Are Industry Actions Pushing Government Towards Prescriptive Regulations?

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ABSTRACT

The occurrence of two major industrial accidents in 1989 triggered a regulatory response culminating in the creation of the Process Safety Management (PSM) standard.

At the time the regulation was formulated, industry representatives had convinced government officials there was no need for the regulation to dictate detailed rules to be followed but rather could rely on industry itself to formulate and adhere to its own standards.

Since that time, there has been a trend for industry to soften its standards in an attempt to avoid OSHA citations. This approach raises two related questions:

1. Are standards writing committees making the workplace more, or less, safe for workers?

2. Will this approach trigger a more prescriptive regulatory response in the future?