

Prevention Program Amendment Overview

The prevention program amendments are summarized below under the relevant regulatory section. The new language is in italics.

NAC 459.95414 Process hazard analysis

The following sections were amended as noted below. Also note that there is no longer a requirement to have a PHA assessment team approved, nor is there a requirement to have a licensed professional engineer on the team.

7. The owner or operator shall conduct the process hazard analysis with a team *with* expertise in engineering and process operations. *The team must consist of two or more persons and include* at least:

- (a)* One member who has experience and knowledge specific to the process being evaluated; and
- (b)* One member who is knowledgeable in the methodology for the specific process hazard analysis being used.

8. The owner or operator shall:

- (a)* Promptly evaluate the findings and recommendations of the *team formed pursuant to subsection 7;*
- (b)* Determine and document a course of action based on the evaluation;
- (c)* Develop a written schedule of when the actions are to be completed;
- (d)* Complete the actions as soon as possible *and document each such completion; and*
- (e)* 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.

9. At least once every 5 years after the completion of the initial process hazard analysis, a team that satisfies the requirements of subsection **7** shall update and revalidate the process hazard analysis to ensure that the process hazard analysis is consistent with the current process.

10. A process hazard analysis must be updated and revalidated *using a team meeting the requirements of subsection 7 and* pursuant to the procedures set forth in NAC 459.9549 to 459.955, inclusive.

NAC 459.95418 Training procedures

The following sections were amended as noted below.

The owner or operator of a facility with a process that is subject to *C.A.P.P.:*

1. Shall, except as otherwise provided in subsection 2, ensure that each employee who is operating a process or will operate a process is trained in an overview of the process and in the operating procedures created pursuant to NAC 459.95416. Such training must include, without limitation, training in:

- (a)* The layout of the plant;
- (b)* The location of equipment and instruments;
- (c)* The specific safety and health hazards;
- (d)* Emergency operations, including, without limitation, procedures for an emergency shutdown;
- (e)* Safe work practices that are applicable to the job tasks of the employee; *and*
- (f)* *The program for the management of changes developed and implemented pursuant to NAC 459.95423, including instruction on how to recognize activities that are not replacement in kind.*

NAC 459.95421 Procedures for maintenance of equipment

The following sections were amended as noted below.

1. *The* owner or operator of a facility with a process subject to *C.A.P.P.* shall:
 - (a) Establish and implement written procedures to ensure the ongoing integrity of the equipment listed in subsection 2;
 - (b) Provide each employee who is involved in maintaining the ongoing integrity of the equipment listed in subsection 2 with:
 - (1) An overview of the process that uses the equipment and the potential hazards of the process;
 - (2) Training in the procedures that are applicable to the job tasks of the employee to ensure that the employee can perform the job tasks in a safe manner; *and*
 - (3) *Training in the program for the management of changes developed and implemented pursuant to NAC 459.95423, including instruction on how to recognize activities that are not replacement in kind;*

NAC 459.95423 Procedures for management of change in process

The following sections were amended as noted below.

Specifically, subsection 3 has been amended to ensure that each consideration is evaluated by some established criteria. It must also be clear how that evaluation is approved.

The owner or operator of a facility with a process that is subject to *C.A.P.P. shall:*

1. Establish and implement written procedures to manage changes, other than a replacement in kind, to:
 - (a) Chemicals, technology, equipment and procedures that are used in a process; and
 - (b) *Buildings, structures and equipment that affect a process;*
2. *Evaluate the impact of changes to organizational structure or staffing levels on the implementation of the prevention program and the emergency response program;*
3. Ensure that the procedures established pursuant to *subsection 1* require that the following considerations are addressed before one of the changes *described in subsection 1 occur and that the procedures specify the criteria for review and approval of each of the following considerations:*
 - (a) The technical basis for the proposed change;
 - (b) The impact of change on safety and health;
 - (c) Whether any modifications to operating procedures will be necessary;
 - (d) The time necessary to make the proposed change; and
 - (e) The requirements for authorization for the elements of the proposed change;

NAC 459.95429 Investigation of incidents

The following sections were amended as noted below.

The owner or operator of a facility with a process that is subject to *C.A.P.P.* shall:

1. Investigate any incident that resulted in, or could reasonably have resulted in, a catastrophic release *and take corrective action to prevent recurrence of the incident;*
2. Initiate the investigation of the incident as promptly as possible, but not later than 48 hours after the incident;
3. Establish a team to investigate the incident. *The team must consist of two or more persons and include at least:*
 - (a) *One* person who is knowledgeable in the process involved, including, without limitation, a contract employee if his work was involved in the incident; and
 - (b) *One* person who possesses appropriate knowledge and experience to investigate and analyze the incident thoroughly;