

## 1.0 Purpose

This compliance guidance establishes a process that requires employees to identify, apply and implement environmental, health and safety (EHS) regulatory requirements during the performance of non-routine or unusual operations/activities.

## 2.0 Scope

This guidance document is part of the Department of Environmental Protection's (DEP) comprehensive EHS program and applies to all DEP facilities and operations.

## 3.0 Definitions

- Non-routine tasks – activities that are new, not customary, not performed in the regular course of procedure or performed so infrequently that they have not been addressed in an existing policy, program, standard operating procedure or safe work plan.

## 4.0 Responsibilities

### 4.1 *Assistant Commissioner, Office of Environmental, Health and Safety Compliance (OEHSC) will:*

- Provide technical and compliance support, as requested by Bureau EHS (BEHS).
- Provide a periodic report and evaluation of Bureau activities for patterns and trends; identify situations that have agency-wide implications and communicate these to the Bureau Heads; and provide recommendations for improvement, as appropriate.
- Assume the responsibilities assigned to BEHS in section 4.2, for bureaus without staff with the required EHS expertise.

### 4.2 *Bureau EHS will:*

- Provide technical and compliance support in a timely manner to Bureau personnel to ensure compliance with EHS requirements during non-routine or unusual projects.
- Communicate to Operations the need to notify BEHS when a non-routine work activity will be performed.
- Upon receipt of a request related to a non-routine task, collect pertinent information (sampling results, MSDS, drawings, diagrams, manufacturer's recommendations, equipment specifications, etc.) concerning the activity and then research the appropriate EHS requirements applicable to the proposed or planned non-routine activity.
- For each non-routine activity, review the description of and written procedure for the task, as prepared by Operations personnel performing the work, and supplement the procedure by adding the EHS requirements; recommend conservative use of PPE to compensate for the inherent uncertainty of non-routine activities.

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- Monitor the performance of the non-routine activity to ensure compliance with EHS regulatory requirements.
- Immediately communicate to the Bureau Head and the *OEHSC Assistant Commissioner* any reported incident which is an immediately dangerous situation, (i.e., an imminent risk to life, health or the environment), and provide recommendations for protection and prevention.

**4.3 Supervisors/Employees will:**

- Advise BEHS staff about non-routine work prior to commencing the activity, and obtain technical assistance with respect to appropriate EHS requirements applicable to the proposed or planned non-routine activity.
- Prepare a written operating procedure describing the non-routine activity, the proposed methodology, the considerations given to engineering controls and protective measures to be utilized.
- Provide SOP to BEHS for its EHS compliance additions and sign-off.
- Review the steps necessary to complete the task/operation with staff and consider outcomes and EHS implications *before* initiating activities; include safety in all decision-making processes.
- Comply with the SOP.
- Monitor the performance of the non-routine activity to ensure compliance with EHS regulatory requirements.

**5.0 Compliance Guidance Protocol**

- Prior to initiating, conducting or performing a non-routine activity, DEP employees must immediately contact BEHS for compliance and technical assistance.
- Upon receipt of a request for technical and compliance assistance, BEHS should collect pertinent information concerning the activity and then research the appropriate EHS requirements applicable to the proposed or planned non-routine activity.
- Supervisor and employees tasked with the non-routine activity must prepare a written operating procedure describing the non-routine activity, the proposed methodology, the considerations given to engineering controls and protective measures to be utilized, and tools and equipment to be used.
- After identifying the EHS requirements (consideration should be given to regulatory and permit requirements, certification or training required for employees performing the task, and required notifications), BEHS should add to the written operating procedure any EHS compliance requirements and how they should be implemented in the performance of the proposed or planned non-routine activity.
- Supervisor will communicate requirements of the SOP to staff.
- All employees will comply with the SOP.
- BEHS and the Supervisor will monitor performance of the non-routine activity to ensure compliance with the identified EHS regulatory requirements.