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TO: DISTRIBUTION

FROM: D. C. Skokna

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Interoffice
Communication

VISTA

SUBJECT: COMMENTS FROM OSHA AND INDUSTRY REGARDING
PROCESS SAFETY MANAGEMENT

The following are industry and OSHA comments that I heard at workshops and meetings on PSM. While I do not believe any of these comments to be OSHA's final position on issues, they give you an indication of the direction of OSHA's thinking. For clarification, I marked the statements to indicate whether it is an OSHA (OSHA); general industry (IND), or my own view (DCS) on an issue.

GENERAL COMMENT

(OSHA) Documentation is very important. They believe management should constantly review the documentation of PSM programs to ensure they are of good quality and on-track.

(DCS) While a lot of areas do not have documentation requirements, on nearly every issue discussed at these meetings, OSHA spoke to what documents they would ask for. Most of these documents were not required ones.

APPLICATION OF THE STANDARD

*(OSHA) If you use "administrative controls" to avoid exceeding a threshold quantity (TQ), then you must have documented procedures for that control and documentation that shows it is followed. OSHA will look for gauge reports, operator log sheets, strip charts, electronic recordings of instrument readings, or other means that shows that the RQ was not exceeded.

*(OSHA) Pipeline, rail cars and trucks are sometimes covered by OSHA's PSM standard and at other times by DOT rules. The guiding principal is PSM does not apply when DOT has jurisdiction. Examples:

- A railcar is unloading to a tank-DOT.
- A truck that is driving through your plant-DOT.
- A railcar on a siding waiting to unload-PSM.
- Maintenance of railcars and trucks-DOT.

Comments on PSM
May 14, 1993
Page 2

*(OSHA) The intent of the "atmospheric storage exemption" for flammable substances is to continually exempt bulk storage facilities such as tank terminals.

*(OSHA) Unless otherwise specified, the OSHA rules apply only to commercial grade or 99+% pure materials. (Note- EPA's CAAA lowers the threshold concentration for most listed substances to 1+% mixtures.)

EMPLOYEE PARTICIPATION

*(OSHA) The intent is to continually involve employees in all aspects of PSM. They did not intend to require each employee to participate rather to involve the most knowledgeable employees.

*(OSHA) They will look for evidence of a plan that solicits participation from all employees and affords each employee the opportunity to participate.

*(DCS) See the Steelworkers vs. OSHA settlement agreement for clarification on the extent of participation expected by OSHA for contract employees. "Nesters" should participate like full time direct hires.

*(OSHA) They believe PHA's done without employee participation to be suspect, especially one done by a contractor. In a case where there was no employee participation, OSHA expects you to revalidate it with employee participation.

*(OSHA) In general, OSHA will look for documentation of employee participation. They will look for minutes of meetings or PSM related documents that name employees as participants or authors.

OPERATING PROCEDURES

*(OSHA) Procedures need to be detailed to the extent that an inexperienced operator may use them to perform his job.

*(OSHA) For the annual certification requirement, OSHA expects the individual(s) certifying the procedures will have detailed knowledge of the procedures. Shift supervisors or second level supervisors are typically used.

Comments on PSM
May 14, 1993
Page 3

PROCESS SAFETY INFORMATION

*(OSHA) The technical basis for normally occupied buildings needs to be included in this information.

PROCESS HAZARDS ANALYSES

*(OSHA) Training in PHA methodology is implied in the regulations. That is, the requirement that one member of the PHA team be knowledgeable in the PHA method is met by training. Participation on other PHA teams is not sufficient in meeting this requirement.

*(OSHA) PHA's must consider previous "events" in the history of the process being studied. You should consider "events" from similar processes within the industry although this is not required.

*(OSHA) You should have a list of documents considered when conducting a PHA. These would include accident reports, release reports, fire reports, near misses, etc.

*(OSHA) On the issue of how long is reasonable to complete items found during a PHA, OSHA expects you to use good judgement. They also expect when indicated that interim measures be taken for long lead time corrective actions such as major capital projects.

A NUMBER OF ISSUES REGARDING "FACILITY SITING" WERE DISCUSSED.
ALL COMMENTS WERE FROM OSHA PERSONNEL.

