

Software Solutions Can Simplify On-Site Compliance

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If OSHA paid a visit and decided to give your employees a pop quiz regarding the location of a particular MSDS (Material Safety Data Sheets), would they pass? Do you know how many pounds of each EPA-reportable chemical ingredient are located within your facility?

Hopefully you've answered a firm and accurate "yes" to both of these questions. Detailed knowledge, documentation, and reporting of the hazardous chemicals located in your facility are required under the Occupational Safety & Health Administration's (OSHA) Hazard Communication Standard and the Environmental Protection Agency's (EPA) Superfund Amendments and Reauthorization Act (SARA). Unfortunately, for most people the answer would be "no."

For those in the latter group, help is available in the form of various types of software management tools that take the guesswork out of compliance. But before you select any system, you should familiarize yourself with the regulations and seek out a software package designed to meet your specific needs.

Regulatory compliance

Under OSHA's Hazard Communication Standard 1910.1200, the agency mandates that employers provide information and training on chemical hazards to any employee who is exposed to hazardous chemicals. Included in this standard, under Section (g), are very specific regulations regarding the keeping and updating of (MSDS). For each hazardous chemical kept on site, there must be an up-to-date MSDS that includes the identity of the substance, its physical and health hazards, possible control measures, personal protective equipment required during use, first aid requirements and accident mitigation information. The MSDS must be obtained from the manufacturer or supplier of the substance and include their address and company information, as well. Under the law, these sheets must be readily accessible to employees in book or electronic format. However, when using an electronic system, a paper copy must also be kept on site in the event of a computer failure.

OSHA's MSDS standard also comes into play under some EPA regulations like the SARA reporting requirements. SARA regulations fall under the Emergency Planning and Community Right-to-Know Act of 1986, and mandate that any firm with MSDS-listed hazardous substances in excess of 10,000 lbs. must report them to the EPA. For certain chemicals deemed extremely hazardous by the EPA, even as little as 1 lb. is considered a reportable level.

Under SARA regulations, there is a Title III reporting requirement. With this

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standard, any company with more than 10 full-time employees that manufactures, keeps or uses any of the chemicals that EPA deems toxic in an EPA-specified threshold quantity must submit a Form-R to the appropriate state and federal agencies. This hazardous-chemical inventory form contains information regarding the release of toxic chemicals.

If the thought of keeping abreast of the paperwork associated with these two regulations is daunting, the cost of non-compliance may give you a heart attack! Penalties for non-compliance with these regulations can cost employers anywhere from \$10,000 to \$75,000 per violation, per day. So, it's imperative that an accurate and up-to-date system is put in place.

The long and winding paper trail

The paperwork associated with regulatory compliance can be a nightmare for companies that choose to do it manually. For instance, maintaining booklets of MSDS for each area of the plant is very time consuming. It requires obtaining a list of covered chemicals from OSHA, getting updated information sheets from the suppliers, and making sure each employee has access to all MSDS at all times.

Additionally, if an employee removes an MSDS from the book and doesn't return it or returns it to the wrong location, a liability has been created for the employer. If OSHA visits a facility, picks up a product and asks an employee to produce an MSDS and the employee can't locate it, the company will be fined. If there's an emergency and the MSDS containing first-aid or spill-remediation information can't be located, another liability has been created for the company.

Compliance with SARA Title III reporting is just as stressful. Each company is responsible for keeping abreast of the regulations, which often change annually. Even more burdensome is the fact that Title III reporting requires someone to examine each of the ingredients on every MSDS, know which products are regulated, familiarize themselves with the acceptable synonyms, the reporting thresholds and the amount that has come through the facility. After all this is tracked, someone must convert all units of each substance into pounds and then provide a sum of the total of each chemical.

This means that if three chemicals on site all contain formaldehyde, then the combined amount of formaldehyde found in each of those chemicals must be totaled and reported to the EPA in the final sum of formaldehyde. If finding out exactly how much formaldehyde is in your facility seems overwhelming, consider the fact that there are 27 different synonyms, such as BFV, FA and Ivalon, that you must know are formaldehyde and include in that final sum. However, a good software program will recognize all known synonyms and include them in the calculations.

