



Risk Management Plan Changes

EPA issued a Request For Information in July of 2014 regarding its intent to change the Risk Management Plan requirements under the Clean Air Act. The main topics that appear to impact facilities the most are the agency's proposal to:

- Add additional chemicals to the regulated list making more facilities subject to RMP requirements
- Require audits to include third parties to maintain objectivity
- Require real time risk management performance monitoring metrics although the agency is not sure what these metrics should be

Read summary of the following page.



Injury Notification Changes Take Effect

OSHA revised the agency's injury reporting rule that takes effect on January 1, 2015. These revisions require injuries and hospitalizations to be reported much sooner than under the old rule and reduced the severity of injuries that must be reported. Key aspects of the new rule that all employers should be aware of include:

- Notify OSHA of work-related fatalities within eight hours
- Notify OSHA of work-related in-patient hospitalizations, amputations or losses of an eye within 24 hours.

Essentially OSHA retained the fatality notification requirement but reduced the hospitalization requirement from 3 employees down to a single employee and included amputations or the loss of an eye which one would think requires in-patient hospitalization anyway.

Read summary of the following page.





EPA Seeks Comments on Potential Revisions to its Risk Management Program

Release Date: 07/24/2014

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FOR IMMEDIATE RELEASE

July 24, 2014

EPA Seeks Comments on Potential Revisions to its Risk Management Program

WASHINGTON – Today, the U.S. Environmental Protection Agency (EPA) published a Request for Information (RFI) to seek comment on potential revisions to its Risk Management Program (RMP) regulations and related programs to modernize its regulations as required under Executive Order (EO) 13650: *Improving Chemical Facility Safety and Security*.

“Chemical safety and security are a shared commitment among government, industry, public interest groups and communities,” said Mathy Stanislaus, assistant administrator for EPA’s Office of Solid Waste and Emergency Response. “We are reaching out to all these partners to ask for their suggestions and comments to help us improve the Risk Management Program, and in turn improve safety and security of chemical facilities.”

During the 90-day comment period, EPA asks for information and data on specific regulatory elements and process safety management approaches to enhance public health and safety, and aid local fire, police, and emergency response personnel to prepare for and respond to chemical emergencies. The information received will be used when reviewing chemical hazards covered by the RMP and to determine how this program should be expanded to improve chemical facility safety. The RFI does not commit the agency to rulemaking.

EO 13650 requires the Occupational Safety and Health Administration (OSHA) and EPA to review the chemical hazards covered by their existing risk management programs and develop options to improve those programs. OSHA issued an RFI on potential changes to its Process Safety Management (PSM) standard on December 9, 2013. EPA’s RFI closely coordinates with the potential changes to OSHA’s PSM program for accident prevention measures.

The RFI addresses potentially updating the list of RMP regulated substances, and adjusting threshold quantities and toxic endpoints based on Acute Exposure Guideline Level (AEGL) toxicity values. The RFI seeks comment on strengthening or clarifying several existing process safety elements under the RMP including compliance audits, maintenance of safety critical equipment, managing organizational changes, emergency response capabilities, and incident investigation. It also seeks comment on adding additional risk management program elements, such as consideration of using inherently safer technology, process safety metrics, automated monitoring of releases, emergency drills, stop work authority, and addressing facility location (siting) risks. Some of the items under consideration were discussed at the public listening sessions held on the EO or in comments received on the January 2014 EO Section 6(a) options for policy, regulations and standards modernization to improve chemical facility risk management.

To view EPA’s RFI and provide public comment, visit http://www.epa.gov/emergencies/eo_improving_chem_fac.htm

The public will have 90 days to submit written comments online, www.regulations.gov (the portal for federal rulemaking), or by mail.



September 14, 2014

OSHA announces new requirements for reporting severe injuries and updates list of industries exempt from record-keeping requirements

WASHINGTON – The U.S. Department of Labor's Occupational Safety and Health Administration today announced a [final rule](#) requiring employers to notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation or loss of an eye. The rule, which also updates the list of employers partially exempt from OSHA record-keeping requirements, will go into effect on Jan. 1, 2015, for workplaces under federal OSHA jurisdiction. The announcement follows preliminary results from the Bureau of Labor Statistics' [2013 National Census of Fatal Occupational Injuries](#)*.

"Today, the Bureau of Labor Statistics reported that 4,405 workers were killed on the job in 2013. We can and must do more to keep America's workers safe and healthy," said U.S. Secretary of Labor Thomas E. Perez. "Workplace injuries and fatalities are absolutely preventable, and these new requirements will help OSHA focus its resources and hold employers accountable for preventing them."

Under the revised rule, employers will be required to notify OSHA of work-related fatalities within eight hours, and work-related in-patient hospitalizations, amputations or losses of an eye within 24 hours. Previously, OSHA's regulations required an employer to report only work-related fatalities and in-patient hospitalizations of three or more employees. Reporting single hospitalizations, amputations or loss of an eye was not required under the previous rule. All employers covered by the [Occupational Safety and Health Act](#), even those who are exempt from maintaining injury and illness records, are required to comply with OSHA's new severe injury and illness reporting requirements. To assist employers in fulfilling these requirements, OSHA is developing a [Web portal](#) for employers to report incidents electronically, in addition to the phone reporting options.

"Hospitalizations and amputations are sentinel events, indicating that serious hazards are likely to be present at a workplace and that an intervention is warranted to protect the other workers at the establishment," said Dr. David Michaels, assistant secretary of labor for occupational safety and health.

In addition to the new reporting requirements, OSHA has also updated the [list of industries](#) that, due to relatively low occupational injury and illness rates, are exempt from the requirement to routinely keep injury and illness records. The previous list of exempt industries was based on the old Standard Industrial Classification system and the new rule uses the [North American Industry Classification System](#) to classify establishments by industry. The new list is based on updated injury and illness data from the Bureau of Labor Statistics. The new rule maintains the exemption for any employer with 10 or fewer employees, regardless of their industry classification, from the requirement to routinely keep records of worker injuries and illnesses.

For more information about the new rule, visit OSHA's website at <http://www.osha.gov/recordkeeping2014>.