), 10.1.1.1 (Where such corrosion is suspected to have materially reduced the vessel wall thickness beyond its permitted corrosion allowance, the remaining wall thickness shall be measured using appropriate techniques.), 10.1.1.1.1 (Where such corrosion has not materially reduced the vessel wall thickness beyond its permitted corrosion allowance, the pressure vessel surface shall be cleaned and recoated to arrest further deterioration.), 10.1.1.1.2 (Where such corrosion has materially reduced the vessel wall thickness beyond its permitted corrosion allowance, the owner shall proceed in a timely manner with an analysis using specified criteria to determine suitability for continued operation); 11.1 (calling for annual visual inspection of piping for pitting and surface damage including degradation of protective coating, i.e., paint, on non-insulated piping and damage and/or moisture buildup in insulation on insulated piping.), 11.1.1 (where pitting, surface damage, general corrosion, or a combination thereof, is visually observed on a metal surface of the piping, deficient areas shall be further evaluated), 11.1.1.1 (if corrosion has materially reduced the remaining pipe wall thickness, the piping remaining wall thickness shall be measured using appropriate techniques), 11.1.1.2 (if corrosion has not materially reduced the remaining pipe wall thickness, the piping metal surface shall be cleaned and recoated to arrest further deterioration), 11.1.1.3 (if corrosion has materially reduced the remaining pipe wall thickness, the piping shall be evaluated to determine suitability for continued operation).</p>

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<p><u>Condition 2</u></p> <p>EPA inspectors observed several instances of the insulation and/or jacketing on piping associated with the surge drums and other piping runs on the upper roof that was damaged or missing, and in some instances corroded piping was observed underneath.</p>	<p>Failure to design and maintain a safe facility taking such steps as are necessary to prevent releases.</p>	<p>Insulation vapor barrier protects pipes and vessels from moisture, which causes corrosion. Breached insulation can hold moisture against the external pipe surface, furthering corrosion. Corroded pipes and vessels can break or succumb to pressure, causing an ammonia release.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to regularly inspect the condition of insulation and vapor barrier on piping, valves, and equipment, remove any sections of insulation or vapor barrier that are in poor condition, and replace the vapor barrier and insulation after any underlying corrosion has been addressed. <i>See, e.g., ANSI/IIAR 2-2014 § 5.10.1 (piping and equipment surfaces not intended for heat exchange shall be insulated, treated, or otherwise protected to mitigate condensation and excessive frost buildup); ANSI/IIAR 9-2020 §§ 5.1 (all equipment and system components shall be inspected, tested, and maintained in accordance with ANSI/IIAR 6-2019), 7.2.6.1 (Piping and equipment surfaces not intended for heat exchange shall be insulated, treated, or otherwise protected to mitigate condensation and excessive frost buildup where the surface temperature is below the dew point of the surrounding air during normal operation and in an area where condensation and frost could develop and become a hazard to occupants or cause damage to the structure, electrical equipment, or refrigeration system.); ANSI/IIAR 6-2019 §§ 11.1.2 (For insulated piping, where insulation is removed, partly or completely, for visual inspection or remaining wall thickness measurement(s), a protective coating shall be applied to the exposed metal surface and insulation shall be replaced in accordance with the manufacturer's installation instructions after arresting any identified exposed piping metal surface corrosion), Table 11.1 (piping), Inspection items (b) and (j) and Testing item (c) (calling for regular inspection of insulation and vapor barrier, and testing underneath areas of observed degraded insulation), and Table 11.1.6 (valves), Inspection items (b) and (f) and Testing items (a) and (b) (same).</i></p>

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<p><u>Condition 3</u></p> <p>The ceiling-mounted evaporators in the Freezer #1 Dock Area did not have physical protection from forklift or pallet damage.</p>	<p>Failure to design and maintain a safe facility taking such steps as are necessary to prevent releases.</p>	<p>Impacts to evaporators from forklifts or other operated equipment can result in an accidental release of ammonia.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to install guarding or barricading to prevent ammonia piping and equipment from being subject to physical impact. <i>See, e.g., ANSI/ILAR 2-2014, §§ 5.17.1</i> (Where ammonia-containing equipment is installed in a location subject to physical damage, guarding or barricading shall be provided.), 7.2.4 (Equipment shall be protected where a risk of physical damage exists. Where equipment containing ammonia is located in an area with heavy vehicular traffic during normal operations and a risk of impact exists, vehicle barriers or alternative protection shall be provided in accordance with the Fire Code.), 13.4.2 (Refrigerant piping shall be isolated and supported to prevent damage from vibration, stress, corrosion, and physical impact.); ANSI/ILAR 9-2020, § 7.2.12.1 (Where ammonia-containing equipment is installed in a location subject to physical damage, guarding or barricading shall be provided.)</p>
<p><u>Condition 4</u></p> <p>Significant portions of the ammonia piping associated with the CPR were not labeled to indicate contents, direction of flow, and physical state.</p>	<p>Failure to design and maintain a safe facility taking such steps as are necessary to prevent releases.</p> <p>Failure to minimize the consequences of releases which do occur.</p>	<p>The lack of proper pipe labeling makes it more difficult to properly maintain system, increases chance of accidental release of ammonia, and could frustrate efforts to respond quickly in the event of a release.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to label all piping with the identity, physical state, and relative pressure of the contents, as well as direction of flow. <i>See, e.g., ANSI/ILAR 2-2014 §§ 5.14.5</i> (piping shall be labeled with the identity, physical state, and relative pressure of the contents, along with the pipe service and direction of flow), 6.6.3 (piping shall be marked as required by Section 5.14.5); ANSI/ILAR 9-2020 § 7.2.9.4 (piping shall be labeled with the identity, physical state, and relative pressure of the contents, along with the pipe service and direction of flow).</p>

