

Incident Investigations (1910.119(m))

Common Issues Found During Three Year Compliance Audits



As a way help mitigate future incidents, the regulation has included a requirement to investigate incidents that resulted in or could reasonably have resulted in a catastrophic release (near miss). The Incident Investigation program ensures a thorough evaluation of incidents/near misses. The investigation requirements include the following:

- Initiated no later than 48 hours following the release/near miss.
- Team with knowledge in the process involved and qualified to investigate and analyze the incident.
- Develop a report of the investigation that includes:
 - * Data on the incident (date, time, description)
 - * Evaluation of the cause
 - * Recommendations with documented completion
- Review the report with affected employees.

Most Incident Investigation programs include a form that contains the above information and must be completed as part of the implementation of the program. The report including the forms and any associated documentation are required to be maintained onsite for at least 5 years.

The following list includes items within the Incident Investigation process that are commonly not implemented, are lacking, or not documented:

- ⇒ Near misses – as near misses are not defined and therefore not captured within the Incident Investigation procedure. Evaluate what the company considers to be a near miss and ensure that items meeting that criteria are captured, for documentation purposes, by the program.
- ⇒ Data – date, time, and a description of the incident are typically included, however the date and time the investigation began, to prove that it was initiated within 48 hours, is not always documented.
- ⇒ Team – document the team members who participated in the investigation including any experts who may have been utilized. Ensure the team includes:
 - ⇒ Leader with knowledge in investigation techniques,
 - ⇒ Employee with process knowledge and operations experience, and
 - ⇒ Contractor (if appropriate).
- ⇒ Report / Documentation – include all necessary documentation to support the evaluation and results of the investigation. Some examples of support documentation are: email correspondence, calculations of released amount, pictures of equipment, weather conditions of the day, and records of external notification.
- ⇒ Recommendations – all recommendations resulting from the investigation must be completed in a timely manner. The resolutions must be documented and maintained with the report.

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- ⇒ Follow Up – the results of the investigation must be reviewed with operating, maintenance and other employees affected by the findings or recommendations. Maintain a record of this review and who attended with the incident investigation report.
- ⇒ Forms – ensure forms included with the program are completed entirely. Items that are typically missed are: final management sign off / approval, recommendation completion dates, and training / review dates.

The biggest take away is to ensure the investigation is completed entirely. If there are items awaiting further information, ensure the items are closed out once the information is received. Most importantly, maintain all associated documentation with the investigation record.

Note: If the release meets the RMP definition of a reportable release (defined as a release that caused at least one of the following: on-site deaths, injuries, or significant property damage; or known offsite deaths, injuries, property damage, environmental damage, evacuations, or sheltering in place), then the RMP submittal must be updated within 6 months.

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