



**EPIC**  
**A View of Industry & Regulators**  
**Working Together**

Presented by  
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**21<sup>st</sup> Annual California CUPA Training Conference**  
**February 25-28, 2019**  
**Anaheim**



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### Overview

- EPIC program
- History
- Approach
- Eligibility
- Collaboration
- Benefits
- Current Status
- Moving Forward

- Welcome to Inova's Campus
- Inova's EPIC+ History
- Attitude to Achieve Compliance
- San Diego's CUPA and Education
- Foundation to Success: Mgmt. Support
- Regulatory Oversight
- Partnerships in Compliance
- Learning How to Be Safe
- Employee Training
- Employee Engagement
- Incentive Program



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### Declining Enforcement Levels



**A Sign Of Success Or  
An Indicator Of  
Problems?**

Environmental agencies are commonly criticized when the number of enforcement cases decline.



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### Is it because of less enforcement?

Lax government agencies or decreased number of inspections

Increased compliance from regulated industry

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### Is it enough information...?

Enforcement levels alone do not provide a complete performance picture.

More information and better outcome measures are needed.

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### Measuring Performance

- Find and target environmental non-compliance problems
- Motivate regulated parties to reduce their negative impacts on the environment
- Assess and depict program effectiveness more accurately
- Communicate program effectiveness to USEPA, CalEPA, federal and state legislatures, and the public

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## EPIC Origins

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*Assembly Bill No. 1360, Steinberg.*  
*Environmental Quality: environmental indicators.*



Requires the Office of Environmental Health Hazard Assessment (OEHHA) to develop and maintain a system of environmental indicators that meet specified objective.



Requires the Secretary of CalEPA to assess the development and implementation.



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## What is EPIC?

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EPIC: *Environmental Protection Indicators for California AB1360; OEHHA*



EPIC+: *Education, Process Improvements, and Compliance for Environmental Risk Reduction*



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## EPIC Origins in San Diego

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- > Pilot project: to identify and measure environmental indicators on a select industry type
- > Workgroup: Industry + CUPA
- > Objectives:
  1. Demonstrate that education and outreach can be effective tools in obtaining compliance from the regulated community
  2. Establish a risk-based inspection process that can be used to assist in directing resources to areas of high risk and non-compliance



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## Approach

- Outreach and Education
- Focus on a narrow set of indicators (violations)
- Establish a baseline
- Calibrate inspectors for consistency
- Measure the impact of educational outreach



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## Compliance Through Education

- Industry selected:  
Biotech and Research & Development (R&D) Industry
  - Hazardous Waste
  - Hazardous Materials Business Plan
  - Medical Waste



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## EPIC+ Eligibility

- Biotech and Research & Development (R&D) Industry
- CUPA permit
- Inspection
- Application
- Attend seminar or complete online training
- Good compliance history



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## Golden Gate Partnership Awards

- Golden Gate Partnership Award (Inova, 9900 Old Grove Rd., 92131), Cal/OSHA, 2005
- Golden Gate Partnership Award (Inova, 9675 Businesspark Ave., 92131), Cal/OSHA, 2012
- Golden Gate Partnership Award (Inova, 9950 Old Grove Rd., 92131), Cal/OSHA, 2017:



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## Inova Has Been in the EPIC+ Since 2009

- › Being in the program is *value added* to Inova's organization; increased awareness and buy-in.



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## Attitude To Achieve Compliance

➤ Exam: Cramming Alone VS. Study Group.



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## Transitioning From *Bobby Brady*



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## To Becoming a Team

By embracing the same goals:



We become a team:



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## Above All...

- When the fingers start pointing for a scapegoat...
- Be honest.



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## Look Deep Within Yourself

- Admit the mistake...find a solution.



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## Be Transparent

- Own it.



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## Turn Mistakes Into Opportunities



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## Never Stop Striving for Excellence

- Embrace experience.

LIFE CAN ONLY BE UNDERSTOOD BACKWARDS; BUT IT MUST BE LIVED FORWARDS.

- Soren Kierkegaard



- Never stop learning.



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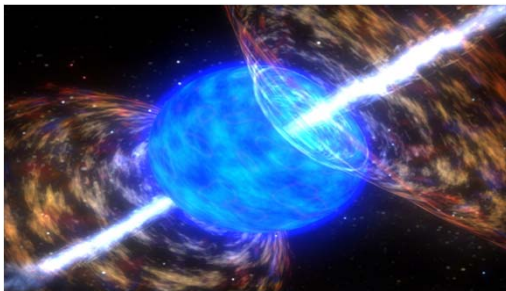
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## San Diego's CUPA, A Supernova Of Education



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## EPIC+ Education Over Enforcement

- Facilities who want to be in compliance, are provided the education!