*Siting refers to the relationship of equipment within the facility not its relationship to the community.

*In general "siting" means what can you do to mitigate the effects of an incident in one part of the plant from affecting other parts of the plant.

*They believe "gathering points" during emergencies need to withstand the effects of that emergency. If a building is part of an "event plan", then it should be able to withstand the effects of the event.

*It is acceptable to recommend further study of siting issues provided this is documented and that the study gets done in a timely manner.

*OSHA plans to use DOW's "Fire and Explosion Index Hazard Classification Guide", 6th edition as a basis for appropriate siting.

Comments on PSM
May 14, 1993
Page 4

*If your siting study indicates there is a problem, then OSHA expects you to take both short and long term corrective action. Relocating control rooms, reinforcing buildings, or providing a clean source of air are some examples of long term actions.

MANAGEMENT OF CHANGE

*(OSHA) While no documentation of specific changes is required, you will need to be able to justify your actions. This implies that you will need to keep documentation for each change such as the MOC form and the results of the PHA.

*(OSHA) Training is required to implement a change. Operating and maintenance procedures will need revision and training provided in them. Training in the MOC procedures is implied.

CONTRACTORS

*(DCS) See the U.S. Steelworkers et al. vs. OSHA settlement agreement. It is likely your contractor program will need to be revised.

*(OSHA) In general, you are expected to train (or see that training takes place) to an extent appropriate to the job the contractor is performing. Examples:

- For a contract employee who is an operator or mechanic in your plant, the training requirements are the same as for full time direct hires in those jobs.

- For a grass roots project, well removed from the covered process, the training required will likely be in emergency procedures, access to the plant, and safety permit procedures.

- For short term contractors working in a covered process, the definition of required training is more difficult. An example of this is a contractor who will work in the plant for a short time during a turnaround. At a minimum, they will need training in emergency procedures, access to the plant, and safety permit procedures. In addition, a meeting with contractor supervision is appropriate to ensure that the contract employees are sufficiently trained for the jobs they will be performing.

*(OSHA) You are expected to consider the guidelines (non-mandatory) set forth in Appendix "C" of 1910.119; The Steelworkers vs. OSHA settlement agreement; and the compliance directive to establish an adequate method for contractor evaluation.

MECHANICAL INTEGRITY

Comments on PSM
May 14, 1993
Page 5

*(OSHA) They want to see a written Mechanical Integrity program although this is not required.

*((OSHA) Equipment worked on in a maintenance shop is covered by PSM if the equipment will be used in a covered process.

*(OSHA) The starting point for maintenance procedures is the manufacturer's manuals.

*(OSHA) Work done at a vendors shop is not covered; however, you are responsible for the quality of that work.

*The question of how detailed the maintenance procedures should be is unsettled. OSHA has not reached any consensus. Some industry practices are:

- Vary the level of detail to match the criticality of the equipment.
- Assuming you have good apprenticeship and craft qualifying programs, then simplified procedures for groups of equipment may be appropriate. That is, you assume a qualified pump mechanic has a great deal of expertise in pump repair. In this case fairly generic procedures for similar pumps are appropriate. Make exceptions for unusual situations.
- For frequent tasks, less detail is usually needed, especially for very routine tasks. For infrequent, complex tasks that have large risks, very detailed procedures are needed.

*(OSHA) Procedures are needed for all covered pieces of equipment.

*(OSHA) Training is required for maintenance procedures so the mechanic (or contractor) can perform the maintenance safely.

*(OSHA) If you use a code shop to repair pressure vessels, these points need to be considered:

- You retain responsibility for the repair.
- The repairs must be made in accordance with the governing code including the required repair documentation.

AUDITS

*(OSHA) OSHA believes "non-mandatory" audits are a valuable management tool and encourages industry to do them to ensure compliance. In extreme cases, they may use these audits for making citations. During an OSHA audit, they will ask for these documents.

Comments on PSM
May 14, 1993
Page 6

I suggest you review these comments and incorporate them into your programs as you see fit. For the obviously "big" items such as the discussion on siting considerations, we need to verify that OSHA will require major changes such as control room relocations and that these will be sustained in the courts.



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