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<p><u>Condition 5</u></p> <p>The control pressure receiver was resting on supports that were not properly secured.</p>	<p>Failure to design and maintain a safe facility taking such steps as are necessary to prevent releases.</p>	<p>Adequate equipment supports can prevent detrimental vibration or movement that might make the equipment fail and release ammonia.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to provide adequate supports to prevent excessive vibration or movement of equipment. See, e.g., ANSI/ILAR 2-2014 §§ 5.11.5 (Supports and foundations shall be designed to prevent excessive vibration or movement of piping, tubing, and equipment.), 6.2.4 (Machinery shall be mounted in a manner that prevents excessive vibration from being transmitted to the building structure or connected equipment.); ANSI/ILAR 9-2020 §§ 7.2.7.1 (Piping, tubing, and equipment shall be supported to prevent excessive vibration and movement.), 7.3.2.3 (Supports and foundations shall be adequate to prevent movement of the equipment.), 7.3.2.4 (Supports and foundations shall be adequate to prevent excessive vibration of the equipment.).</p>
<p><u>Condition 6</u></p> <p>The paths of travel to eyewash/safety shower units inside and outside of the AMR were obstructed by equipment and other materials.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>Makes it difficult for emergency responders and workers to safely respond to releases and wash off this corrosive, toxic chemical in the event of exposure.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to provide at least one easily accessible eyewash/safety shower unit in each machinery room and one easily accessible eyewash/safety shower unit outside each machinery room. ANSI/ILAR 2-2014, §§ 6.7.1 (requiring a minimum of two eyewash/safety shower units—one located inside the AMR, and one located outside the AMR); 6.7.2 (the path of travel within the machinery room to at least one eyewash/safety shower unit shall be unobstructed and shall not include intervening doors), 6.7.3 (Emergency eyewash/safety shower unit installations shall comply with ANSI/ISEA Z358.1.); ANSI/ILAR 9-2020, §§ 7.3.7.1 (requiring a minimum of two eyewash/safety shower units, one located inside the AMR, and one located outside the AMR), 7.3.7.2 (the path of travel within the machinery room to at least one eyewash/safety shower unit shall be unobstructed and shall not include intervening doors), 7.3.7.3 (Emergency eyewash/safety shower unit installations shall comply with ANSI/ISEA Z358.1.); ANSI/ISEA Z358.1-2009 § 7.4.2 (Combination eyewash/shower units shall be in accessible locations that require no more than 10 seconds to reach. The combination unit shall be located on the same level as the hazard and the path of travel shall be free of obstructions that may inhibit its immediate use.)</p>

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<p><u>Condition 7</u></p> <p>The CPR isolation/king valve was not labeled and was not accessible from the ground or a permanent working platform.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>Labelling the King valve allows responding personnel the ability to easily identify the valve associated with the storage of ammonia in the system. The use of this valve provides responders a means of isolated a large quantity of ammonia during a release situation.</p> <p>In the event of a release, being able to access critical valves is necessary for emergency response. Platforms or chains used to operate valves that are out of reach from ground level are necessary and aid first responders.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to ensure critical valves are well labeled and easily accessible from the ground level. See, e.g., ANSI/IIAR 2-2014 §§ 5.1.4.3 (Valves required for emergency shutdown of the system shall be clearly and uniquely identified at the valve itself and in the system schematic drawings), 6.3.3.2 (Manually operated isolation valves identified as being part of the system emergency shutdown procedure shall be directly operable from the floor or chain operated from a permanent work surface.); ANSI/IIAR 9-2020 §§ 7.2.9.3, 7.3.3.3(1)-(2) (same).</p>
<p><u>Condition 8</u></p> <p>The pressure relief valves (PRVs) for surge drums 3 and 4 and associated equipment outside the machinery room discharged below the adjoining roofline.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>Improperly placed discharge reliefs can result in ammonia being sprayed on personnel working on the roof or catwalks during a release, further exacerbating the consequences of a release.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to elevate the discharge termination from pressure relief devices to be at least 7.25 feet above the roof (and nearby adjacent roofs) to avoid spraying people with ammonia. See, e.g., ANSI/IIAR 2-2014 § 15.5.1.3 (The discharge termination from pressure relief devices relieving to atmosphere shall not be less than 7.25 feet above a roof that is occupied solely during service and inspection. Where a higher adjacent roof level is within 20 feet horizontal distance from the relief discharge, the discharge termination shall not be less than 7.25 feet above the height of the higher adjacent roof.); ANSI/IIAR 9-2020 § 7.4.2.2 (same).</p>

