

# Babst | Calland

Attorneys at Law

*Where Trust and Value Meet™*

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# SURVIVING INVESTIGATIONS AND FACILITY INSPECTIONS

Pennsylvania Chamber of  
Business and Industry  
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# Introduction

## PARs

- ✓ PREPARE
- ✓ ADAPT
- ✓ RECOVER / REGROUP / RESPOND
- ✓ STANDARDS FREQUENTLY CITED



# Proactive Steps Before Being Investigated/Inspected

## AIM – “A”

ASSESS - Take a Compliance Snapshot to Identify Potential Noncompliance

- ✓ Environmental Audits
- ✓ Protection of Results
- ✓ Prioritization of Problems:  
Short-Term and Long-Term
- ✓ Audit Policy Use



# Proactive Steps Before Being Investigated/Inspected

## AIM – “I”

INFORM - Prepare Employees

- ✓ Plant-Wide Awareness
- ✓ Inspection Teams
- ✓ Process Area Representatives
- ✓ Interview Training: Attitude and Preparation



# Proactive Steps Before Being Investigated/Inspected

## AIM – “M”

MANAGE - Attitude and Preparation are Key

Provide Training on Responding to Questions:

- ✓ DON'T ramble
- ✓ DON'T allow yourself to be baited
- ✓ DON'T get defensive
- ✓ DON'T relax
- ✓ DON'T editorialize
- ✓ DON'T vent internal issues



# On-Site Inspection Tips

## AIM – “M”

MANAGE – Notice

Final Preparations

- ✓ Work Area
- ✓ Safety/Security Training
- ✓ Plant Operations
- ✓ Plant-Wide Housekeeping



# On-Site Inspection Tips

## TEE – “T”

TONE – Set It in the Opening Meeting

- ✓ Work Area
- ✓ Scope
- ✓ Teams
- ✓ Schedule
- ✓ Sampling
- ✓ Photos
- ✓ Interviews
- ✓ Documents
- ✓ Office Rules
- ✓ Daily Closeouts





# On-Site Investigation/Inspection Tips

## TEE – “E” & “E”

### EXECUTE

- ✓ Field Coverage
- ✓ Daily Debriefing

### EMPOWER

- ✓ Correction of Violations
- ✓ Exit Interview



# Investigation/Inspection Follow-Up Tips

## COMPLETE SCORE CARD

- ✓ Fill Outstanding Documentation Requests
- ✓ Provide Written Clarification of Issues
- ✓ Provide Written Documentation of Corrections
- ✓ Consider Contact with Inspection Team Leader on a Regular Basis
- ✓ File a FOIA



# Standards Frequently Cited

## COMMON ISSUES IN PENNSYLVANIA

- ✓ SPILL PLANS
- ✓ AIR
- ✓ WATER
- ✓ WASTE
- ✓ OTHER



# Closing Remarks/Questions

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# Thank You

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