



## GOVERNMENT INSPECTIONS

### Scope

This program describes the procedures and policies for handling official government safety, health or environmental inspections of Company property. As used in this section, “Government” may include Federal or State OSHA, EPA, DOT, DOE, Railroad Commissions, and air or water quality regulatory agencies.

### General Requirements

- Verify the credentials of any individual who identifies himself or herself as a government representative before allowing an inspection or visit upon company locations. A search warrant shall not be required for entry. However, if one is presented, keep the company copy and attach it to the inspection report.
- Immediately escort the government representative onto the location and ask him/her to wait while you contact the appropriate Company personnel to assist in the inspection.
- Notify the Company's Responsible Person or supervisor in charge. Call Wally Steidley at 214.868.7758 after your other calls.
- If possible, defer the inspection until the supervisor in charge or his/her designated representative arrives to accompany the representative.
- A company representative shall accompany the inspection party during all inspections, whenever possible.
- The supervisor in charge must provide immediate notification (by telephone) of any inspections or investigative type interview to the Company's Responsible Person.
- Determine the basis for what type of inspection is to be conducted. There are usually five types:
  - ✓ Employee Complaint: If the inspection was prompted by an employee complaint, acquire a copy of the registered complaint.

- ✓ Routine: If the inspection is referred to as “routine,” have the compliance officer explain the criteria used for selecting this particular location.
- ✓ Imminent Hazard: This is an inspection based on a hazard that is life threatening and is moments away from occurring. Verify how and when the hazard was observed.
- ✓ Incident Investigation: Inspections are allowed by statute following certain work-related accidents, releases, or upsets.
- ✓ Media Referral: A government agency may justify an inspection because of publicity in the media.
- Determine the scope of the inspection and whether it is safety, health or environmentally related.
  - ✓ Notify the appropriate supervisory personnel.
- Determine the limits of inspection.
  - ✓ What facilities and/or areas will be subject to inspection?
  - ✓ What employees or positions do they wish to speak to or review?
  - ✓ What measurements, samples, or photographs do they wish to take?

**NOTE:** A designated employee shall perform and/or take and record the same measurements, samples, or photographs as does the government compliance officer. All items considered to be trade secrets and confidential material shall be marked accordingly.

- The government representative shall be accompanied at all times. Do not leave the representative alone on the job site / company offices unless a Company employee is immediately available, in case the representative needs to leave, view the facility, or ask questions.
- The preference is for government representatives to fully comply with all safety practices and regulations for the work site, including wearing appropriate PPE. (We can only ask the agency inspectors to follow our safety practices around PPE. We cannot demand that they follow our PPE policies unless they would be violating a law by not doing so.)
- We have the right and responsibility to stop an inspector if his/her actions would endanger them or others at the site. (i.e. entering trenches, standing under suspended loads, etc.)

- Use reasonable efforts to comply with the representative's requests. Do not agree to long-term abatement plans, but do immediately correct any minor problems found if they can be resolved with the people and equipment you currently have available.
- A designated employee shall maintain a detailed record of the representative's activities. Do not guess or speculate in answering questions. Be completely honest in answering questions, but do not volunteer additional information that is not requested. Do not allow tape recordings.
- A review of documents that are relevant to the inspection shall be permitted. Review all documents before releasing them. Keep copies of anything released.
- A reasonable number of employees may be questioned by the officer about local working conditions.
- Upon the government representative's request, allow one employee to accompany him/her during the inspection. Additional employees may accompany the inspection team if additional representation will further assist the inspection.
- All employees shall be advised not to sign anything prepared by a government authority unless advised to do so by the Company's Responsible Person or his/her representative.
- During the closing conference:
  - ✓ Ask questions regarding any observations or citations as to why they were issued and what standard they apply to.
  - ✓ Take extensive notes. Assign one individual to take notes.
  - ✓ Never give an abatement date for any citation.
- The Company's Responsible Person, with guidance from Indigo Compliance and company legal representative, shall prepare a comprehensive report of the inspection, including notes, samples, photographs, and any documentation reviewed.

#### References

Occupational Safety and Health Administration, Department of Labor, 29 CFR 1903.