

**CALIFORNIA ACCIDENTAL RELEASE PREVENTION PROGRAM**  
**PROGRAM 3 VIOLATION CODES**

*Authority Cited: California Code of Regulations, Title 19 (CCR); Santa Clara County Ordinance Code, Div. B11 (SCCO)*

This document has been prepared to explain any Violation Codes associated with facilities handling threshold quantities of regulated substances as specified in Tables 1 and 2 of the Federal Regulated Substances List and Table 3 of the State Regulated Substances List. It is not all-inclusive. The requirements listed have been **briefly** described. The complete text of these laws and regulations can be viewed on the Internet. Title 19 of the California Code of Regulations (CCR) is available at [www.calregs.com](http://www.calregs.com) and Division B11 of the Santa Clara County Ordinance Code at [www.EHinfo.org](http://www.EHinfo.org). Final CalARP Regulations and additional information on the California Accidental Release Prevention Program (CalARP) can be found at [www.oes.ca.gov](http://www.oes.ca.gov) and Federal Risk Management Plan (RMP) information at [www.epa.gov/swercepp/](http://www.epa.gov/swercepp/). If you would like to discuss any interpretations of these laws or regulations, please call HMCD at (408) 918-3400 and ask for the Hazardous Materials Program Manager.

**A. Registration and Permit Requirements**

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	2500	CCR 2740.1	<b>Registration</b> – A completed California Accidental Release Prevention Program Registration Form and required attachments must be submitted to HMCD.
<input type="checkbox"/>	<input type="checkbox"/>	2533	SCCO B11-421	<b>CalARP Permit</b> – Any person who handles regulated substances which require a RMP must obtain a CalARP Permit from HMCD and pay an annual permit fee to HMCD or, if applicable, the Participating Agency (PA) city.

**B. Risk Management Plan (RMP) Components and Submission Requirements**

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	2501	CCR 2745.1	<p><b>Submission</b> - The owner or operator of a facility with more than a threshold quantity of a regulated substance, <i>as listed in Table 1 or 2</i>, must submit the USEPA required RMP to HMCD no later than the latest of the following dates:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> June 21, 1999;</li> <li><input type="checkbox"/> Three years after the date on which a regulated substance is first present under Section 68.130, Part 68, Title 40 of CFR; or,</li> <li><input type="checkbox"/> The date on which a regulated substance is first present in a process, above the threshold quantity, as listed on Section 2770.5 Table 1 or 2.</li> </ul> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator of a facility with more than a threshold quantity of a regulated substance, <i>as listed in Table 3</i>, must submit an RMP to HMCD by the RMP submittal date established between HMCD and the owner or operator of the facility.</li> <li><input type="checkbox"/> The owner or operator of a new or modified facility, with more than a threshold quantity of a regulated substance as listed in Table 3, must submit an RMP to HMCD prior to the date in which a regulated substance is first present in a process above the listed threshold quantity.</li> </ul>

