

Implementing an Effective Compliance Reporting Plan

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Resource Constraints



Business Factors



Inspections



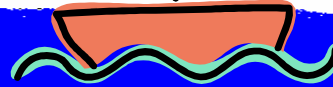
Violations



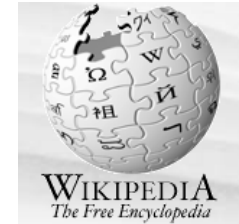
Regulations



Fines & Penalties



Compliance in the USA generally means compliance with laws and regulations. . .



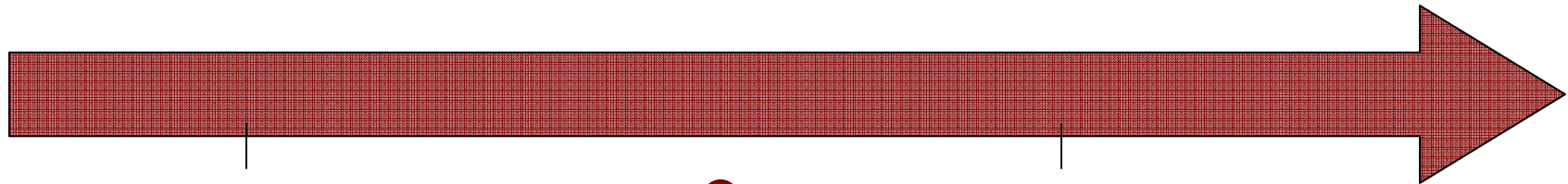
The definition of what constitutes an effective compliance plan has been elusive

Chapter 8 of the Federal Sentencing Guidelines

§8B2.1(a)

To have an effective compliance and ethics program, for purposes of subsection (f) of §8C2.5 (Culpability Score) and subsection (c)(1) of §8D1.4 (Recommended Conditions of Probation - Organizations), an organization shall—

- (1) exercise due diligence to prevent and detect criminal conduct; and
- (2) otherwise promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law.



Past: Prescriptive

- Comply with environmental regulations
- Limit fines & violations
- Maintain Facility Operations
- Dedicated Resources



Future: Performance Oriented

- Risk Based
- Corporate Accountability
- Brand Protection and Promotion
 - Green Initiatives
 - Competitive Differentiator

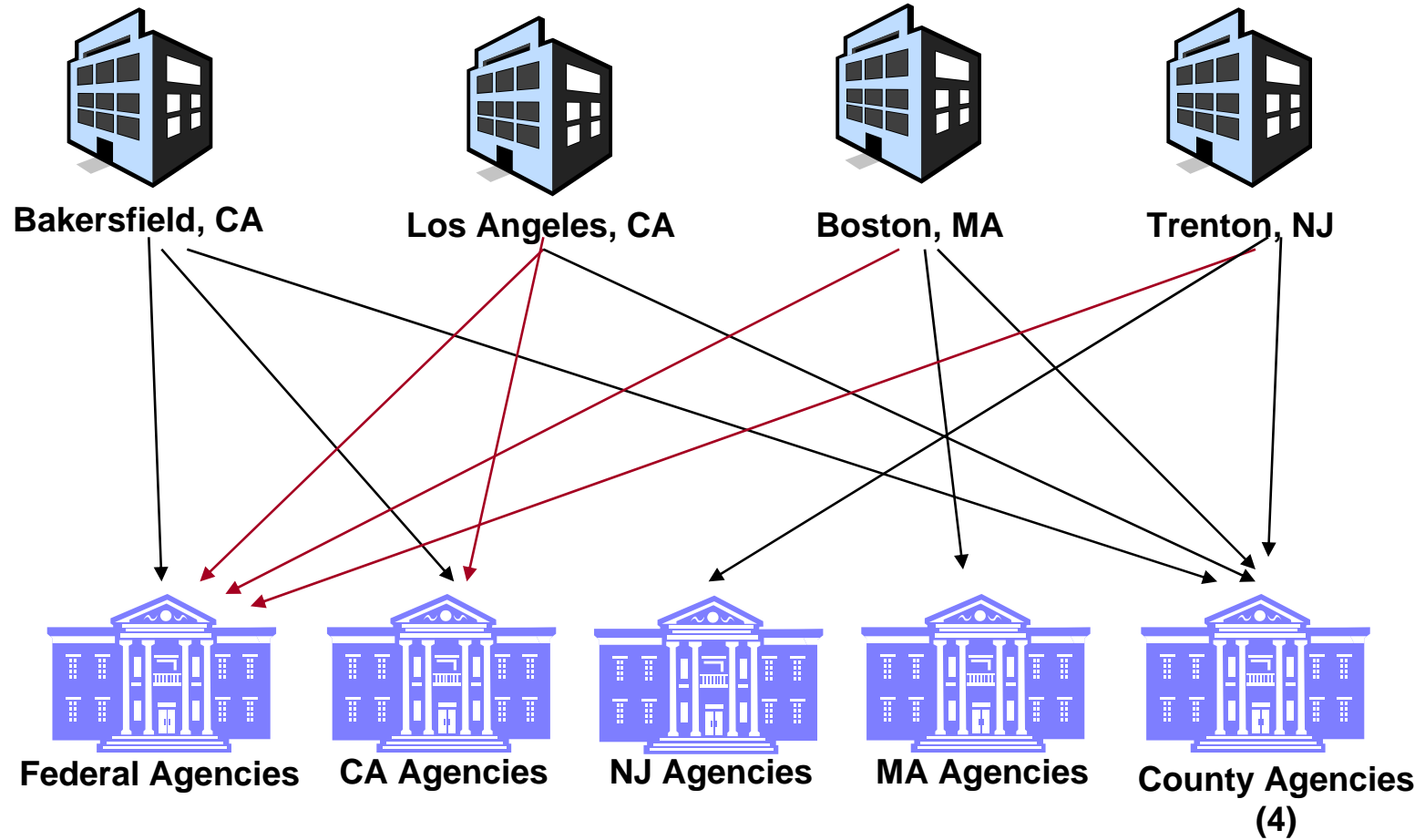
Six Tips For Implementing an Effective Compliance Reporting Plan

