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Regulatory Inspection Preparedness Training



Presented by:

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Regulatory Inspection Preparedness Topics

- Anatomy of a Regulatory Inspection
- Inspection Protocol
- Effective Communication
- Attitudes and Behaviors

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Regulatory Inspections – What Prompts Them?

- Inspection quotas
- Agency initiatives – media or industry specific
- Regulatory classifications
- Complaints
- Non-compliance issues – failure to submit reports, permit exceedances, etc.
- Permit renewals or new permits
- Random – “luck of the draw”

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Anatomy of an Inspection

Finding Your Way Through the Maze



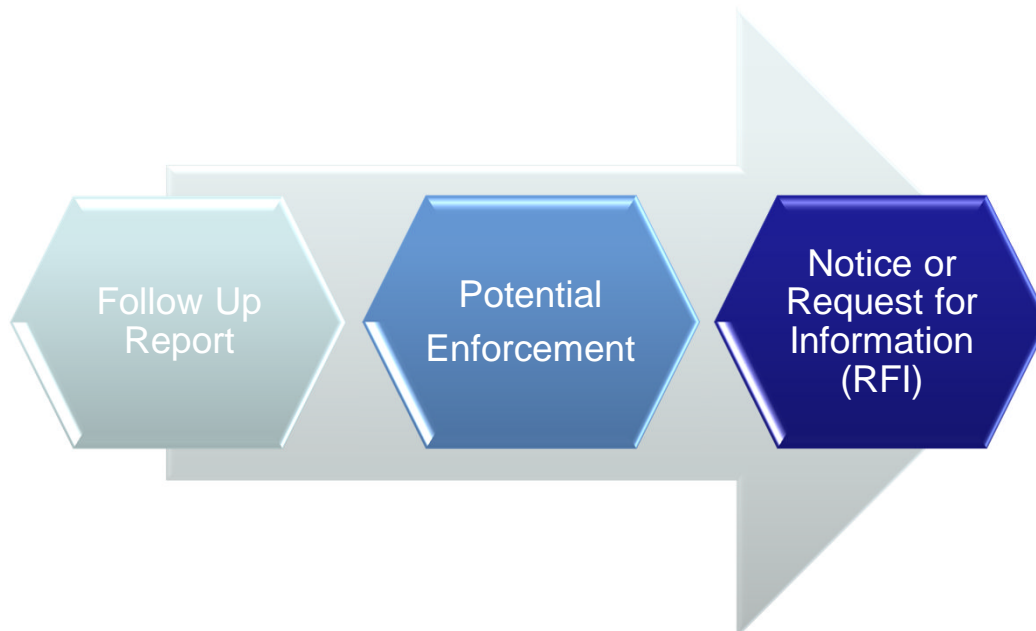
What Happens First?

- The Agency(s) will conduct research ***prior to the inspection***
 - Company website
 - Press releases
 - Publications
 - State and local file reviews
 - Prior non-compliance/enforcement actions
 - Drive by

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What Is the Process?



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Which Regulatory Requirements Will They Look At?

- Multi-Media Inspection
 - RCRA: Hazardous waste management
 - Clean Air Act: Air emissions permits, records and reports, Risk Management Plans
 - Clean Water Act: Wastewater, storm water and Oil SPCC
 - EPCRA: Tier II reports, Form R reports
 - OSHA: Safety programs

