

COMPLIANCE CONNECTION

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A bimonthly newsletter designed to help you navigate the ins and outs of compliance and the safe practice of industrial refrigeration.

Creating or Auditing an Emergency Response Plan and Emergency Action Plan

By Debra Bennett, PhD

As consultants, we're often asked to assist in the creation of an Emergency Response Plan (ERP), Emergency Action Plan (EAP) or audit existing plan(s) to help ensure compliance with OSHA regulations. Which plan is needed — Emergency Response Plan (ERP) or Emergency Action Plan (EAP) — depends on what your facility plans to do in the event of an emergency response situation. Help in creating either an ERP or an EAP is just a few key strokes away.

What do you need?

- If you plan to take care of a HAZMAT situation yourself (or with the assistance of the fire department), both an ERP for your team and the EAP to accommodate the correct evacuation of the rest of the facility are needed.
- If you plan to evacuate everyone at the facility, with no response from a trained on-site HAZMAT response team, all that is required is the EAP.

Emergency Response Plan (ERP)

Whether your company's choice is to respond to a chemical spill or leak at your facility, or if you are a contractor and plan to respond to a chemical situation at your client's facility, you will need to comply with OSHA 1910.120(q). This regulation deals with a HAZMAT situation on site.

It is prudent to be familiar with the documentation that OSHA provides. This documentation provides answers to the questions OSHA may ask, as well as offering insight to possible citations they may issue. If you know what may be asked, half the battle will be won. This information may be found on the OSHA website at:

<https://www.osha.gov>

1. Once connected, search for CPL 02-02-073 (this is under 29 CFR 1910.120).
2. The Directive (Inspection Procedures for 29 CFR 1910.120 and 1926.65 ...) is currently in PDF format - we encourage you to download and open the PDF file.

In the PDF, you will see the following information:

DIRECTIVE NUMBER: CPL 02-02-073 EFFECTIVE DATE: August 27, 2007 SUBJECT: Inspection Procedures for 29 CFR 1910.120 and 1926.65, Paragraph (q): Emergency Response to Hazardous Substance Releases

****NOTE:** As a result of the March 26, 2012 revision to OSHA's Hazard Communication Standard, minor changes [in brackets] were made to this directive on December 1, 2015. These changes do not impact this directive's enforcement policy.

This document is 119 pages (as of this writing). Scroll through until you find "Emergency Response Plan" (typically found at the bottom of page 15). Therein is the following outline — C. Emergency Response Plan - 29 CFR 1910.120(q)(1) and (q)(2) — in which OSHA spells out, in detail, what elements are required. Note: there are 13 titles.

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Training Calendar

For more information about available training and classes, visit www.ammonia.com

SEPTEMBER 2018

PLYMOUTH, MN

Sept. 25-27

24-Hour Emergency Response

Sept. 27

8-Hour ERT Refresher

Sept. 28

8-Hour Incident Commander

Sept. 28

8-Hour ERT Refresher

OCTOBER 2018

YUMA, AZ

Oct. 2

8-Hour ERT Refresher

Oct. 3-5

24-Hour Emergency Response

MECHANICSBURG, PA

Oct. 1-3

24-Hour Emergency Response

Oct. 4

8-Hour ERT Refresher

Oct. 5

8-Hour ERT Refresher

NAPERVILLE, IL

Oct. 23-25

24-Hour Emergency Response

Oct. 23-25

Valve Workshop

Oct. 23-26

32-Hour Level 1 Refrigeration Operator

Oct. 25

8-Hour ERT Refresher

Oct. 26

8-Hour Incident Commander

Oct. 26

8-Hour ERT Refresher

NOVEMBER 2018

MIDDLE RIVER, MD

Nov. 6-8

24-Hour Emergency Response

Nov. 7

8-Hour ERT Refresher

Nov. 8

8-Hour ERT Refresher

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A particularly useful section to rely on is APPENDIX C of this same document (see page 94 of the PDF). Appendix C [Emergency Response Plan – 29 CFR 1910.120(q)(1) and (q)(2)]. *“The function of this non-mandatory appendix is to supply the compliance officer guidance on pertinent information that should be collected relating to various subparagraph requirements in 1910.120(q), Emergency Response to Hazardous Substance Releases.”*

(Appendix C) I. Review of the Emergency Response Plan (ERP).

This appendix can be used as an actual audit of your plan. It is advised, when developing a plan, that you use this form and write in sections or page numbers on which the information can be found. This proactive documentation may help eliminate panic when OSHA audits you, since they will be using the same form.

Emergency Action Plan (EAP)

If an employer intends to have all employees evacuate immediately in the event of an emergency *and not respond to the emergency*, the employer must implement an EAP (see Section XII.A.2. of OSHA’s instruction for further guidance). The EAP etool may be found at:

<https://www.osha.gov/SLTC/etools/evacuation/checklists/eap.html>

This link takes the user to the section titled “Develop and Implement an Emergency Action Plan (EAP): Emergency Action Plan Checklist”.

This form will help you determine, in checklist format, what they are looking for and provides you with helpful hints on what should be included in your EAP. The first three items under General Issues are:

1. Does the plan consider all potential natural or man-made emergencies that could disrupt your workplace?

Common sources of emergencies identified in emergency action plans include fires, explosions, floods, hurricanes, tornadoes, toxic material releases, radiological and biological accidents, civil disturbances and workplace violence.

2. Does the plan consider all potential internal sources of emergencies that could disrupt your workplace?

Conduct a hazard assessment of the workplace to identify any physical or chemical hazards that may exist and could cause an emergency.

3. Does the plan consider the impact of these internal and external emergencies on the workplace’s operations, and is the response tailored to the workplace?

Ultimately, choices must be made when consideration is given to training associates to be part of a company trained emergency response team, choosing to depend on the local fire department or local HAZMAT team. Worst case scenario: ask yourself what should be done to protect the employees, community, environment and the company. The bottom line is life safety and reducing consequences to the community or the environment that surrounds your facility, which, in the end, promotes company growth and financial security.

Dates of Note



SEPTEMBER 23, 2018
Autumnal Equinox
First day of Fall



OCTOBER 31, 2018
Happy Halloween!



NOVEMBER 6-9, 2018
DALLAS, TX

RETA National Conference & Exhibition

Visit us in Booth 718



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