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## Foundation To Success

- Build a Pyramid of Safety Culture:



Our beliefs begin with well written programs and training (hands-on, classroom, independent reading, etc.).

Behaviors are modeled by staff members – we all play follow the leader.

New staff are able to believe-in and buy-in

Fig. 1 A "Strong" Safety Culture

Organizational structures are our base of Executive Management support.



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## Job Safety Is Work Ethic Number 1



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### Transform From Me To Us – A Bright Idea

- We establish partnerships – it’s not what I am doing – it’s what WE are doing!
- To be truly successful, safety must be managed up and down – seamlessly & consistently.



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### Inova Welcomes Regulatory Oversight



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### Welcome With Professionalism

- When a CUPA Inspector visits Inova, we greet them with warmth and sincerity.
- We begin the inspection in an office or meeting room, for initial discussion – administrative overview.
- We ask the inspector if there is anything specific they want to review prior to *The Facility Walk*.



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## During Inspection Walkthrough

- The CUPA/CEDMAT Inspector is accompanied by 2 Inova staff members, for inspection consistency and clarification:
  - EH&S Manager & Facilities Manager (or Designate).
- Inova's 2019 CUPA Hazardous Materials Inspection
  - February 04, 2019.
  - Inova's CERS submittal in 2019 was confirmed.
- Inova's 2019 CEDMAT Inspection
  - February 07, 2019.
  - Knox Box contents reviewed.
  - High pile storage, excess combustibles, cylinders secured



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## Inova Is A Lean Six Sigma Company

- Inova's *Lean Journey* began ~8 years ago.



- We believe that efficiency is the key to safety!



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## Inova's Maintenance Shop, 1

- Work spaces are organized, areas are labeled.



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## Inova's Maintenance Shop, 2



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## 6S Metric Boards

➤ Highlights of continuous improvement metrics:



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## Inspector's First Impression

➤ A facility that is clean and efficient.



➤ A facility takes safety and quality seriously.



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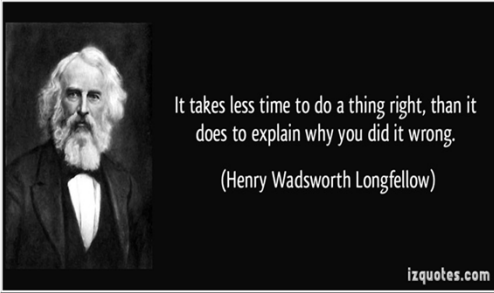
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## Inova Stays Inspection Ready At All Times



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## We Determine How The Regulators Respond

➤ By our actions.



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## Create a Partnership With CUPA



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### Safety Excellence

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- At Inova, we embrace this philosophy, and continually strive to achieve:





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### Inova's Commitment to Safety

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- Being in the EPIC+ program has led to:



Sense of commitment by management to stay in regulatory compliance at the EPIC + level.

Sense of pride by employees to work in a facility that values a safe workplace at the EPIC+ level.



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### It's All About the People

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- No matter what our area of expertise is...
- It begins and end with the people!
- People will follow us if they believe they can trust us.
- And, believe it or not, it begins with love...



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## Love What You Do And Who You Do It For

- Anger will not motivate people to follow you; love will.
- Pretending can be a positive!
- Pretending can lead to belief.



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## Lab Activities, Opportunities To Learn



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## Mistakes Can Evolve Into Corrections

- Inova's pH neutralization
- *During an inspection (~2015), our inspector observed a posted log.*

➤ **Base (Alkaline) Neutralization Record**

Date Base Waste Generated	Date of Base Neutralization	Neutralized By	Diluted Base		Neutralized Solution		5N or 10N (HCl or H <sub>2</sub> SO <sub>4</sub> ) Volume Added (mL)	Date Disposed	Disposed By
			Volume (mL)	pH	Volume (mL)	pH			

- Our inspector asked who often we neutralize -
- I asked the bench chemist to answer(!)



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## Excluded Recycled Materials (ERM)

- For years, Inova recycled acetone onsite. in a still.



- Submitted ERM report, bi-annually, 2004-2014.
- Inspection 2016, Inova identified as an "open system".



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## Spent Acetone

- We removed the still.
- We changed the labeling to:
  - spent acetone
- Retrained affected staff.



