



How to Handle a PSM/RM Program Inspection

Presented At The:
2005 RETA National Conference

By:
Peter R. Jordan
MBD Risk Management Services, Inc.

October 5 & 7, 2005

Agenda

- Describe the reasons PSM/RM Program inspections are currently taking place
- Describe how to handle the initial request for the inspection
- Describe the preparations that should be made prior to the inspection
- Describe the procedures that should be followed during the audit
- Describe the follow-up activities associated with the audit

Triggers for PSM/RM Inspections*

- Programmed inspection (~32%)
- Referral from another OSHA inspection or from other State/Federal agencies (23%)
- Employee complaints (21%)
- Major or catastrophic accident/release (Fat/Cats) (14%)
- Other (10%)

* OSHA data from 1992 to 1997

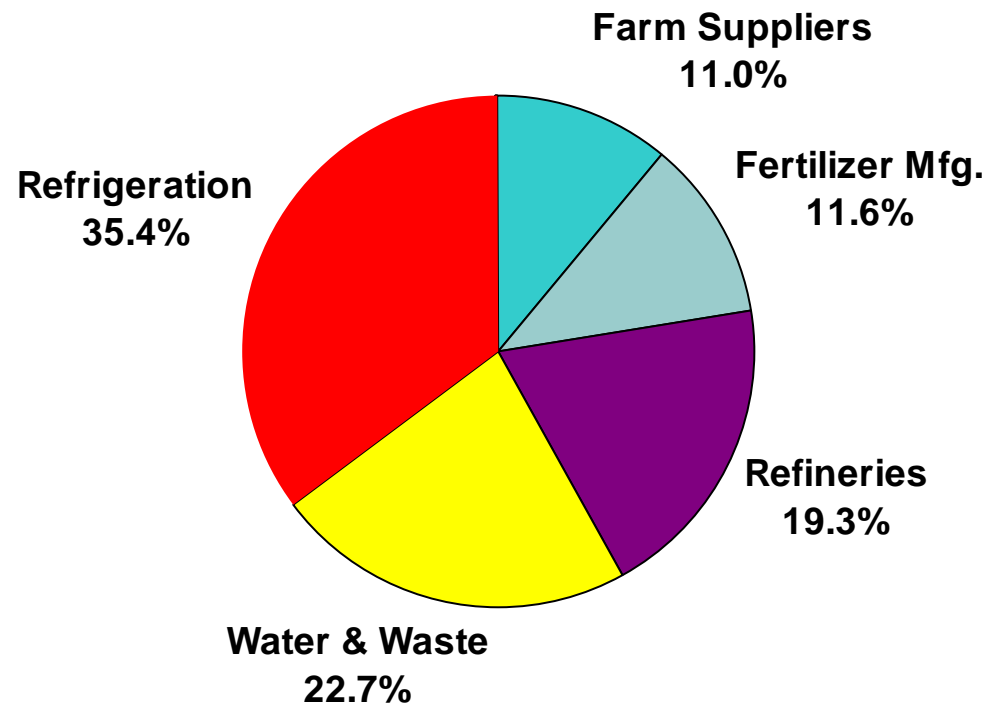
PREPAREDNESS :: PREVENTION :: RESPONSE



A SAFETY CONTINUUM



Why OSHA & EPA Target Refrigeration Systems*




RMP Accident Data


Total Accidents Above: 995

Total Accidents Reported: 1,190

*Data presented @ 2003 IIAR Conference

How to Handle the Initial Request for the Inspection

- Don't Panic 

- Ask a Lot of Questions 
 - When are you coming?
 - Why are you coming?
 - How long will the audit last?
 - Can I have a copy of your audit checklist?
 - Have you inspected a refrigeration system before?
 - Do you have any special concerns?