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<p><u>Condition 9</u></p> <p>The machinery room's mechanically operated ventilation air intake louvers did not fail to the open position upon loss of power.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>In the event of a release in the AMR, make-up air is required and needed in order to properly exhaust the room. If the mechanically operated louvers do not fail open in the event of a power loss, make-up air may be cut off and the exhaust process short-circuited.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to ensure that motorized louvers, where utilized, fail to the open position upon loss of power. See, e.g., ANSI/IIAR 2-2014 § 6.14.5.6 (Motorized louvers or dampers, where utilized, shall fail to the open position upon loss of power); ANSI/IIAR 9-2020 § 7.3.13.3(5) (Motorized louvers or dampers, where utilized, shall fail to the open position upon loss of power).</p>
<p><u>Condition 10</u></p> <p>The visual ammonia alarm located outside the machinery room near the control pressure receiver was not labeled to indicate its meaning.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>Ammonia alarms provide early warning that a release is taking place, enabling quick response and protecting workers, emergency responders, and the public from a larger release. Properly identifying ammonia alarms allows employees and responders the ability to determine what chemical is being released and helps distinguish between an ammonia release and a fire.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to provide well labeled audio and visual alarms inside and immediately outside each entrance to the machinery room. See, e.g., ANSI/IIAR 2-2014 §§ 6.13.1.3 (requiring audio/visual alarm within AMR and additional audio/visual alarms located outside each AMR entrance), 6.15.2 (alarm signage shall be provided in accordance with Section 17.6), 17.6 (requiring ammonia leak detection alarms to be identified by signage adjacent to visual and audible alarm devices); NFPA 1-2012 § 53.2.3.1.2 (audible and visual alarms shall be located inside the machinery room and outside each entrance to the room); ANSI/IIAR 9-2020 §§ 7.2.9.1.2 (The meaning of each alarm shall be clearly marked by signage near the visual and audible alarms), 7.3.12.6 (Ammonia leak detection alarms shall be identified by signage adjacent to visual and audible alarm devices.), 7.3.12.1.3 (Audible and visual alarms shall be provided inside the machinery room. Additional audible and visual alarms shall be located outside of each entrance to the machinery room.)</p>

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<p><u>Condition 11</u></p> <p>Emergency equipment associated with the ammonia refrigeration system was not adequately labeled. For example, the system's emergency control box was not labeled and was housed in a padlocked box. Also, emergency stop and emergency ventilation switches outside the AMR were not clearly identifiable upon approach.</p>	<p>Failure to minimize the consequences of releases which do occur.</p>	<p>Failure to label all refrigeration system components could frustrate efforts to respond quickly in the event of a release. In the event of a release, emergency responders need to be able to quickly identify and access emergency control switches, as timely use of these switches can reduce the duration and severity of an accidental release.</p>	<p>The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to clearly label all refrigeration machinery, including emergency stop and emergency ventilation buttons. <i>See, e.g., ANSI/IIAR 2-2014 §§ 5.14.2 (Refrigeration machinery shall be provided with labels), 6.12.1 (A clearly identified emergency shut-off switch with a tamper-resistant cover shall be located outside and adjacent to the designated principal machinery room door. The switch shall provide off-only control of refrigerant compressors, refrigerant pumps, and normally closed automatic refrigerant valves located in the machinery room. The function of the switch shall be clearly marked by signage near the controls.), 6.12.2 (A clearly identified control switch for emergency ventilation with a tamper-resistant cover shall be located outside the machinery room and adjacent to the designated principal machinery room door. The switch shall provide "ON/AUTO" override capability for emergency ventilation. The function of the switch shall be clearly marked by signage near the controls.); ANSI/IIAR 9-2020 §§ 7.2.9.2, 7.3.11.1, 7.3.11.2 (same).</i></p>