# CAPP PROGRAM LEVEL 2 INSPECTION

# Facility:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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# AI #:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Facility Rep:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

# Process Audited:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Inspector:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

# Date(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

LDEQ Chemical Accident Prevention Program Level 2 Inspection Checklist Revised 1/23/2020

Note: The words and regulations that are italicized, underlined, and in bold were added in the March 21, 2017 EPA RMP Amendments, which went into effect on September 21, 2018. The compliance date for 3rd party compliance audit provisions previously under 68.58(f-h), 68.59, root cause analysis provisions in 68.60(d)(7) were removed on December 19, 2019. The regulations which are not yet in effect are italicized, underlined, and un-bolded. The compliance date for annual notification exercises under 68.96(a) was changed to 12/19/2024 and the compliance date for tabletop exercise under 68.96(b)(2) was changed to 12/21/2026.

**Management [68.15]**

Has the owner or operator:

**68.15 (a) Developed a management system to oversee the implementation of the risk management program elements?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 (b) Assigned a qualified person or position that has the overall responsibility for the development, implementation, and integration of the risk management program elements?

  **[ ]  Yes [ ]  No [ ]  N/A**

 (c) Documented other persons responsible for implementing individual requirements of the risk management program and defined the lines of authority through an organization chart or similar document?

  **[ ]  Yes [ ]  No [ ]  N/A**

# Hazard Assessment Documentation [68.39]

**68.39 (a-e) Has the owner/operator maintained on site the required documentation for the hazard assessments (worst case and alternative release scenario)?**

 **[ ]  Yes [ ]  No [ ]  N/A**

## **Safety Information [68.48]**

**68.48 (a) Has the owner or operator compiled and maintained the following up‑to‑date safety information, related to the regulated substances, processes, and equipment:**

 **(1) *Safety Data Sheets (SDS)* that meet the requirements of the OSHA Hazard Communication Standard 29 CFR 1910.1200(g)?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(2) Maximum intended inventory of equipment in which the regulated substances are stored or processed?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(3) Safe upper and lower temperatures, pressures, flows, and compositions?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(4) Equipment specifications?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(5) Codes and standards used to design, build, and operate the process?**

**[ ]  Yes [ ]  No [ ]  N/A**

**68.48 (b) Ensured the process is designed in compliance with recognized and generally accepted good engineering practices?**

 **[ ]  Yes [ ]  No [ ]  N/A**

**68.48 (c) Updated information if a major change has occurred that made the information inaccurate?**

 **[ ]  Yes [ ]  No [ ]  N/A**

## **Hazard Review [68.50]**

**68.50 (a) Has the owner or operator conducted a review of the hazards associated with the regulated substances, processes, and procedures?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Did the review identify:**

 **(1) The hazards associated with the process and regulated substances?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(2) Opportunities for equipment malfunctions or human errors that could cause an accidental release?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(3) The safeguards used or needed to control the hazards or prevent equipment malfunctions or human error?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(4) Any steps used or needed to detect or monitor releases?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(b) The owner or operator may use checklists developed by persons or organizations knowledgeable about the process and equipment as a guide to conducting the review.**

 **Has the owner or operator determined by inspecting all equipment that the processes are designed, fabricated, and operated in accordance with applicable standards or rules, if designed to meet industry standards or Federal or state design rules?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(c) Has the owner or operator documented the results of the review?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Has the owner or operator ensured that problems identified were resolved in a timely manner?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(d) Has the owner or operator updated the review at least once every five years or whenever a major change in the processes occurred?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Has the owner or operator resolved all issues identified in the review before startup of the changed process?**

 **[ ]  Yes [ ]  No [ ]  N/A**

**Operating Procedures [68.52]**

**68.52 (a) Has the owner or operator prepared written operating procedures that provide clear instructions or steps for safely conducting activities associated with each covered process consistent with the safety information for that process? Operating procedures or instructions provided by equipment manufacturers or developed by persons or organizations knowledgeable about the process and equipment may be used as a basis for a stationary source’s operating procedures.**

**[ ]  Yes [ ]  No [ ]  N/A**

**(b) Do the procedures address the following:**

**(1) Initial startup?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(2) Normal operations?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(3) Temporary operations?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(4) Emergency shutdown and operations**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(5) Normal shutdown?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(6) Startup following:**