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	2503	CCR 2745.3	<p><b>Executive Summary-</b> A brief description of the following elements must be included in the Executive Summary of the RMP:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Accidental release prevention and emergency response policies at the facility;</li> <li><input type="checkbox"/> Facility and regulated substances handled;</li> <li><input type="checkbox"/> Worst-case release scenario(s) and alternate release scenario(s), including administrative controls and mitigation measures to limit the distances for each reported scenario;</li> <li><input type="checkbox"/> General accidental release prevention program and chemical-specific prevention steps;</li> <li><input type="checkbox"/> Five-year accident history;</li> <li><input type="checkbox"/> Emergency response program;</li> <li><input type="checkbox"/> Planned changes to improve safety.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2504	CCR 2745.4	<p><b>Offsite Consequence Analysis</b> – The following information must be included in the RMP:</p> <p><u>Program 1 processes:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> One worst-case scenario for each Program 1 process; and</li> </ul> <p><u>Program 2 and 3 processes:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> One worst-case release scenario to represent <i>all regulated toxic substances</i> held above the threshold quantity for program 2 and 3 processes; and</li> <li><input type="checkbox"/> One worst-case release scenario to represent <i>all regulated flammable substances</i> held above threshold quantity for program 2 and 3 processes.</li> <li><input type="checkbox"/> The owner or operator, as required by Section 2750.3(a)(2)(C), must submit additional worst-case scenarios for toxics or flammables.</li> <li><input type="checkbox"/> One <i>alternative release scenario for each regulated toxic substance</i> held above the threshold quantity for program 2 and 3 processes; and</li> <li><input type="checkbox"/> One <i>alternative release scenario to represent all regulated flammable substances</i> held above the threshold quantity for program 2 and 3 processes.</li> </ul> <p>Each Offsite Consequence Analysis must include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Chemical name;</li> <li><input type="checkbox"/> Physical state (toxics only);</li> <li><input type="checkbox"/> Basis of results (give model name if used);</li> <li><input type="checkbox"/> Scenario (explosion, fire, toxic gas release, or liquid spill and vaporization);</li> <li><input type="checkbox"/> Quantity released in pounds;</li> <li><input type="checkbox"/> Release rate;</li> <li><input type="checkbox"/> Release duration;</li> <li><input type="checkbox"/> Wind speed and atmospheric stability class (toxics only);</li> <li><input type="checkbox"/> Topography (toxics only);</li> <li><input type="checkbox"/> Distance to endpoint;</li> <li><input type="checkbox"/> Public and environmental receptors within the distance;</li> <li><input type="checkbox"/> Passive mitigation considered; and</li> <li><input type="checkbox"/> Active mitigation considered (alternative releases only).</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2505	CCR 2745.5	<p><b>Five-year Accident History</b> – The Risk Management Plan must include a Five-year Accident History Component.</p>
<input type="checkbox"/>	<input type="checkbox"/>	2507	CCR 2745.7	<p><b>Program 3 Prevention Program Component</b> – For each Program 3 process, the following information must be included in the Risk Management Plan. If the same information applies to more than one covered process, the owner or operator may provide the information only once, but shall indicate to which processes the information applies.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The SIC code for the process.</li> <li><input type="checkbox"/> The name(s) of the chemical(s) covered.</li> <li><input type="checkbox"/> Date on which the safety information was last reviewed or revised.</li> <li><input type="checkbox"/> Date of completion of the most recent Process Hazard Analysis (PHA) or update and the technique used.</li> </ul> <p><i>(Continued on Next Page)</i></p>

***(Program 3 Prevention Program Component – Continued)***

- Expected date of completion of any changes resulting from the PHA;
- Major hazards identified;
- Process controls in use;
- Mitigation systems in use;
- Monitoring and detection systems in use; and
- Changes since the last PHA.
- Date of the most recent review or revision of operating procedures.
- Date of the most recent review or revision of training programs;
  - Type of training provided – classroom, classroom plus on the job, on the job; and,
  - Type of competency testing used.
- Date of the most recent review or revision of maintenance procedures and the date of the most recent equipment inspection or test and the equipment inspected or tested.
- Date of the most recent change that triggered management of change procedures and the date of the most recent review or revision of management of change procedures.
- Date of the most recent pre-startup review.
- Date of the most recent compliance audit and the expected date of completion of any changes resulting from the compliance audit.
- The date of the most recent incident investigation and the expected date of completion of any changes resulting from the investigation.
- The date of the most recent review or revision of employee Participation plans.
- Date of the most recent review or revision of hot work permit procedures.
- Date of the most recent review or revision of contractor safety procedures.
- Date of the most recent evaluation of contractor safety performance.
- The owner or operator shall submit the following external events considered in PHA Section 2760.2;
  - Magnitude or scope of external events which were considered. If not known, the owner or operator of the stationary source shall work closely with HMCD to determine what is required. If seismic events are applicable, the parameters used in the consideration of the seismic analysis and which edition of the Uniform Building Code was used when the process was designed;
  - For each external event, with a potential to create a release of a regulated substance that will reach an endpoint offsite, apply Sections 2745.7 (e)(1) through (e)(6); and,
  - Date of the most recent field verification that equipment is installed and maintained as designated.

