

REGULATORY AGENCY INSPECTION

Introduction

Environmental health and safety regulatory agencies may make unannounced inspections of ASU facilities from time to time. Regulatory agencies generally have authority to enter public or private property connected with an activity governed by a permit or regulation. These regulatory agencies include: the Environmental Protection Agency (EPA), Arizona Department of Occupational Safety and Health (ADOSH), Arizona Department of Administration (ADOA), Arizona Department of Environmental Quality (ADEQ), Maricopa County Air Quality Division, Arizona Department of Transportation (ADOT), Arizona Radiation Regulatory Agency (ARRA), Federal Aeronautics Administration (FAA), International Air Transport Association (IATA), National Institute of Health (NIH), Center for Disease Control (CDC), Department of Agriculture (USDA), Federal Bureau of Investigation/Department of Justice (FBI/DOJ), Animal, Plant Inspection Service (APHIS) and the Arizona Department of Building Safety (State Fire Marshal). Inspections may be conducted for a variety of reasons, including: response to employee or community complaints, response to noncompliance activities, investigation of conditions related to pollutant discharge, records review, errors or violations in compliance reports, fact-finding in support of a permit application filed by a facility, periodic visits as mandated by Agency inspection procedures, etc.

Inspections typically include a facility or work area walk-through focused upon the work areas, records review, personnel interviews, measurements, tests, or sampling activities.

Applicable ASU Policy

Environmental Health & Safety Management Policy

Applicable Regulations

Agency inspections may result from any regulatory requirement under local, state, or Federal regulations.

Summary of Requirements

The following is a general summary of recommended actions for ASU personnel involved in environmental health and safety inspection. If a regulatory agency visits an ASU facility, the Compliance Officer or Arizona State University employee should:

- **Identification:** Verify the inspector's credentials upon arrival. Obtain the name of the Agency, the name of the inspector(s), and telephone number of the inspector(s) office. Ask the inspector(s) to wait until a EH&S representative arrives. Call EH&S immediately at (480) 965-1823.
- **Notification:** If the inspector(s) is not with a EH&S representative, immediately notify EH&S and the Departmental Compliance Officer that an inspection is about to begin or is already in progress.
- **Pre-Inspection Meeting:** Before an inspection begins, request a pre-inspection meeting if the inspector does not announce that a pre-inspection meeting is to be conducted, to determine the nature and extent of the inspection. The inspector(s) may wish to speak with a qualified person to clarify a technical issue, may wish to review records for a particular program, or may wish to visit operating areas of the facility to verify compliance with a regulatory requirement. Ask the inspector(s) to describe the purpose of the visit, the information that he/she must obtain, and the reason why the inspection is taking place. Depending on the area to be inspected, a union representative may be asked to attend the pre-inspection or opening conference.
- **Health and Safety Procedures:** Ensure that the inspector follows the safety procedures established for your work area (e.g., safety glasses, hearing protection, etc.). Do not allow entry

into manholes, confined spaces, or high hazard areas (e.g., high voltage, etc.) without contacting EH&S .

- **Closing Meeting:** A closing meeting will either be held at the conclusion of the inspector's visit or at a later date after the regulatory agency has reviewed their findings. The Agency's findings, follow-up actions and any other decisions will be presented at this time. Depending on the area that was inspected, a union representative may be requested to attend the closing conference. .

Reporting

- **Contacts:** A EH&S representative will serve as the point of contact for any additional correspondence or further information requested by the inspector.
- **Follow-up Report:** A report should be written by the Compliance Officer or supervisor of the area inspected to be maintained in their departmental file. A copy of the report should be sent to EH&S . The report should detail the inspecting agency, the inspector name(s), nature and purpose of the visit, areas inspected, records that were reviewed or exchanged, sampling that was conducted and the results, personnel interviewed, any additional information provided by the inspector. EH&S will maintain and update the regulatory inspection database file.

Recordkeeping

The Department of Environmental Health & Safety will maintain all official University records (e.g., official related correspondence, results, analyses, photographs, follow-up reports, corrective actions, etc.) generated as the result of a visit to the ASU by an environmental or safety regulatory agency.

Updated 09/26/07