

Ammonia Safety Day

OSHA Update

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June 1, 2017

Safe + Sound Campaign – June 12-18

- **Transformational:** Improves workplace culture
- Good for workers and businesses' **bottom line**
- Targets **small and medium**-sized businesses
- OSHA encourages this program for **every** business



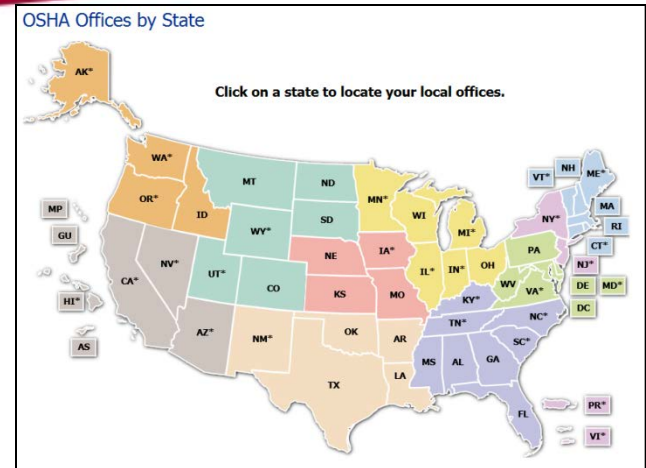
Report a fatality or severe injury

- All employers are required to notify OSHA when an employee is **killed** on the job or suffers a work-related **hospitalization, amputation, or loss of an eye**.
- A fatality must be reported **within 8 hours**.
- An in-patient hospitalization, amputation, or eye loss must be reported **within 24 hours**.



How can employers report to OSHA?

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Or report online at [osha.gov/report](https://www.osha.gov/report)
- Be prepared to supply:
 - ✓ name of the establishment,
 - ✓ location and time of the incident,
 - ✓ names of employees affected,
 - ✓ brief description of incident, and a
 - ✓ contact person and phone number



Walking-Working Surfaces and PPE (Fall Protection) Rule

- **Updates** outdated subpart D standard, incorporating **new technology & industry practices**
- **Increases consistency** with OSHA's construction standards (CFR 1926 subparts L, M, and X)
- Adds new provisions to Subpart I that set forth criteria requirements for **personal fall protection equipment**



Walking-Working Surfaces and PPE (Fall Protection) Rule

MAIN EFFECTIVE DATES

- Rule overall: **January 17, 2017**
- Training: 6 months after publication
- Building anchorages for RDS: 1 year after publication
- Fixed ladder fall protection: 2 years after publication
- Installation of ladder safety system or personal fall arrest system on fixed ladders: 20 years after publication



Walking-Working Surfaces and PPE (Fall Protection) Rule

COMPLIANCE ASSISTANCE RESOURCES

- OSHA's new webpage on subparts D&I:
www.osha.gov/walking-working-surfaces

- Fact sheets
- FAQs



Regulatory Delays

- Beryllium
 - For further review
- Crystalline Silica until September 23, 2017
 - Conduct additional outreach and guidance
- Electronic recordkeeping
 - Not accepting electronic submissions at this time

New Penalty Levels

Adjusted Jan 17, 2017

Type of Violation	New Maximum*
Serious and Other-Than-Serious Posting Requirements	\$12,675 per violation
Willful or Repeated	\$126,749 per violation
Failure to Abate	\$12,675 per day beyond the abatement date

*Maximum penalties will be readjusted annually for inflation.