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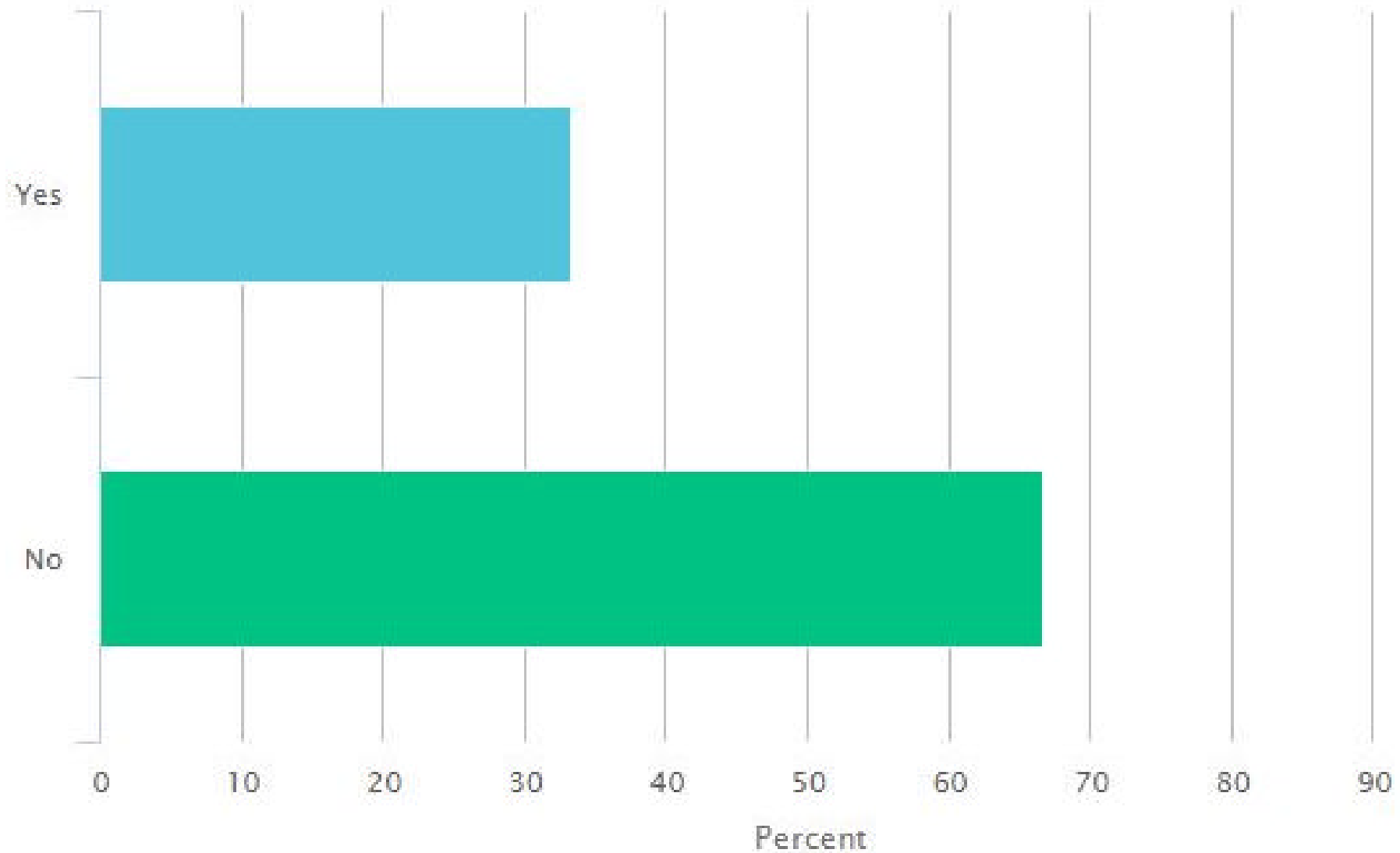
Preparation Is Key!



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Have you experienced a regulatory inspection first-hand?



Inspections: Logistics and Planning

- Internal Notification
 - Contact list and phone numbers
- Contact EHS Consultant/Engineer
- Set up the Opening Conference
- Work out the logistics with the inspectors
 - how long onsite, what they will be looking at, document review, etc.
- Enlist support to “sweep” the facilities and implement corrective actions
- Daily communication

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Preparing for an Inspection... ...Be Ready!

- Inspection protocol & internal training
- Work out communications and logistics
- Facility escort kits
 - Site plans, phone / camera, notepad, list of waste accumulation/storage areas, telephone list, etc.
- Communication and cooperation
- Implement corrective actions immediately

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Here's How It Goes...