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## CEDMAT February 14, 2017

- Inova had a fire hose, required formal permission to cap water supply.
- Why?
  - Only trained fire fighters can use a fire hose.




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## Large Quantity Generator (LQG)

- Inova is a LQG of Hazardous Waste.
  - Annual refresher training required for affected staff.

### Hazardous Materials Business Plan Training Topic 1



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## Hazardous Waste / Waste To Energy

- Inova's hazardous waste (solvents and corrosives) are being sent to a state of the art, closed loop solvent recycling, energy recovery and water recovery facility (waste to energy).
- Zero-landfill facility.
- 100% of all materials sent to the facility are either recovered or recycled;
  - remaining ash is used for cement.



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## LQG Medical Waste

- Inova is a Large Quantity Generator (LQG) of Medical Waste due to biohazardous Liquid(s).
- We've reduced the generation of our solid medical waste
  - by managing it as non-regulated (WTE):
    - we meet the definitions of non-regulated solid medical waste as written into law per the California Health and Safety Code, Medical Waste Management Act, 01/2017 (Including, but not limited to, Sections 117675, 117680, 117685, 117690, 11770)



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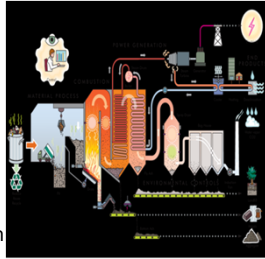
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## Waste To Energy (WTE)

- WTE uses trash as a fuel.
- The burning fuel heats
  - water into steam to create electricity, which is captured to CA e-grid.
- Each ton of WTE will
  - generate enough energy to power 1 home with electricity for 1 month!
- Inova generates a minimum of 2 tons each month



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## New Employee Safety Orientation Training

- Classroom training session scheduled monthly
  - Written and *lively* oral training, including quizzes.
- Laboratory staff:
  - Scheduled into a 4-hour classroom training session.
- Administration staff:
  - Scheduled into a 1-hour classroom training session.



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## Safety Orientation Training Topics/Programs

- All Staff:
  - Bloodborne Pathogen (BBP)/Aerosol Transmissible Disease (ATD), Training Program Exposure Control Plan (BBP quiz all staff + BBP exam lab staff only).
  - Cut Prevention Program.
  - Earthquake Emergency Plan.
  - Emergency Action Plan.
  - Energy Control Program.
  - Ergonomics Program.
  - Fire Prevention Plan.
  - General Codes of Safe Work Practice.
  - Personal Protective Equipment (PPE) Policy (PPE quiz, all staff).
  - Written Globally Harmonized System/Hazard Communication Plan.
  - Written Injury Illness Prevention Plan.



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## Classroom Training, Safety



It is value added to have training in a classroom setting.

Make it relaxed, be energetic, be enthusiastic!

Provide enough time.



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## Suggest Written and/or Oral Quizzes

Quizzes are a measure of knowledge at the time taken.

Require pre-quiz/test.

"Verify the validity" of the pre-quiz/test.

Orally go over the answers in real time... explain why the correct answer is true!



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## Employee Engagement

- Make employees part of the culture by involving staff in the management of the safety program.
- Inova utilizes a team of volunteer safety committee members.
- Monthly meetings allow them to communicate needs and concerns from the plant floor.
- Volunteers help create solutions and carry out required actions.



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## Reinforce: Safety is OUR Agenda

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➤ **This is what we do, not what I am doing!!!**



What we do

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## Volunteer Tasks

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<ul style="list-style-type: none"> <li>➤ Inspect:           <ul style="list-style-type: none"> <li>◦ Battery back-up</li> <li>◦ Eye wash/shower stations</li> <li>◦ Fire extinguishers</li> <li>◦ First aid kits</li> <li>◦ Safety board</li> <li>◦ Safety data sheets (SDS, product)</li> <li>◦ Safety data sheets (SDS, raw material)</li> <li>◦ Safety tape on floor</li> <li>◦ Stocking disposable lab coats</li> <li>◦ PPE shelves</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>➤ Volunteer teams:           <ul style="list-style-type: none"> <li>◦ AED/CPR/FA</li> <li>◦ Emergency Coordinators</li> <li>◦ HAZWOPER</li> <li>◦ Personnel Coordinators</li> </ul> </li> </ul>
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## Inova's Incentive Program

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- Personnel are recognized before their peers for their contribution to the company's safety program or for performing a safe act that was witnessed by another person.
- These personnel have earned their right to spin Inova's Wheel of Safety for ~instant gratification.

