State of Delaware
Accidental Release
Prevention Program
Process Safety Rules

Clean Air Act - 1990
  - OSHA - 1992
  - EPA - 1996
  - CSB -

Delaware EHS rule in 1989
Delegation from EPA in 2001
We See

- Remarkable improvements at small facilities - management leadership - simple regular PSM committee meetings

- People want to do the right thing
We Suggest

- Process safety keeps you operating - (Productivity)

- The cost of human injuries, deaths and public evacuations – not sustainable in today’s world
We Suggest

Better Community and Regulatory relations are more important than ever

Get’ er done versus
Performance

• Regulators have trouble with performance regulation.

• Process Safety Performance – ‘you tend to improve what you measure’
Community Right-to-Know


Delaware version – 1989 too.

List of lists substances.
Report to NRC, LEPC & SERC
Why enlist reporting rule?

• Accidents occur - listed and unlisted RMP/PSM substances

• Accidents vary from minor to catastrophic…
Why enlist reporting rule?

• Only inspect about once per years

• Need a consistent performance measure for Process Safety Programs
Why 40 CFR Part 355?

- Makes sense – consistent definition of a release – over 1000 substances
- Clean Air Act of 1990 says stop or reduce accidental releases - use part 355 if needed
Why 40 CFR Part 355?

- **Clean Air Act** - CSB needs to establish regulation for reporting accidental releases
- Can use NRC reports to track releases
Making Part 355 Useful

Delaware amended to include:

- Flammable Releases
- Additions to written follow-up report
  - what happened?
  - what do you propose to do so that it doesn’t happen again?
Why Releases/Incidents?

• Some large facilities don’t want to address potential process or equipment liabilities.
• Small facilities often don’t have incident investigation expertise.
• Majority of PSM/RMP universe is small facilities – ammonia & chlorine.
Accidental Releases

• Accidents and near misses expose holes in PSM program – good tool for PSM continuous improvement
• Are occurring beyond listed PSM/RMP substances
• Need to be reduced (CAA – 1990)
• Consistent performance measure
• Often near misses for catastrophic
Objectives

- Reduce Accidental Releases
- Hold facilities accountable
- Push incident investigations as PSM continuous improvement
  - Spirit of continuous improvement not enforcement oriented – but…
There will always be some baseline of accidental releases – need some tool to measure progress....

Questions?