1. Agency inspector arrives at front desk
(rarely are you given advance warning)
2. Receptionist activates the call list
3. EHS or Facilities organizes and facilitates the Opening Conference
4. Participants are selected and will include others responsible for EHS compliance

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...and then...

5. The Opening Conference is conducted
6. Individuals are selected to escort the agency officials through the facility
7. One person is assigned to gather documents and records requested by the agency officials
8. Daily debriefings are held
9. The Closing Conference takes place at the end of inspection

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In the Meantime...

- Once notified that an agency inspection will be taking place:
 - Alert **everyone** within your area of responsibility
 - Review hazardous waste generation and storage areas:
 - Ensure labels are in place and properly filled out, containers are closed, and inspection records are up-to-date and available
 - Take corrective actions as necessary

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Opening Conference

- Company statement regarding commitment to environmental health and safety and compliance with applicable regulations
- The agency identifies regulatory areas for inspection (multi or single media) and schedule
 - Determine reason for the inspection
- Logistics are worked out – agency escorts, schedule for lunch, debriefing, etc.
- Set up safety training for agency inspectors
 - prior to facility inspection

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General Guidelines for the Inspection

- Accompany each inspector at all times
- Cooperate, but do not offer information not requested
- Document review of requested files only; should take place in a neutral area – not in someone's office
- Duplicate all records copied
- Take good notes, photographs, split samples
- Monitor employee interviews
- Conduct an exit interview for each area to identify any issues

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Escort Guidelines

- Restate unclear answers from the interviewee to the regulatory inspector
- Stay by the inspectors side
- Take notes during and shortly after the interview:
 - Of issues that the inspector notes during the inspection
 - Of questions that could not be answered

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Taking Care of Business

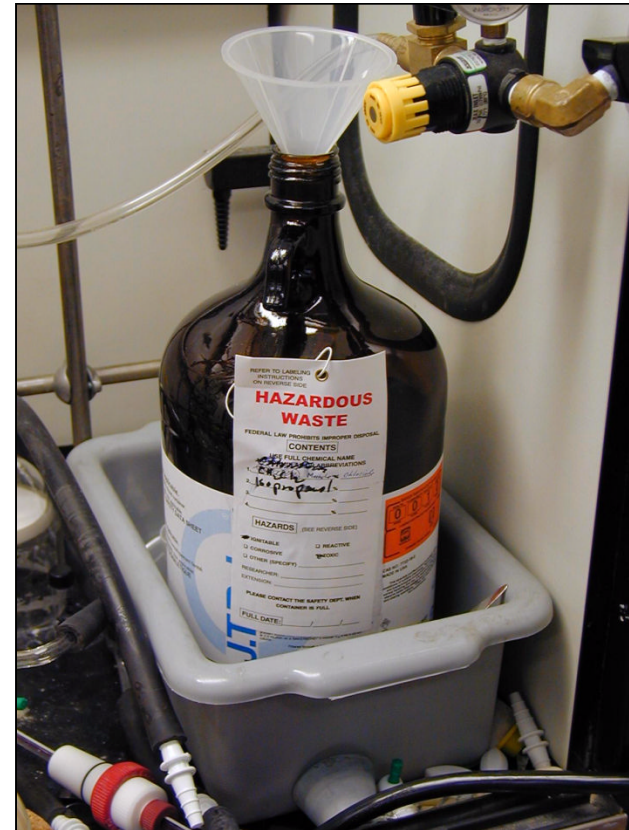
- Fixing potential violations
 - As issues are found
 - Prior to agency inspector entry
 - Before agency inspector finishes for the day
- Behind the scenes during the inspection
 - Know agency inspector locations during the day
 - Keep in close communication with escorts
 - Field questions as they arise

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Most Important!!