**A normal shutdown?**

**[ ]  Yes [ ]  No [ ]  N/A**

**An emergency shutdown?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **A major change that requires a hazard review?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(7) Consequences of deviations?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Steps required to correct or avoid deviations?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(8) Equipment inspections?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(c) Has the owner or operator ensured that the operating procedures have been updated, if necessary, whenever a major change occurred and prior to startup of the changed process?**

**[ ]  Yes [ ]  No [ ]  N/A**

## **Training [68.54]**

**68.54 (a) Has the owner or operator:**

 **Ensured that each employee presently operating a process, and each employee newly assigned to a covered process have been trained or tested competent in the operating procedures provided in § 68.52 that pertain to their duties?**

 **[ ]  Yes [ ]  No [ ]  N/A**

**For those employees already operating a process on June 21, 1999, the 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 provided in the operating procedures.**

 **[ ]  Yes [ ]  No [ ]  N/A**

**(b) Provided refresher training at least every three years, or more often if necessary, to each employee** **operating a process, to ensure that the employee understands and adheres to the current operating procedures of the process?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Determined, in consultation with the employees operating the process, the appropriate frequency of refresher training?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(c) The owner or operator may use training conducted under Federal or state regulations or under industry specific standards or codes or training conducted by covered process equipment vendors to demonstrate compliance with this section to the extent that the training meets the requirements of this section.**

 **(d) Ensured that operators are trained in any updated or new procedures prior to startup of a process after a major change?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Maintenance [68.56]**

**68.56 (a) Has the owner or operator prepared and implemented procedures to maintain the on‑going mechanical integrity of the process equipment? The owner or operator may use procedures or instructions provided by covered process equipment vendors or procedures in Federal or state regulations or industry codes as the basis for stationary source maintenance procedures.**

**[ ]  Yes [ ]  No [ ]  N/A**

**(b) Has the owner or operator trained or caused to be trained each employee, involved in maintaining the on‑going mechanical integrity of the process?**

**Did training include:**

**The hazards of the process?**

**[ ]  Yes [ ]  No [ ]  N/A**

**How to avoid or correct unsafe conditions?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Procedures applicable to the employee's job tasks?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(c) Has every maintenance contractor ensured that each contract maintenance employee is trained to perform the maintenance procedures developed under paragraph (a) of this section?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **(d) Has the owner or operator performed or caused to be performed inspections and tests on process equipment that follow recognized and generally accepted engineering practices?**

**[ ]  Yes [ ]  No [ ]  N/A**

 **Are the frequency of inspections and tests of process equipment consistent with applicable manufacturer’s recommendations, industry standards or codes, good engineering practices, and prior operating experience?**

**[ ]  Yes [ ]  No [ ]  N/A**

#### Compliance Audits [68.58]

**68.58 (a) Has the owner or operator certified that they have evaluated compliance with the provisions of this subpart, at least every three years to verify that the procedures and practices developed under this rule are adequate and are being followed?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(b) Has compliance audit been conducted by at least one person knowledgeable in the process?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(c) Has the owner operator developed a report of the audits findings?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(d) Has the owner or operator promptly determined and documented an appropriate response to each of the findings of the audit and documented that deficiencies had been corrected?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(e) Has the owner or operator retained the two most recent compliance audit reports, unless more than five years old?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Incident Investigation [68.60]**

**68.60 (a) Has the owner or operator investigated each incident which** **resulted in, or could reasonably have resulted in a catastrophic release?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(b) Were all incident investigations initiated not later than 48 hours following the incident?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(c) *Was an incident investigation team established and consist of at least one person knowledgeable in the process involved and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident?***

**[ ]  Yes [ ]  No [ ]  N/A**

**(d) Was a summary prepared at the conclusion of every investigation which included:**

**(1) Date of incident?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(2) Date investigation began?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(3) A description of incident?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(4) The factors that contributed to the incident**

**[ ]  Yes [ ]  No [ ]  N/A**

**(5) Any recommendations resulting from the investigation?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(e) Has the owner or operator promptly addressed and resolved the investigation findings and recommendations?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Are the resolutions and corrective actions documented?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(f) Has the owner or operator reviewed the findings with all affected personnel whose job tasks are affected by the findings?**

**[ ]  Yes [ ]  No [ ]  N/A**

**(g) Has the owner or operator retained investigation *reports* for five years?**

**[ ]  Yes [ ]  No [ ]  N/A**

**Subpart E - Emergency Response Applicability [68.90]**

**68.90 (a) Will employees of a stationary source respond to emergencies?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **If YES, Has the owner or operator complied with the requirements under *§§68.93,* 68.95, *& 68.96*?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(b) If employees of the stationary source WILL NOT RESPOND to accidental releases of regulated substances, the owner or operator need not comply with §68.95 provided that:**