2508 CCR  
2745.8 &  
2765.2

**Emergency Response Program Component** – The following information must be included in the Risk Management Plan:

- Does the facility have a written emergency response plan?
- Does the plan include specific actions to be taken in response to an accidental release of a regulated substance?
- Does the plan include procedures for informing the public and local agencies responsible for responding to accidental releases?
- Does the plan include information on emergency health care?
- Date of the most recent review or update of the emergency response plan.
- Date of the most recent emergency response training for employees.
- Name and telephone number of the primary local emergency response agency with which the plan is coordinated.
- List of other federal or state emergency plan requirements to which the facility is subject.

V	N/A	<b>Violation Code</b>	<b>Regulatory Citation</b>
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**Emergency Response Program** – The owner or operator shall develop an implement an emergency response program which contains the following elements:

- An emergency response plan, which shall be maintained at the facility and contain at least the following elements:
  - Procedures for informing and interfacing with the public and local emergency response agencies about accidental releases, emergency planning, and emergency response;
  - Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures;
  - Procedures and measures for emergency response after an accidental release of a regulated substance;
- Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance;
- Training for all employees in relevant procedures and relevant aspects of the Incident Command System;
- Procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensures that employees are informed of changes.
- A written plan that complies with the contingency plan format developed pursuant to Section 25503.4 of HSC and that, among other matters, includes the elements provided in section (a), shall satisfy the requirements of this section if the owner or operator also complies with section (c). The contingency plan format shall be provided by OES upon request.
- The emergency response plan developed under section (a)(1) shall be coordinated with the community emergency response plan developed under Section 11003 of Title 42 of USC. Upon request of the local emergency planning committee or emergency response officials, the owner or operator shall promptly provide to the local emergency response officials information necessary for developing and implementing the community emergency response plan.
- The owner or operator is not required to meet the business plan requirements if the emergency response plan developed under this section is consistent with the business plan requirements pursuant to Sections 2731 and 2732 of Title 19 of CCR. This does not exempt the owner or operator from requirements which relate to the annual inventory or emergency response planning for hazardous materials which are not regulated substances.

<input type="checkbox"/>	<input type="checkbox"/>	2509	CCR 2745.9
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**Certification** – The following certification must be submitted:

Program 1 processes:

- The RMP certification statement provided in Section 2735.5(d)(4) should be submitted.

All other covered processes:

- A single certification that, to the best of the signer’s knowledge, information, and belief formed after reasonable inquiry, the information submitted is true, accurate, and complete.

<input type="checkbox"/>	<input type="checkbox"/>	2510	CCR 2745.10
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**RMP Updates:**

The owner or operator of a stationary source shall revise and update the RMP submitted under Section 2745.1 as follows:

- Within five years of its initial submission or most recent update required by the subset listed below, whichever is later:
  - No later than three years after a newly regulated substance is first listed by USEPA.
  - No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity.

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***(RMP Updates – Continued)***

- No later than the date on which a regulated substance is first present above a threshold quantity in a new process.
- Within six months of a change that requires a revised PHA or hazard review.
- Within six months of a change that requires a revised offsite consequence analysis as provided in section 2750.7.
- Within six months of a change that alters the Program level that applied to any covered process.