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## Inova's Incentive Program

Employee spins Wheel of Safety, RATCHETED WHEEL.

Whatever it lands on is prize awarded to employee (fair and unbiased award).

1st time spinners may spin wheel a 2nd time if they do not like where it lands the 1st time (but must give up 1st prize).



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## Incentive Program Prizes: Spin to WIN



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## Employee Recognition

- Quarterly Town Hall/Safety Luncheons are held to promote safety awareness in a positive, interesting manner.
- Personnel from the previous quarter that are in Inova's Incentive Program are announced:
  - Personnel may choose to be anonymous.
  - The prize from Wheel of Safety is kept confidential.
- This program is intended to encourage and promote safe behavior with many small awards going to many different individuals.



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## Become A Safety Cheerleader



It takes a team to make safety happen, but someone does have to stand up front and lead the safety program.

By keeping enthusiasm up, we (as safety officers), can become our company's safety cheerleader.

When walking through the facility, we will know we've succeeded when staff come to greet us & ask to help - instead of turning around and running the other way.



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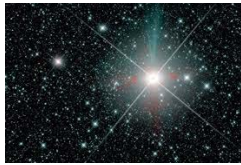
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## Reach Beyond the Stars!



- As my mother would tell me as a child, "don't limit yourself by reaching for the moon and the stars – stretch yourself so that you are reaching BEYOND them!"
- Work hard to achieve satisfaction! Never settle, always try...



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## Kindness Can Win Compliance

- Provided we are consistent, logical and responsive



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## Compliance As A Muscle

- For those who chose to not comply, there is a time and place to use progressive discipline.



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## Leadership, Final Thoughts

- Lead clearly, cleanly and evenly.
- The true goal is to keep the leadership and education growing, so it continues to live long after we are gone.
- *Because...*



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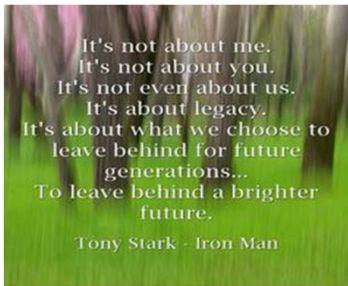
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## Its Also About Legacy



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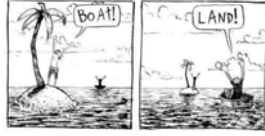
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## Collaboration

Local  
Agency  
(CUPA)



**PERSPECTIVE**



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## Inspection Walkthrough

- Please take the inspector to ALL lab areas, not just locations with hazardous/medical waste accumulation
- Areas inspected: fume hoods, flammables cabinets, waste bins, under sinks
- Inspector may ask to interview lab personnel during the walkthrough
- A tour of your office area is not necessary



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## Inspection Walkthrough

- Be sure to have keys/access to hazardous waste storage areas and emergency generators if applicable.
- It is ok to ask your inspector questions! We are here to educate as well as to verify compliance.
- We will work with you to correct minor violations discovered during the walkthrough
  - Bring labels (HW and MW) and a permanent marker
  - These violations will still be documented on the report
  - Chronic violations may be escalated in severity



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## Things we look for...

- Open containers, waste stored too long
- Unlabeled or inadequately labeled containers
- Overfilled containers
- Medical waste accumulation area signage/placarding and security
- Waste containers hooked up to machinery
- "Waste-like" materials
- "Lab pack" waste sorting area



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## Documentation Review

It is helpful to have all documentation in one folder. Have a backup person who knows where this information is in case you are not present on inspection day:

- > HMBP
- > Employee training logs
- > Hazardous waste manifests + LDR
- > Waste determinations/analytical reports
- > Biennial reports, if applicable
- > Medical waste disposal records
- > Medical waste management plan, if applicable



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## Top 10 violations

At Biotech and R&D facilities in 2018

1. Inventory incomplete
2. HMBP not certified
3. No employee training
4. Failed to label HW
5. Inactive EPA/STATE ID
6. Failed to label MW
7. Site map not sufficient
8. HMBP not established
9. HMBP not submitted
10. CUPA permit not obtained



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## #1 Inventory

Chemical inventory incomplete or not submitted in CERS.

HSC 25505(a)(1), 25507(a), 25508.1(a-b);  
19 CCR 2654 (a) or (d)



### Inventory issues...

- Not submitted
- Incomplete
- Not updated
- Type of inventory
- Incorrect physical characteristics
- Incorrect units
- Information missing
  - Mixture components, Extremely Hazardous Substances, Waste codes, etc.

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## #2 Annual HMBP Certification

HMBP not certified every 12 months as complete and accurate in CERS.