 **(1) For stationary sources with any regulated toxic substance held in a process above the threshold quantity, is the stationary source included in the community emergency response plan developed under EPCRA?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(2) For stationary sources with only regulated flammable substances held in a process above the threshold quantity, has the owner or operator coordinated response actions with the local fire department?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(3) Are appropriate mechanisms in place to notify emergency responders when there is a need for a response?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(4) *Has the owner or operator performed the annual emergency response coordination activities required under §68.93?***

 **[ ]  Yes [ ]  No [ ]  N/A**

(5) *Has the owner or operator performed the annual notification exercise required under §68.96(a)?*

 **[ ]  Yes [ ]  No [ ]  N/A**

***Subpart E - Emergency Response Coordination Activities [68.93]***

***68.93 The owner or operator of a stationary source shall coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary sources, their quantities, the risks presented by the covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of the regulated substance.***

1. ***Has the owner or operator coordinated at least annually, and more frequently if necessary, to address changes: at the stationary source, in the stationary source’s emergency response and/or emergency action plan; and/or in the community emergency response plan?***

 **[ ]  Yes [ ]  No [ ]  N/A**

1. ***Did the coordination include providing to the local emergency planning and response organizations: The stationary source’s emergency response plan if one exists; emergency action plan; updated emergency contact information; and any other information that local emergency planning and response organizations identify as relevant to local emergency response planning?***

 **[ ]  Yes [ ]  No [ ]  N/A**

***For responding stationary sources, did the coordination also include consulting with local emergency response officials to establish appropriate schedules and plans for field and tabletop exercises required under §68.96(b)?***

**[ ]  Yes [ ]  No [ ]  N/A**

 ***Has the owner or operator requested an opportunity to meet with the local emergency planning committee (or equivalent) and/or local fire department as appropriate to review and discuss these materials?***

**[ ]  Yes [ ]  No [ ]  N/A**

1. ***Has the owner or operator documented the coordination with local authorities, including: The names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and nature of coordination activities?***

 **[ ]  Yes [ ]  No [ ]  N/A**

## **Subpart E - Emergency Response Program [68.95]**

**68.95 (a) Has the owner or operator developed and implemented an emergency response program for the purpose of protecting public health and the environment?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Does the program include the following elements?**

 **(1) An emergency response plan which is maintained at the stationary source?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Does the emergency response plan contain the following elements:**

 **(i) Procedures for informing the public *and the appropriate Federal, state,* and local emergency response agencies about accidental releases?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(ii) Documentation of proper first‑aid and emergency medical treatment necessary to treat accidental human exposures?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(iii) Procedures and measures for emergency response after an accidental release of a regulated substance?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(2) Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(3) Training for all employees in relevant procedures?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **(4) Procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source *or new information obtained from coordination activities, emergency response exercises, incident investigations, or other available information,* and ensure that employees are informed of changes?**

 **[ ]  Yes [ ]  No [ ]  N/A**

**68.95 (b) Did the owner or operator use a written plan that complies with other Federal contingency plan regulations or is consistent with the approach in the National Response Team’s Integrated Contingency Plan Guidance (‘‘One Plan’’)? If so, does the plan include the elements provided in paragraph (a) of 68.95, and also complies with paragraph (c) of 68.95?**

 **[ ]  Yes [ ]  No [ ]  N/A**

**68.95 (c) Has the emergency response plan been coordinated with the community emergency response plan developed under EPCRA?**

 **[ ]  Yes [ ]  No [ ]  N/A**

 **Has the owner or operator provided to the local emergency response officials information necessary for developing and implementing the community emergency response plan requested by the LEPC or emergency response officials?**

 **[ ]  Yes [ ]  No [ ]  N/A**

*Subpart E - Emergency Response Exercises [68.96]*

*68.96 (a) Has the owner or operator conducted an exercise of the stationary source’s emergency response notification mechanisms required under §68.90(a)(2) or §68.95(a)(1)(i), as appropriate, before December 19, 2024 at least once each calendar year, and annually thereafter? Owners or operators of responding stationary sources may perform the notification exercise as part of the tabletop and field exercise required in paragraph (b) of this section.*

 *[ ]  Yes [ ]  No [ ]  N/A*

 *Has the owner/operator maintained a written record of each notification exercise conducted over the last five years?*