The owner or operator of a stationary source which has regulated substances in a process listed in Section 2770.5 in quantities greater than Table 3 thresholds and less than thresholds in Tables 1 or 2 shall revise and update the RMP submitted under Section 2745.1. The updated RMP shall be submitted to HMCD as follows:

- Within five years of its initial submission or most recent update required by sections (b)(2) through (b)(7),
  - No later than three years after a newly regulated substance is first listed by OES.
  - No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity;
  - No later than the date on which a regulated substance is first present above a threshold quantity in a new process;
  - Within six months of a change that requires a revised PHA or hazard review;
  - Within six months of a change that requires a revised offsite consequence analysis as provided in Section 2750.7; and,
  - Within six months of a change that alters the Program level that applied to any covered process.
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- If a stationary source is no longer subject to the applicability requirements of Section 2735.4(a)(1), the owner or operator shall submit a revised registration pursuant to Section 2740.1(a) to USEPA within six months indicating that the stationary source is no longer covered. A copy of the revised registration shall also be submitted to HMCD.
  - If a stationary source is no longer subject to the applicability requirements of Section 273 5.4(a)(2) the owner or operator shall submit a revised registration pursuant to Section 2740.1(b) to HMCD within six months indicating that the stationary source is no longer covered.
  - Revised RMPs shall be subject to the public review process outlined in Section 2745.2.
  - Within 30 days of a change in the owner or operator, the new owner or operator shall contact HMCD to update registration information. The new owner or operator shall determine if RMP changes are necessary.

2511 CCR  
2745.11

**Covered Process Modification** – When an owner or operator intends to make a modification to a stationary source relating to a covered process and the modification may result in a significant increase in either: the amount of regulated substances handled at the stationary source as compared to the amount of regulated substances identified in the stationary source’s RMP, or the risk of handling a regulated substance as compared to the amount of risk identified in the stationary source’s RMP, then the owner or operator shall do all of the following:

- Where reasonably possible, notify HMCD in writing of the owner or operator’s intent to modify the stationary source at least five calendar days before implementing any modifications. As part of the notification process, the owner or operator shall consult with HMCD when determining whether the RMP should be reviewed and revised. Where pre-notification is not reasonably possible, the owner or operator shall provide written notice to HMCD no later than 48 hours following the modification.
- Establish procedures to manage the proposed modification, which shall be substantially similar to the procedures specified in Sections 2760.6 and 2760.7, and notify HMCD that the procedures have been established.

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*(Covered Process Modification - Continued)*

- The owner or operator of the stationary source shall revise the appropriate documents, as required pursuant to section 2745.11 (a), expeditiously, but not later than 60 days from the date of the stationary source modification.

2512 CCR 2745.12

**Certificate of Occupancy** - New or modified stationary sources shall comply with Section 65850.2(b) of the Government Code prior to the issuance of a certificate of occupancy.

**C. Program 3 Prevention Program Requirements**

V	N/A	Violation Code	Regulatory Citation
<input type="checkbox"/>	<input type="checkbox"/>	2520	CCR 2760.1

**Process Safety Information** - Information pertaining to the hazards of the regulated substances in the process. This information shall consist of at least the following:

- Toxicity information;
- Permissible exposure limits;
- Physical data;
- Reactivity data;
- Corrosivity data;
- Thermal and chemical stability data; and,
- Hazardous effects of inadvertent mixing of different materials that could foreseeably occur.

Information concerning the technology of the process shall include at least the following:

- A block flow diagram or simplified process flow diagram;
- Process chemistry;
- Maximum intended inventory;
- Safe upper and lower limits for such items as temperatures, pressures, flows or compositions; and,
- An evaluation of the consequences of deviations.
- Where the original technical information no longer exists, such information may be developed in conjunction with the PHA in sufficient detail to support the analysis.

Information pertaining to the equipment in the process shall include:

- Materials of construction;
- Piping and instrument diagrams (P&IDs);
- Electrical classification;
- Relief system design and design basis;
- Ventilation system design;
- Design codes and standards employed;
- Material and energy balances for processes built after June 21, 1999; and,
- Safety systems (e.g., interlocks, detection, or suppression systems).
- The owner or operator shall document that equipment complies with recognized and generally accepted good engineering practices.
- For existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, the owner or operator shall determine and document that the equipment is designed, maintained, inspected, tested, and operating in a safe manner.