#1 - Know Your Regulators

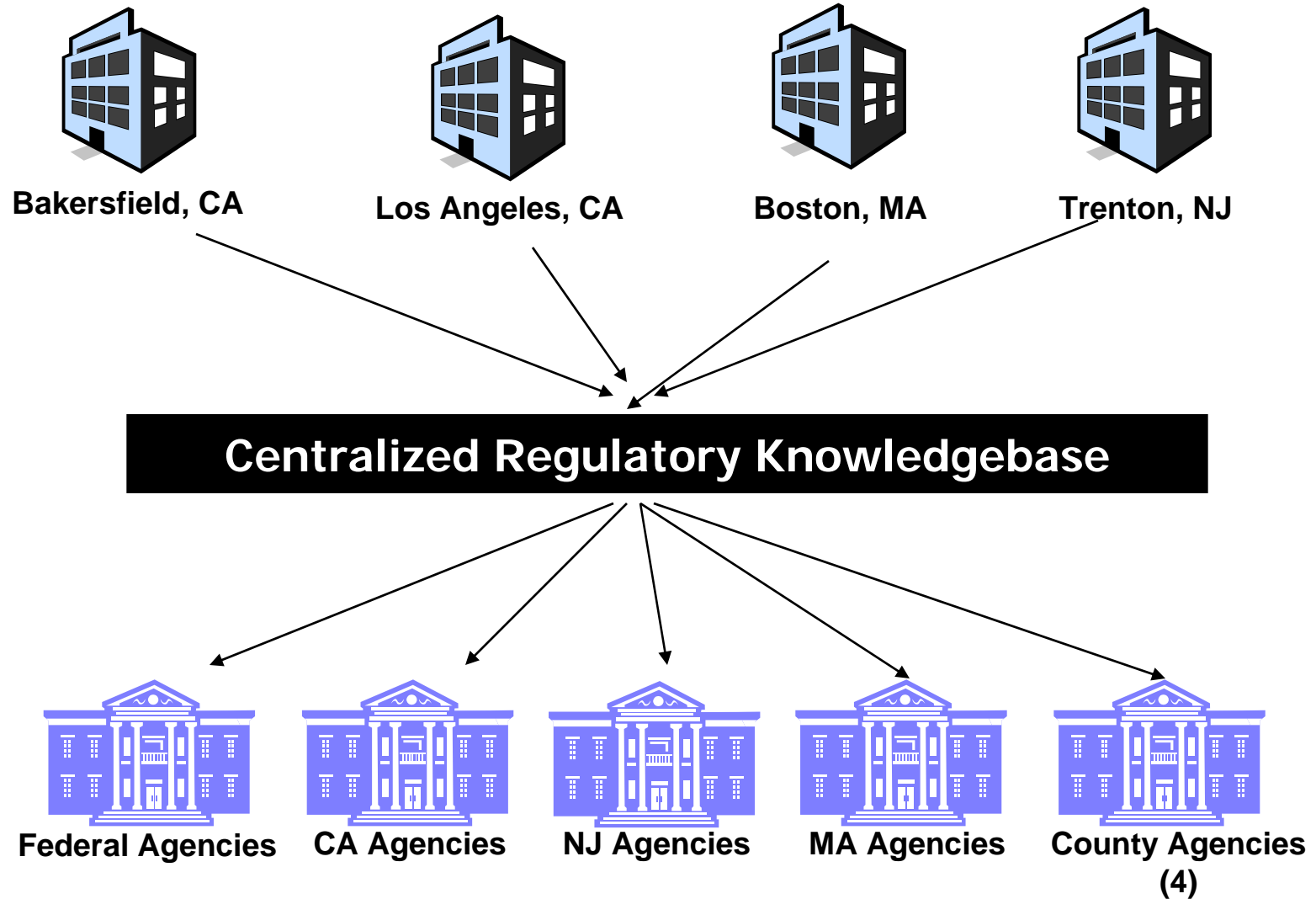


Regulations





Redundancies between locations = Higher costs





Benefits of Centralization



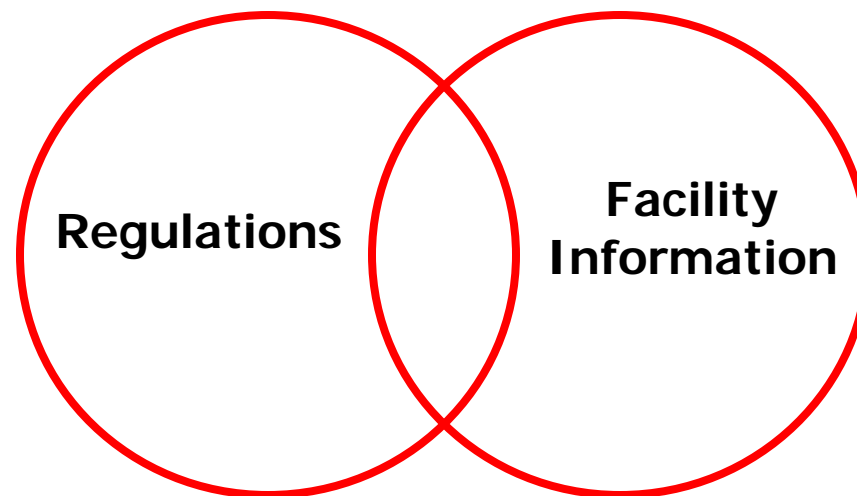
- Gain visibility & control over compliance programs
- Leverages EH&S Staff and/or Knowledge
- Help simplify complex web of local state, county, and city regulations
- Improved quality & oversight
- Ensure timely submittals
- Access to historical data
- Cost reduction & reduced redundancies
- Data, Data and More Data
 - Analyze Trends & Budget Forecast

- Know your agencies
- Develop a good facility profile
- Find out what agencies require NOT what they want
- Focus on local enforcement

Tier II Example:

- **Colorado Emergency Planning Commission (SERC):**
 - Follows the federal thresholds and requirements for Tier II reporting.
 - Submittal via the EPA's Tier2Submit software on diskette or CD as well as a signed hard copy.
 - No site map required by the state.
- **Jefferson County LEPC:**
 - Follows the federal thresholds and requirements for Tier II reporting.
 - Submittal via the EPA's Tier2Submit software on diskette or CD as well as a signed hard copy.
 - No site map required
- **Arvada Fire Protection District:**
 - Requires a hard copy of the Tier II report
 - Site map of the facility is Required
 - Hazardous Materials Inventory Statement to be provided upon request

#2 – Maintain a Good Inventory



- **Do you have an inventory?**
- **How accurate is it? Last time completed?**
- **Are quantities information available and accurate?**
- **Are MSDS's available for all of your inventory products?**
- **Bulk items: UST's - AST's**