 *[ ]  Yes [ ]  No [ ]  N/A*

 *(b) Has the owner or operator of a stationary source subject to the requirements of §68.95 developed and implemented an exercise program for its emergency response program, including the plan required under §68.95(a)(1)?*

 *[ ]  Yes [ ]  No [ ]  N/A*

 *Did the exercise involve facility emergency response personnel and as appropriate, emergency response contractors?*

 *[ ]  Yes [ ]  No [ ]  N/A*

 *When planning emergency response field and tabletop exercise, did the owner/operator coordinate with local public emergency response officials and invite them to participate in the exercise?*

 *[ ]  Yes [ ]  No [ ]  N/A*

1. *Emergency response field exercises. Did the owner or operator conduct a field exercises involving the simulated accidental release of a regulated substance?*

*[ ]  Yes [ ]  No [ ]  N/A*

1. *Frequency. Did the owner or operator consult with local emergency response officials required by §68.93 to establish an appropriate frequency for field exercises?*

*[ ]  Yes [ ]  No [ ]  N/A*

1. *Scope. Did the field exercise include: tests of procedures to notify the public and the appropriate Federal, state, and local emergency response agencies about an accidental release; tests of procedures and measures for emergency response actions including evacuations and medical treatment; tests of communication systems; mobilization of facility emergency response personnel, including contractors, as appropriate; coordination with local emergency responders; emergency response equipment deployment; and any other action identified in the emergency response program, as appropriate.*

 *[ ]  Yes [ ]  No [ ]  N/A*

*Subpart E - Emergency Response Exercises continued [68.96]*

1. *Tabletop exercises. Has the owner or operator conducted a tabletop exercise involving the simulated accidental release of a regulated substance?*

*[ ]  Yes [ ]  No [ ]  N/A*

1. *Frequency. Did the owner or operator consult with local emergency response officials required by §68.93 to establish an appropriate frequency for tabletop exercises and conduct a tabletop exercise before December 21, 2026, and at least once every three years thereafter?*

*[ ]  Yes [ ]  No [ ]  N/A*

1. *Scope. Did the tabletop exercise include discussions of: procedures to notify the public and the appropriate Federal, state, and local emergency response agencies; procedures and measures for emergency response including evacuations and medical treatment; identification of facility emergency response personnel and/or contractors and their responsibilities; coordination with local emergency responders; procedures for emergency response equipment deployment; and any other action identified in the emergency response program, as appropriate.*

 *[ ]  Yes [ ]  No [ ]  N/A*

1. *Documentation. Did the owner or operator prepare a report within 90 days of each exercise?*

 *[ ]  Yes [ ]  No [ ]  N/A*

*Did the report include: a description of the exercise scenario; names and organizations of each participant; an evaluation of the exercise results including lessons learned; recommendations for improvement or revision to the emergency response exercise program and emergency response program, and a schedule to promptly address and resolve recommendations?*

 *[ ]  Yes [ ]  No [ ]  N/A*

*(c) Alternative means of meeting exercise requirements. The owner or operator may satisfy the requirement to conduct notification, field, and/or tabletop exercises through:*

1. *Exercises conducted to meet other Federal, state, or local exercise requirements, provided the exercise meets the requirements of paragraphs (a) and/or (b) of this section, as appropriate.*
2. *Responses to an accidental release, provided the response includes the actions indicated in paragraphs (a) and/or (b) of this section, as appropriate.*

*If using a response to an accidental release in lieu of field and/or tabletop exercise requirements, did the stationary source, within 90 days of the incident, prepare an after-action report comparable to the exercise evaluation report required in paragraph (b)(3) of this section?*

 *[ ]  Yes [ ]  No [ ]  N/A*

| **Compliance Dates: [Assuming December 2019 Final Rule Effective Date]** |
| --- |
| **What** | **Due Date** |
| Public Meetings | Within 90 days of any qualifying accident that occurs after March 15, 2021 |
| Develop Emergency Response Programs | Within three years of owner or operator determining that facility is subject to the provisions |
| Develop exercise plans and schedules | December 2023 |
| Conduct first notification drill | December 2024 |
| Conduct first tabletop exercise | December 2026 |
| Conduct first field exercise | According to the exercise schedule established by the owner or operator in coordination with local response agencies |
| Submit RMP with new information elements | The owner or operator would provide new information elements with any initial RMP or RMP resubmission made after December 2024. |
| Comply with new emergency coordination requirements | Already in effect as of September 21, 2018 |
| Comply with remaining minor accident prevention provisions  | Already in effect as of September 21, 2018 |