V	N/A	Violation Code	Regulatory Citation
<input type="checkbox"/>	<input type="checkbox"/>	2521	CCR 2760.2

**Process Hazard Analysis** - The owner or operator shall work closely with HMCD in deciding which PHA methodology is best suited to determine the hazards of the process being analyzed. The owner or operator shall use one or more of the following methodologies that are appropriate to determine and evaluate the hazards of the process being analyzed:

- What-If;
- Checklist;
- What-If! Checklist;
- Hazard and Operability Study (HAZOP);
- Failure Mode and Effects Analysis (FMEA);
- Fault Tree Analysis; or,
- An appropriate equivalent methodology.

The PHA shall address:

- The hazards of the process;
- The identification of any previous incident which had a likely potential for catastrophic consequences;
- Engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases. (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.);
- Consequences of failure of engineering and administrative controls;
- Stationary source siting;
- Human factors;
- A qualitative evaluation of a range of the possible safety and health effects of failure of controls; and,
- The PHA shall include the consideration of external events, including seismic events, if applicable. PHAs completed for other programs where external events were not considered shall be updated to include external events.

Requirements of the PHA:

- The PHA shall be performed by a team with expertise in engineering and process operations, and the team shall include at least one employee who has experience and knowledge specific to the process being evaluated. Also, one member of the team must be knowledgeable in the specific PHA methodology being used.
- The owner or operator shall establish a system to promptly address the team's findings and recommendations; assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; and communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.
- At least every five years after the completion of the initial PHA, the PHA shall be updated and revalidated by a team meeting the requirements in section 2760.2(d), to assure that the P1-IA is consistent with the current process. Notwithstanding section 2760.2(c), updated and revalidated PHA[s] completed to comply with Section 5189 of Title 8 of CCR are acceptable to meet the requirements of this section.
- The owner or operator shall retain PHAs and updates or revalidations for each process covered by this section, as well as the documented resolution of recommendations for the life of the process.

V	N/A	Violation Code	Regulatory Citation
<input type="checkbox"/>	<input type="checkbox"/>	2522	CCR 2760.3

**Operating Procedures** – The owner or operator shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements:

Steps for each operating phase:

- Initial startup;
- Normal operations;
- Temporary operations;
- Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ~ ensure that emergency shutdown is executed in a safe and timely manner;
- Emergency operations;
- Normal shutdown; and,
- Startup following a turnaround, or after an emergency shutdown.

Operating limits:

- Consequences of deviation; and,
- Steps required to correct or avoid deviation.

Safety and health considerations:

- Properties of, and hazards presented by, the chemicals used in the process;
- Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment;
- Control measures to be taken if physical contact or airborne exposure occurs;
- Quality control for raw materials and control of hazardous chemical inventory levels; and,
- Any special or unique hazards.
- Safety systems and their functions.

Operating Procedure requirements:

- Operating procedures shall be readily accessible to employees who work in or maintain a process.
- The operating procedures shall be reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources. The owner or operator shall certify annually that these operating procedures are current and, accurate.
- The owner or operator shall develop and implement safe work practices to provide for the control of hazards during operations such as lockout/tagout; confined space entry; opening process equipment or piping; and control over entrance into a stationary source by maintenance, contractor, laboratory, or other support personnel. These safe work practices shall apply to employees and contractor employees.

<input type="checkbox"/>	<input type="checkbox"/>	2523	CCR 2760.4
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**Training:**

- Initial training: Each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process, shall be trained in an overview of the process and in the operating procedures as specified in Section 2760.3. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee’s job tasks.

*(Note: In lieu of initial training for those employees already involved in operating a process on June 21, 1999 an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures.)*

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**(Training – Continued)**

- Refresher training: Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process. The owner or operator, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training.
- Training documentation: The owner or operator shall ascertain that each employee involved in operating a process has received and understood the training required by this section. The owner or operator shall prepare a record which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training.

