Improving Process Safety Regulations – Industry Suggestions

Steve Arendt, ABS Consulting
sarendt@absconsulting.com

It has been 18 years since the OSHA PSM standard was adopted and 11 years since the EPA RMP rule was created. A lot of experience has occurred - some good; some not so good - but all have been opportunities for learning. In addition, new process safety regulations and implementation lessons have been generated around the world. Most conclude that the regulations in the U.S. have had an extremely positive influence on process safety. Yet, some industries, companies, and plants face process safety performance challenges as evidenced by accidents recurring with apparently similar root causes. In addition, OSHA enforcement initiatives reveal numerous common, in some cases chronic, process safety compliance issues.

CCPS sponsored a ½-day interactive panel/audience discussion session during the 6th Global Congress on Process Safety regarding how the U.S. process safety regulations should be improved. This paper will summarize the suggestions that were provided to OSHA and EPA for consideration and pros and cons of alternative approaches. Following are examples of topics to be addressed, based upon the results of the session:

- Use of performance-based versus prescriptive regulatory language
- Covered process issues - too little, too much, gaps, new frontiers
- Valuable - and the least valuable - specific requirements
- Requirements for which the state-of-the-practice has surpassed the regulatory language
- Requirements that are too difficult to achieve the way they are presently written
- Requirements with too great variability in outcome - "quality" requirements are needed
- Which requirements can be changed to be more economical without significant process safety performance losses
- Systematic ways to address RAGAGEP in compliance and in enforcement
- Relationships to voluntary process safety programs - performance differences
- Compliance and enforcement strategies – which have worked; which have not
- Lessons from other regulatory regimes around the world

Panelists:

- OSHA - Mike Marshall
- EPA - Jim Belke
- CSB - John Vorderbrueggen
- Chemical industry representative – Pete Lodal, Tennessee Eastman
- Oil and Gas industry representative – Gordon Herron, Marathon Oil
- Labor - Glenn Erwin, USW (invited)