Consider hazmat “hidden in plain sight”:

- Diesel Fuel in Emergency Generators
- Sulfuric Acid & Lead in Batteries Found In Lift Trucks, Pallet Jacks and Man-Lifts
- Maintenance shop materials
 - Oil, fuels, parts washer solutions
- Cleaning products
- HVAC or water treatment chemicals



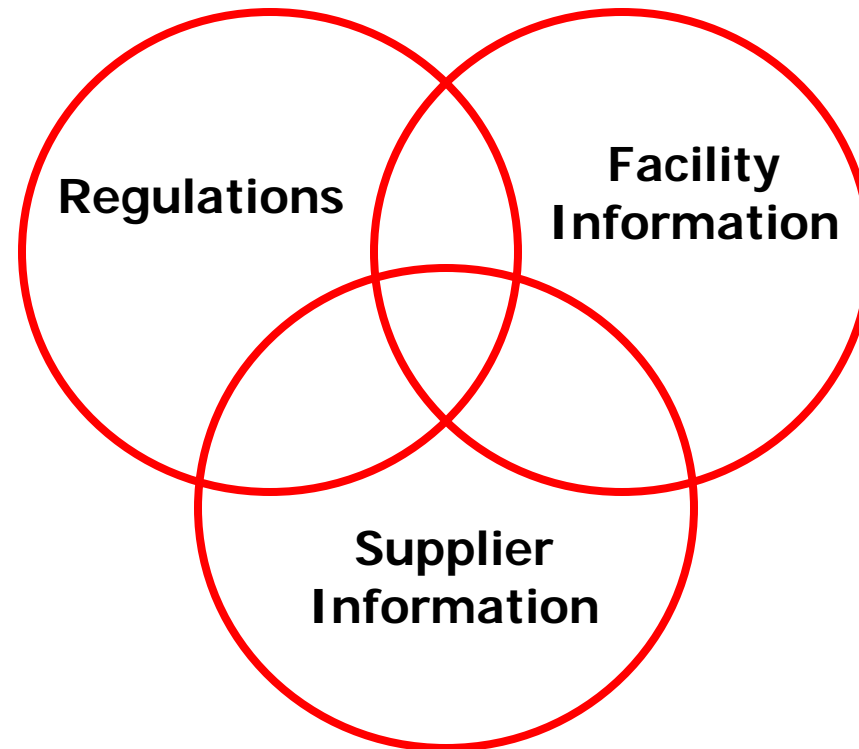
Inventory Assessment



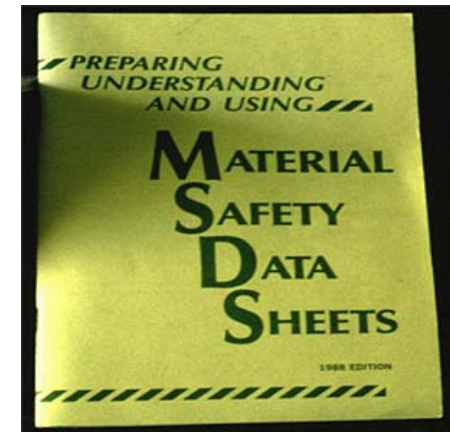
- Product Name
- Manufacture Name
- Physical State (L, S, G, A)
- Material Part Number, Catalog #
- Size of Container
- Unit of Measure
- Number of Containers

- Determine Scope of Inventory Project
- Leverage Procurement Information
- Interviews with On-Site Personnel
- Seasonal Items
- In-House Personnel or Contractor
Project => BUDGET

#3 - Manage Supplier Information



- Currency of MSDS
- Accuracy of Supplier Data
- Regulation Data
- Additional Product or Classification Data
- Data Management Systems (Tools)



Tip #4

Do What You Say



- Employee Training
- Equipment Logs
- Facility Records
- Electronic Recordkeeping
- Integrate with QMS

#5 – Sustain the Gain



- Living Documents
- Changes in Regulations
- Changes in Products
- Changes to Business or Operations

Tip #6

Look Around the Corner



- Increasing Regulatory Enforcement on Traditionally Minimally Enforced Sectors
- Source of Revenue Generation for Agencies
- Corporate Branding Initiatives
- Distribution of Liability within the Supply Chain
- More Agencies Requiring Electronic Filing
- WHAT Does GHS Have to do with it?

Questions

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