2524 CCR  
2760.5

**Mechanical Integrity** – The requirements of this section apply to process equipment and is limited to pressure vessels and storage tanks, piping systems (including piping components such as valves), relief and vent systems and devices, emergency shutdown systems, controls (including monitoring devices and sensors, alarms, and interlocks), and, pumps.

- Written procedures shall be established and implemented to maintain the on-going integrity of process equipment. The owner or operator shall establish and implement written procedures to maintain the on-going integrity of process equipment.
- Training for process maintenance activities. The owner or operator shall train each employee involved in maintaining the on-going integrity of process equipment in an overview of that process and its hazards and in the procedures applicable to the employee's job tasks to assure that the employee can perform the job tasks in a safe manner.

## Inspection and testing:

- Inspections and tests shall be performed on process equipment.
- Inspection and testing procedures shall follow recognized and generally accepted good engineering practices.
- The frequency of inspections and tests of process equipment shall be consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience.
- The owner or operator shall document each inspection and test that has been performed on process equipment. The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test.

## Equipment deficiencies:

- The owner or operator shall correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in Section 2760.1) before further use or in a safe and timely manner when necessary means are taken to assure safe operation.

## Quality assurance:

- In the construction of new plants and equipment, the owner or operator shall assure that equipment as it is fabricated is suitable for the process application for which they will be used.
- Appropriate checks and inspections shall be performed to assure that equipment is installed properly and consistent with design specifications and the manufacturer's instructions.
- The owner or operator shall assure that maintenance materials, spare parts and equipment are suitable for the process application for which they will be used.

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	2525	CCR 2760.6	<p><b>Management of Change</b> – The owner or operator shall establish and implement written procedures to manage changes (except for “replacements in kind”) to process chemicals, technology, equipment, and procedures; and, changes to stationary sources that affect a covered process. The procedures shall assure that the following considerations are addressed prior to any change:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The technical basis for the proposed change;</li> <li><input type="checkbox"/> Impact of change on safety and health;</li> <li><input type="checkbox"/> Modifications to operating procedures;</li> <li><input type="checkbox"/> Necessary time period for the change; and,</li> <li><input type="checkbox"/> Authorization requirements for the proposed change.</li> <li><input type="checkbox"/> Employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process shall be informed of, and trained in, the change prior to start-up of the process or affected part of the process.</li> <li><input type="checkbox"/> If a change covered by this section results in a change in the process safety information required by Section 2760.1, such information shall be updated accordingly.</li> <li><input type="checkbox"/> If a change covered by this section results in a change in the operating procedures or practices required by Section 2760.3, such procedures or practices shall be updated accordingly.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2526	CCR 2760.7	<p><b>Pre-Startup Review</b> – The owner or operator shall perform a pre-startup safety review for new stationary sources and for modified stationary sources when the modification is significant enough to require a change in the process safety information. The pre-startup safety review shall confirm that prior to the introduction of regulated substances to a process:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Construction and equipment is in accordance with design specifications;</li> <li><input type="checkbox"/> Safety, operating, maintenance, and emergency procedures are in place and are adequate;</li> <li><input type="checkbox"/> For new stationary sources, a PHA has been performed and recommendations have been resolved or implemented before startup, and modified stationary sources meet the requirements contained in management of change, Section 2760.6; and,</li> <li><input type="checkbox"/> Training of each employee involved in operating a process has been completed.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2527	CCR 2760.8	<p><b>Compliance Audits:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator shall certify that they have evaluated compliance with the provisions of this article at least every three years to verify that the procedures and practices developed under the chapter are adequate and are being followed.</li> <li><input type="checkbox"/> The compliance audit shall be conducted by at least one person knowledgeable in the process.</li> <li><input type="checkbox"/> A report of the findings of the audit shall be developed.</li> <li><input type="checkbox"/> The owner or operator shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.</li> <li><input type="checkbox"/> The owner or operator shall retain the two most recent compliance audit reports.</li> </ul>