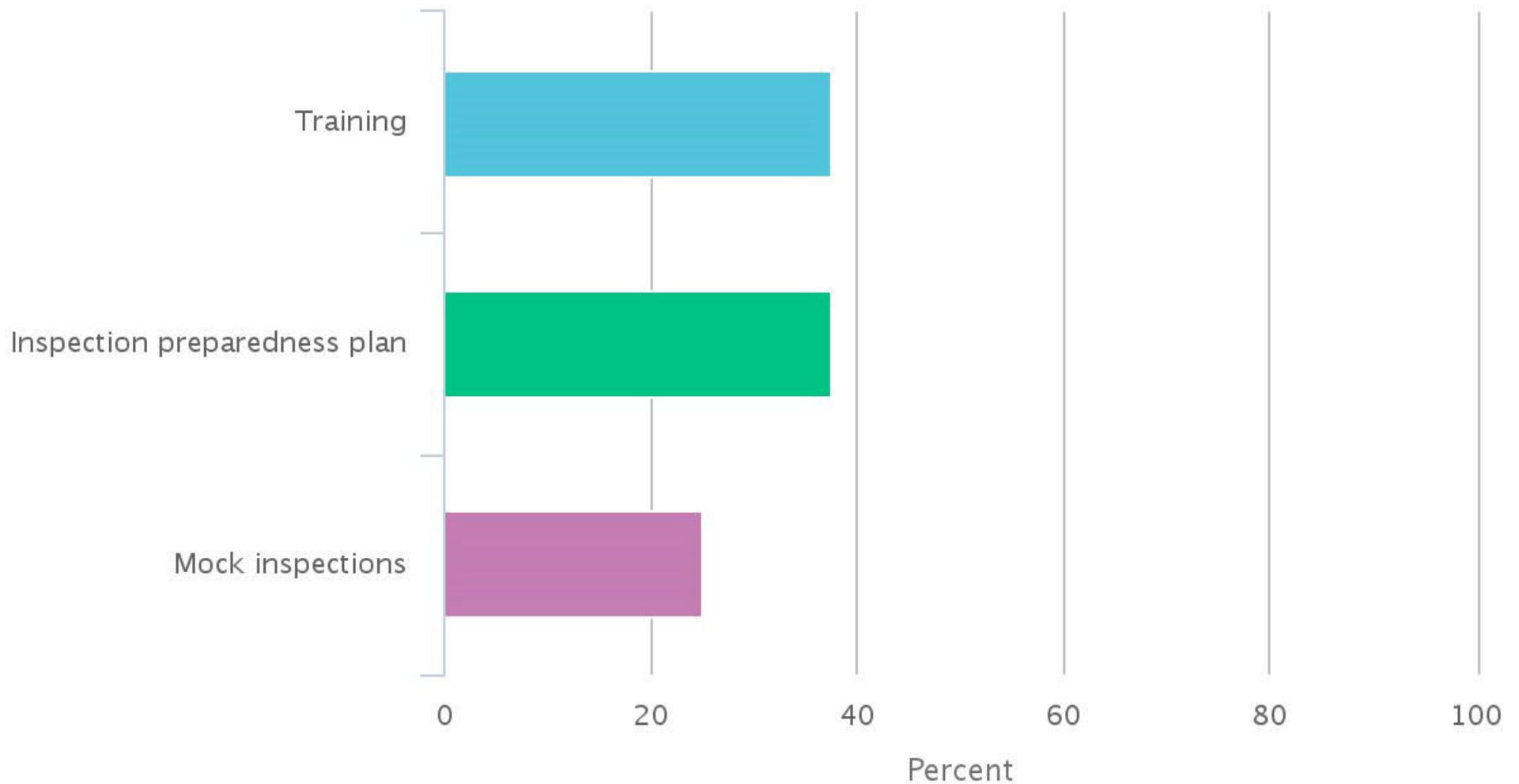
- If an inspector notes a problem, correct it immediately if possible, before they leave the facility, or outline plans for fixing the problem