EPA Guidance for Auditing RM Plans/Programs*

- ANNEX C: AUDIT CHECKLIST
- **Instructions:** This checklist may be used for verification of RMP and Program compliance
- 1. RISK MANAGEMENT PROGRAM AND PLAN
- **Applicability [68.1]**
- 1.1. Does the owner or operator of the stationary source have more than a threshold quantity of a regulated substance in a process? [68.10(a)]
- 1.2. Has the process had, in the five years prior to submission of the RMP, an accidental release of a regulated substance where exposure to the substance, its reaction products, overpressure generated by an explosion involving the substance, or radiant heat generated by a fire involving the substance led to any of the following off-site: (i) Death; (ii) Injury; or (iii) Response or restoration activities for an exposure of an environmental receptor? [68.10(b)(1)]

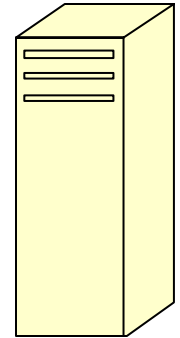
*Available at yosemite.epa.gov/oswer/ceppoweb.nsf/content/RMPoverview.htm

How to Prepare for the Audit

- Assemble your PSM Team



- Conduct an inventory of your PSM/RM Program documents



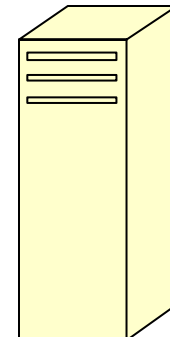
- Conduct a pre-audit using the inspector's checklist



Sample PSM Filing System

PSM FILE CABINET, FIRST DRAWER

- Ammonia Delivery Records
- Employee Participation Records
- Contractor Records
 - Contractor Qualification Questionnaires
 - Contractor Training Records
- Management of Change (MOC)/Pre-Startup Safety Review (PSSR) Forms
 - Management of Change (MOC) Log
 - Completed MOC/PSSR Forms
- Equipment Manuals



Common PSM/RM Issues

- Facility personnel can't readily locate files
- RM management system not in place
- Employee participation plan does not address all PSM elements
- Drawings are not up-to-date
- Inventory, ventilation and relief system calculations not documented
- PHA or PSM audit overdue
- PHA, incident investigation and audit recommendations not addressed

Common PSM/RM Issues (cont'd)

- SOP certification not completed each year
- Training not completed/documented
- Tests/inspections do not follow generally accepted good engineering practices
- MOC/PSSR forms not completed
- Contractors not evaluated/trained
- Odor complaints not documented
- Emergency response plan out-of-date
- RMP not re-submitted when change caused the PHA to be updated

Conduct a Mock Site Tour

- Decide who will conduct the tour and who will be present during the tour
- Choose an appropriate path for the site tour
- Ensure the doors, equipment, lines and valves are labeled
- Ensure the area is free of clutter
- Look for OSHA violations

What is Wrong With This Picture?



How to Conduct the Audit

- Decide who will be present during the audit
 - Choose your operators wisely
 - Decide if you want a consultant or lawyer available
- Bring your PSM/RM files to a central conference room
- Discuss the scope of the audit during the initial introduction
- Answer the questions but do not volunteer information

How to Upset the Regulator



- Fight with the regulator during the audit
- Have an ammonia release during the audit

- OSHA
 - Ignore employee complaints, especially about ammonia releases

- EPA
 - Do not report ammonia releases above 100 pounds
 - Release ammonia to the storm sewer

Follow-Up Activities

- Deficiencies identified during OSHA inspections typically result in fines
 - Decide whether to contest the violation

- Typically most EPA RM program audits to date have not resulted in significant fines

- Facilities will often be asked to provide progress reports (with supporting documentation) as deficiencies are corrected

Guidance for OSHA Citations

- Item must be covered by the standard
- Item must present a hazard to employees
- Item must represent a deficiency
- Employer should have known about item

Conclusions

- OSHA and the EPA will be visiting a refrigeration facility near you
- PSM/RM programs are not built in a day
- The time to prepare is now