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	2528	CCR 2760.9	<p><b>Incident Investigation:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator shall investigate each incident which resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance.</li> <li><input type="checkbox"/> An incident investigation shall be initiated as promptly as possible, but not later than 48 hours following the incident.</li> <li><input type="checkbox"/> An incident investigation team shall be established and consist of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of the contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident.</li> <li><input type="checkbox"/> A report shall be prepared at the conclusion of the investigation which includes at a minimum:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Date of incident;</li> <li><input type="checkbox"/> Date investigation began;</li> <li><input type="checkbox"/> A description of the incident;</li> <li><input type="checkbox"/> The factors that contributed to the incident; and,</li> <li><input type="checkbox"/> Recommendations resulting from the investigation.</li> </ul> </li> <li><input type="checkbox"/> The owner or operator shall establish a system to promptly address and resolve the incident report findings and recommendations. Resolutions and corrective actions shall be documented.</li> <li><input type="checkbox"/> The report shall be reviewed with all affected personnel whose job tasks are relevant to the incident findings including contract employees where applicable.</li> <li><input type="checkbox"/> Incident investigation reports shall be retained for five years.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2529	CCR 2760.10	<p><b>Employee Participation:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator shall develop a written plan of action regarding the implementation of the employee participation required by this section.</li> <li><input type="checkbox"/> The owner or operator shall consult with employees and their representatives on the conduct and development of PHA and on the development of the other elements of process safety management in this chapter.</li> <li><input type="checkbox"/> The owner or operator shall provide employees and their representatives with access to PHAs and to all other information required to be developed under this chapter.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2530	CCR 2760.11	<p><b>Hot Work Permit:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator shall issue a hot work permit for hot work operations conducted on or near a covered process.</li> <li><input type="checkbox"/> The permit shall document that the fire prevention and protection requirements in Section 5189 of Title 8 of CCR have been implemented prior to beginning the hot work operations; it shall indicate the date(s) authorized for hot work; and identify the object on which hot work is to be performed. The permit shall be kept on file until completion of the hot work operations.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	2531	CCR 2760.12	<p><b>Contractors</b> – This section applies to contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process. It does not apply to contractors providing incidental services which do not influence process safety, such as janitorial work, food and drink services, laundry, delivery or other supply services.</p> <p>Owner or operator responsibilities:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The owner or operator, when selecting a contractor shall obtain and evaluate information regarding the contract owner or operator’s safety performance and programs.</li> <li><input type="checkbox"/> The owner or operator shall inform the contract owner or operator of the known potential fire, explosion, or toxic release hazards related to the contractor’s work and the process.</li> <li><input type="checkbox"/> The owner or operator shall explain to the contract owner or operator the applicable provisions of Article 7. <i>(Continued on Next Page)</i></li> </ul>

*(Contractors – Continued)*

- The owner or operator shall develop and implement safe work practices consistent with Section 2760.3(d), to control the entrance, presence, and exit of the contract owner or operator and contract employees in covered process areas.
- The owner or operator shall periodically evaluate the performance of the contract owner or operator in fulfilling the following obligations:
  - The contract owner or operator shall assure that each contract employee is trained in the work practices necessary to safely perform his or her job.
  - The contract owner or operator shall assure that each contract employee is instructed in the known potential fire, explosion, or toxic release hazards related to his or her job and the process, and the applicable provisions of the emergency action plan.
  - The contract owner or operator shall document that each contract employee has received and understood the training required by this section. The contract owner or operator shall prepare a record which contains the identity of the contract employee, the date of training, and the means used to verify that the employee understood the training.
  - The contract owner or operator shall assure that each contract employee follows the safety rules of the stationary source including the safe work practices required by Section 2760.3(d).
  - The contract owner or operator shall advise the owner or operator of any unique hazards presented by the contract owner or operator's work, or of any hazards found by the contract owner or operator's work.