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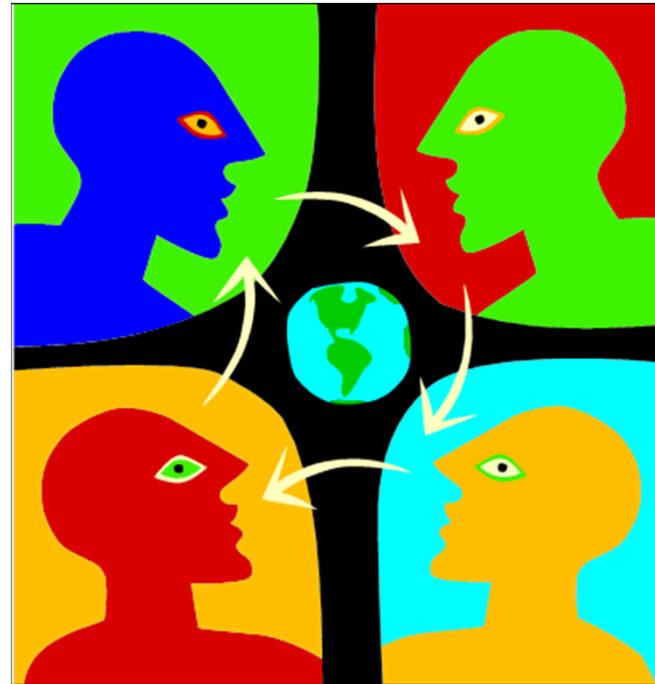
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Do you have an inspection preparedness plan, have you done mock inspections, or training?



The Inspection – Effective Communication

- Key to Success
- Four major levels:
 - Written (taking good notes)
 - Verbal (saying the right things)
 - Visual (keeping your eye on the inspector)
 - Listening (paying attention)

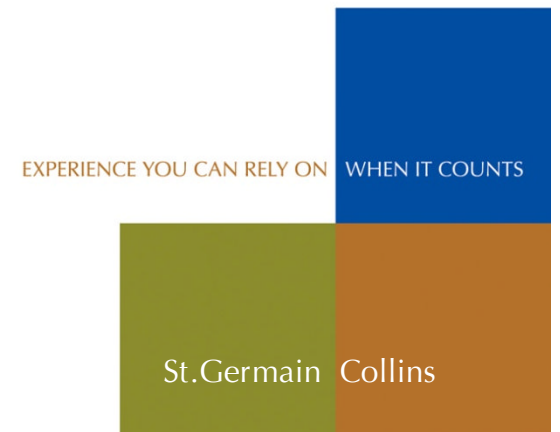


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Effective Communication

- During daily debriefings
 - With agency inspectors
 - Find out what the issues are
 - Get an idea of tomorrow's agenda
 - Go over what's been fixed
 - With personnel
 - Corrective actions taken
 - Issues of concern



Attitude & Behavior

- Goal: Stay in Control
- Be courteous and respectful
- Be positive, professional and confident
- Be honest

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Guidelines for Interacting With Agency Inspectors

- 👍 Do understand the question - ask for clarification or repeat it back to them
- 👎 Don't volunteer additional, unnecessary information
- 👍 Do keep answers simple and direct
 - If you don't know the answer or need assistance, write it down - tell them you will get the answer for them

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More Guidelines...

- 👎 Don't attempt to deal with hypothetical situations
- 👍 Do "Fix" simple deficiencies along the way
- 👎 Don't offer an opinion or agree/disagree with the inspectors
- 👎 Don't sign anything

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Closing Conference

- Consider having highest level representative and possibly an attorney present
- Present documentation of corrective actions taken during the inspection
- Have answers to questions that couldn't be answered during the inspection



Before they leave...

- Ask for copies of their notes / pictures
- Ask what is the next step in the process
- Ask if there is anything that needs to be corrected



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What happens next?

- The agency will prepare a written report and/or request for additional information (RFI)
- Timeframe will vary – it may be up to a year or more before you receive it
- Be sure to address and document all deficiencies and corrective actions

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Any Questions?

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