RAGAGEP Guidance: Revised RA Memo Enforcement Policy

On May 11, 2016

<http://www.osha.gov/chemicalexecutiveorder/>

RAGAGEP Enforcement under PSM

- **Recognized**
 - **And**
 - **Generally**
 - **Accepted**
 - **Good**
 - **Engineering**
 - **Practices**
- 1910.119(d)(3)(ii)
 - 1910.119(d)(3)(iii)
 - 1910.119(j)4(ii)
 - 1910.119(j)(4)(iii)

RAGAGEP Background

- **29 CFR 1910.119 references RAGAGEP in two elements**
 - **1910.119(d) Process Safety Information**
 - For the design of **all process equipment**
 - **1910.119(j) Mechanical Integrity**
 - For inspection and test (I&T) methods and frequency for **equipment covered under (j)(1)**

RAGAGEP Guidance: PSM Preamble

- Not much on RAGAGEP in the preamble
- Exclusive/mandatory list of RAGAGEP sources considered, but rejected
- “Appropriate” internal procedures can be RAGAGEP

RAGAGEP Guidance: Non-mandatory Appendix C

- Gives examples of organizations producing codes and standards relied on to establish good engineering practices
- Recognizes technical reports from engineering societies for equipment design

RAGAGEP Guidance: Non-mandatory Appendix C

- Describes the need for inspections and for taking into account the various mechanisms that can damage piping and equipment
- Highlights the need for procedures and training in conducting inspections and tests to ensure their consistency and effectiveness

Revised RA Memo – Sources of RAGAGEP

- Codes (e.g., ASME B&PV Code, NFPA-70, the NEC, IBC, &etc.)
- Consensus recommended practices and standards (e.g., NFPA 30, API 752, IIAR-2)
- Published non-consensus - typically narrower in scope (e.g., Chlorine Institute pamphlets, DIERS, technical papers on specific hazards)
- Internal standards

Internal Standard - Reason to use

- Translating RAGAGEP into detailed facility implementation of program or procedure
- Unique equipment no RAGAGEP exists
- Supplement only partially or inadequately addressed equipment
- Controls hazards more effectively
- Other RAGAGEP are outdated or no longer good engineering practices

Revised RA Memo – “Shall” Language in RAGAGEP

- “Shall” is a mandatory minimum requirement
- Failure to follow presumed violative
 - Example: Chlorine Pamphlet 1- 13.8.5 Connections: A chlorine compatible flexible connection must be used between the container and a pressurized piping system.
 - If a chlorine covered process does not include a Cl₂ compatible connection as stipulated, a violation of 119(d)(3)(ii) is presumed.

Revised RA Memo – “Should” Language in RAGAGEP

- Focus on control of the hazard
- Substitution of administrative controls for engineering controls is a red flag – these are unlikely to be deemed RAGAGEP
- The employer does not have to justify deviation from “should” statements, but still must document compliance with RAGAGEP

Revised RA Memo – “Should” Language in RAGAGEP

- Identifies an acceptable and preferred approach to controlling hazards
- If applicable to the employer’s process & equipment, compliance is acceptable to OSHA
- Alternate approaches may be acceptable if they are RAGAGEP

Enforcement Considerations

- **Employers choose their RAGAGEP (not OSHA)**
- **No OSHA list of acceptable/required RAGAGEP**
- Multiple standards - if protective either is acceptable
 - Example API 520/521 and ISO 4196 for pressure relief system design & installation

Enforcement Considerations continued

- Do not need to comply with provision that is not applicable to specific worksite conditions
- Stay inside intended area of application
 - Don't use ammonia inspection for refinery process

Enforcement Considerations continued

- Adopt RAGAGEP(s) that control all hazards in covered process
 - Selected REGAGEP might not control all hazards
 - Must adopt another REGAGEP to address remaining hazards
- Inadequate control of hazards by mixing and matching provisions

Enforcement Considerations continued

- Frequency of testing
 - Consistent with applicable Manufacturer's recommendation
 - More frequent if necessary by prior experience
- Employer must meet own internal requirements

Enforcement Considerations continued

- Mechanical Integrity
 - Correct deficiencies before further use
 - or interim means to assure safe operation
 - Timely scheduling permanent correction
- Older covered equipment
 - RAGAGEP may not exist at time constructed
 - Must document operating safe manner

Enforcement Considerations continued

- **Establish and document age & installation date of equipment, modifications & RAGAGEP selected including addition & publication date**
- Updated RAGAGEP -More protective but not explicitly retroactive
 - Not have to upgrade equipment etc.
 - But must document is operating in safe manner.
- Notify OSHA if RAGAGEP changed to be less protective

Questions?

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