Software can help

Even after serious attempts to manually handle MSDS record keeping and perform the calculations required for SARA Title III reporting, you may not be 100% sure that

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your efforts are accurate. But, a good software solution will help you manage MSDS and EPA reporting paperwork, while saving you some valuable time.

MSDS management assistance. Some software solutions, like Corbus' MSDS Standard, allow a company's MSDS information to be put into the package, which places all the necessary information into an electronic format. Users can print out MSDS to update their books, or they can take advantage of the network versions offered by some software vendors. For instance, Corbus' NetMSDS is an Intranet MSDS application that permits employees throughout a facility to search, view and print MSDS. But remember, a master hardcopy listing must be maintained and held somewhere for reference, and employees must know who to contact if there is a computer failure.

SARA compliance assistance: Because there are tens of thousands of SARA Title III-regulated chemicals and synonyms, complying manually would require someone to examine every ingredient, including compounds, figure out the percentage of that ingredient in each substance, convert all units of measure to pounds, know what the threshold reporting quantity is, and place all this information on the proper federal or state forms. Some industry experts estimate that this could take as many as 1,000 manpower hours.

Software packages like Corbus' TERMS (The Environmental Regulation Management System), are able to examine a company's MSDS and inventory information, calculate the amount of each hazardous chemical on site, alert the users to the products that are reportable, and generate the proper federal forms.

Another bonus is the possible reduction of the employer's liability. Software packages make MSDS readily accessible to employees, which reduces the chances of misplaced or lost sheets and makes your company compliant under OSHA's Hazard Communication Standard. And, selecting the right software package increases the chances of accurate reporting. Moreover, if EPA or OSHA comes in and sees that your company has invested time and money in compliance software, it shows good faith on the company's part that there is a real effort to be in compliance.

Solution guidelines

Following is a list of guidelines you should consider when seeking a software system and vendor.

- If you're required to do any SARA Reporting, such as the Form R or Tier II, you'll want a software package with the ability to determine reportable chemicals on-site (including ingredients and compounds), calculate the totals, compile the reports and print them on approved federal forms. Choose a vendor that provides an EPA-approved Form R (TRI).
- The package should be easy to use so workers can access MSDS information immediately. Also, try to use a system that offers helpful options like search, sort and filter.

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- A system should offer security levels that allow you to make MSDS readily available to employees on site, but lets you select access levels to other sensitive information such as the ability to add, delete and edit MSDS information.
- It is wise to find a software package that allows the archiving of MSDS. OSHA requires a company to maintain MSDS for 30 years after the last person to come in contact with the product has left the company, so you probably never want to delete an MSDS.
- Remember that while cost is a consideration, cheapest isn't always best. Weigh the pluses and minuses of the software such as features, technical support, ability to upgrade, and time and manpower savings against the cost.
- Check with your IT or IS Department regarding compatibility issues. Some packages allow for importing of inventory totals that will save you time in dealing with calculations for SARA Reporting.
- Ability to upgrade is a key consideration. Also, you may want the option of being able to upgrade to a package that handles SARA reporting in case your threshold levels change or your company begins keeping reportable chemicals on site. At some point, your company might want to use the software on a facility-wide basis or in multiple sites, so you'll want the option of using PC, LAN, WAN and intranet versions.
- Consider the vendor to be an important part of the system. Whoever you choose should offer a turnkey system, as well as services and support like data entry and training.
- Since you are investing in a software package, you may want a provider that will train your employees on proper use of the system. Unlimited technical support should also be available. Software vendors should also provide yearly updates that include regulation changes because Tier II and Form-R reporting requirements can change annually.

Once you've selected a software vendor and package that suit your needs, you'll see it is worth the investment in time savings and peace of mind when it comes to knowing you are reducing regulatory liability. But the greatest benefit will probably be the ability to provide your employees with the easy access to hazardous chemical information they deserve.

Source URL (retrieved on 07/31/2014 - 5:26pm):

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