

# Harrowing Tales of Non-Compliance



## Dawn of the Closed Premises

A resource by **ENCAMP**

*It was a dark and stormy night...*

Ok, it really wasn't. But imagine it's nightfall, and you're sitting around a campfire telling stories about... EHS compliance and Tier II & EPCRA nightmares. Or worse, missed deadlines and non-compliance.

When these stories are true, they can scare the #\*^+ out of you.

When EHS violations are serious or repeated (or both!), state and federal enforcement agencies can close in and close down commercial properties. "Until further notice." It's a death knell, in that these agencies can essentially suspend a business's operations for who knows how long. And when they do, things like sales, customer loyalty, reputations, profitability and investor relations all suffer.

Dawn of the dead business? Not if the company rectifies its violations and meets the legal and financial obligations that typically come with them.

### A horror story

*RCRA violations:* Sure enough. "This facility is closed until further notice." A sign on the door of an automotive parts supplier plant said so, courtesy of the EPA — whose inspection revealed a violation of multiple RCRA Organic Air Emission regulations: The company failed to properly determine the level of air emissions controls, and to monitor hazardous waste for leaks. They never established emergency preparedness and prevention procedures for safety. They failed to conduct inspections or make fixes. They never provided required workforce training. No wonder the EPA shut them down.

The company was tagged with \$377,900 fine. But before they could reopen their facility, they had to spend an additional \$2.7 million on a supplemental environmental project (SEP) to replace existing robots and paint applicators with devices that increased transfer efficiency.

## Face your fears

What good are compliance protocols in a facility if a company doesn't practice them?

Don't just implement a plan for improving health and safety... enforce it.

- Establish methods to identify hazards and control associated risk. Then make sure company leaders understand their responsibilities with respect to these methods.
- Maintain an open and confidential line of communication for workers to report safety concerns.
- Investigate accidents and keep records of findings, corrective actions taken, and so on.

Have a plan for routine workplace inspections.

- Make sure this plan identifies hazards and risk clearly, and likewise identifies risky behaviors and non-compliance. Engage employees in planning and decision making.
- Use the plan to further develop and prioritize actions that support all identified safety issues. Continually updating and improving the plan should be an emphasis.

Training, training, and more training.

- Ongoing, train employees, and leadership, to expose them to all potential violations and their implications. For compliance, your workforce stays informed and proactive.

*(Source: EHSWatch)*

## No more nightmares

With **Encamp's end-to-end platform** EHS staff create site-specific compliance profiles for every facility in your company. They easily upload documents, permits, plans, SOPs, and more, and access them in one place. They save time, and keep facilities from being closed "until further notice."