HSC 25508(a)(1)(A), 25508.2;  
19 CCR 2654(b)

<b>Facility Information</b>	<ul style="list-style-type: none"> <li>• Business Activities</li> <li>• Business Owner/Operator Identification</li> </ul>
<b>Hazardous Materials Inventory</b>	<ul style="list-style-type: none"> <li>• Inventory</li> <li>• Site Map</li> </ul>
<b>Emergency Response &amp; Training Plans</b>	<ul style="list-style-type: none"> <li>• Emergency Response Plan</li> <li>• Employee Training Plan</li> <li>• Contingency Plan</li> </ul>

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## #3 Employee Training

Initial &/or annual employee training not conducted in safety procedures for a hazardous material release or threatened release &/or employee training records not available or not maintained for 3 years.

HSC 25509(a), 19 CCR 2659(b)



- Initial training not provided
- Annual training not provided
- 3-yrs worth of records not available
- No HMBP training provided

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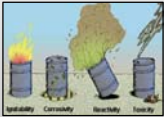
**#4  
HW Labeling**

Failed to properly label/date hazardous waste container &/or tank.

22 CCR 66262.34(f)

**HW Labeling issues...**

- Incomplete information
- Faded information
- Incorrect information
- No HW label



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**#5  
EPA ID  
State ID**

Failed to obtain &/or maintain an active EPA ID Number.

22 CCR 66262.12(a)

**EPA ID issues...**

- EPA ID or State ID inactive
- EPA ID or State ID not obtained
- Incorrect ID obtained

≥ 100 Kg of RCRA HW/month  
> 1 Kg of RCRA Acutely HW/month  
[Form EPA 8700-12](#)

< 100 Kg of RCRA HW/month  
≤ 1 Kg of Acutely RCRA HW/month  
[Form DTSC 1358](#)

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**#6  
MW Labeling**

Primary containers accumulating MW not labeled with an electronic tracking system label or a label with generator's name, address, and phone number.

SDCC 68.1205

**MW Labeling issues...**

- MW label missing
- Label on primary and/or secondary container
- Incomplete information



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**#7  
Site Map**

Site map not submitted in CERS or not sufficient.

*HSC 25505(a)(2); 25508.1(f); 29 CCR 2652(a)(3)*

**Site Map issues...**

- Not submitted
- Not updated
- Not enough information
- Too much or unnecessary information
- Multiple-page site map as multiple docs in CERS
- Obsolete site maps not deleted



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**#8  
HMBP  
Not  
Established**

Failed to establish and implement an HMBP.

*HSC 25505(a) and 25507(a)*

A business plan shall contain all of the following information:

- The chemical inventory information required by law and information necessary to protect the health and safety of persons, property, and the environment
- A site map
- Emergency response plan
- Employee training plan



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**#9  
HMBP  
Not  
Submitted**

HMBP not submitted to the CUPA in CERS.

*HSC 25508(a)(1)(A); 27 CCR 15388(a), (b), (d)*

**Remember...**

- HMBP has to be initially submitted to CUPA through CERS within 30 days of being subject to it
- Certify HMBP through CERS every 12 months
- Update HMBP through CERS within 30 days of any significant facility or operational changes
- If deficiencies in the HMBP, you will be notified by the CUPA through CERS. Resubmit revised HMBP within 30 days from the notice
- Submit required data fields and upload required documents in CERS

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#10  
**CUPA Permit Not Obtained**

Unified Program  
 Facility permit not obtained.

SDCC 68.905, 68.906, 68.907



*Facilities that require a CUPA permit:*

- Those that are defined in the California Health and Safety Code, Division 20, Chapter 6.11
  - Aboveground Petroleum Storage Act (APSA) Program
  - California Accidental Release Prevention (CalARP) Program
  - Hazardous Materials Release Response Plans and Inventories (Business Plans)
  - Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs
  - Underground Storage Tank (UST) Program

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**WORD OF CAUTION!!**

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Consultants are a great resource!



However, the **facility** is responsible for demonstrating compliance with CUPA requirements.



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**Benefits**

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- Decreased Inspection Frequency
  - With exception of USTs and MWLQG
- Reduced CUPA Base Fee
- Increased Communication
- Higher Compliance Rate
- Certificate
- 72 facilities as of January 2019

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## Challenges

- Training
- Updates to Laws and regulations
- Tracking information
- New staff
- Cost recovery



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## Moving Forward

- Continuous Evaluation
- Monitoring Trends
- Process Improvements



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