Regulatory Agency Inspections: What To Do

General

This procedure outlines the responsibilities of our management team in handling agency inspections and provides guidelines for fulfilling those responsibilities.

Procedure

The Facility Manager or Area Manager should designate two members of management as site representatives to participate in the inspection and designate a member to complete the Regulatory Inspection Form. As soon as the compliance officer arrives at onsite, notify your manager and the Environmental, Health, and Safety (EHS) Department.

1. Opening Conference

1.1 The facility or area manager and site representatives should attend the opening conference. The facility or area manager will be the sole spokesperson for the conference.

1.2 The compliance officer's credentials should be requested and carefully reviewed and documented.

1.3 The type and scope of the inspection and existence of a warrant should be determined. If a complaint or warrant exists, a copy should be obtained. Your appropriate President, Vice President, and EHS Department must be notified in the event of a search warrant.

2. Inspection Phase

2.1 One facility or site representative will be assigned spokesperson duties during the walk around, and the other will be assigned note-taking duties. The spokesperson will be either the senior manager on site, a member of the EHS Department, or an individual designated by the senior manager or the EHS Department.

2.2 Notes must be made of records furnished, records requested but not provided, and any comments made during the inspection. Records typically requested include accident logs, first reports of injury, and training sessions.

3. Sampling Measurement

3.1 Very often, compliance officers will sample or take measurements of air, water, soil, scaffolds, confined space environments, noise, and other industrial hygiene areas.

All sampling and measuring made during the inspection must be documented with the following information:

- Purpose of the sampling or measurement;
- Time and date of the start and completion of sampling or measurement;
- Equipment used and calibration date;
- Name of employee(s) participating;
- Exact area, location of sampling or measuring instrument, and distance from nearest employee;
- For linear measurements describe the exact location or point of reference; and
- Results.

4. Photographs

4.1 Take photographs of anything photographed by the inspector and of any items that may be involved in a potential citation. Each printed picture must be marked **CONFIDENTIAL** and contain the following information:

- Time and date of photograph;
- Exact area and location of the camera;
- Distance of the camera from the subject; and
- A brief listing of the alleged violation.

<u>For digital photographs, a log should be maintained, which captures the data listed in the bullet items above.</u>

5. Employee Interviews

5.1 If the compliance officer requests a private interview, the employee has the right to refuse and/or request that a management representative be present. No employee will be questioned about the interview by project management without authorization.

6. Closing Conference

6.1 The following information must be obtained from the compliance officer:

If there is an alleged violation:

- Exact nature of the alleged violation;
- Specific location;
- Exact standard violated; and
- Statement on how to correct.

If no violations are observed, request a letter so stating.

6.2 Courteous treatment of the compliance officer is expected at all times, and the following steps must be followed:

- Do not agree that any alleged violation exists.
- Do not point out any possible/potential problem areas.
- Do not indicate that you are aware of any unresolved health or safety issue.
- Do not argue with the compliance officer regarding the validity of a violation.
- Do not volunteer any information or make any admissions.

7. After Inspection

7.1 The Facility Manager will coordinate, within 48 hours after their closing conference, with all Facility Managers in the region and EHS Department to review their Regulatory Inspection Form, photos, videos, etc. to share, discuss best practices, and create action plans with assigned ownership and expected completion dates to be proactive in across the region. will coordinate a conference call-in to review the inspection report to management, and the EHS Department.

7.2 Copies of complaints, citations, and similar items relating to serious and non-serious violations must be sent immediately to the EHS Department and President. Monthly reporting and payment/contesting violations will be handled by EHS Department.

Forms:

Regulatory Inspection Form

Regulatory Inspection Form

Report Completed By:			
Facility:		Address:	
Regulatory Agency:			
Agent Representatives:		Title:	
Agent Representatives:		Title:	
Agent Representatives:		Title:	
Inspection Start (Date/Time):			
Inspection Concluded (Date/Time):			

Opening Conference:

Scope of Inspection:			
Company Representatives:		Title:	
Company Representatives:		Title:	
Company Representatives:		Title:	

Information provided to regulatory agency:
Record all documents (Incident Logs, Programs, Procedures, Inspections, Training Records, Etc.) either reviewed by agency representative and/or provided to the regulatory agency.

Document	Copies	
	Agency	Company

Summary of Opening Conference:

Provide a detailed summary of the information discussed during the opening conference.

Employees Present:

Name:		Title:		Interviewed: Y/N
Name:		Title:		Interviewed: Y/N
Name:		Title:		Interviewed: Y/N
Name:		Title:		Interviewed: Y/N
Name:		Title:		Interviewed: Y/N

Photographs/Video:

Provide a list of photos and video taken during the facility tour.

Description:		Purpose:	
Description:		Purpose:	
Description:		Purpose:	
Description:		Purpose:	
Description:		Purpose:	
Description:		Purpose:	
Description:		Purpose:	

Industrial Hygiene Samples:

Provide information of sampling conducted during or as a result of the inspection.

Containment	Employee/Area	Start Time	End Time	Results

Potential Violations/Citations:

Provide information of any potential violations identified during the facility tour.

Facility Tour Summary:

Provide a detailed summary of the information discussed and areas toured during the facility tour.