

Publications

OSHA Issues New Process Safety Management Directive

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The U.S. Occupational Safety and Health Administration (OSHA) has issued a new enforcement policy directive manual (2024 Directive) for its Process Safety Management (PSM) standard. The Directive became effective on January 26, 2024. Companies that are regulated by PSM for Highly Hazardous Chemical use and storage should review the 2024 Directive as soon as possible, as it contains significant changes to the prior 1994 version.

The new Directive is available at <https://www.osha.gov/enforcement/directives/cpl-02-01-065>.

The OSHA standard for PSM of Highly Hazardous Chemicals (HHC), 29 CFR 1910.119 (PSM Standard) governs workplace safety for the storage and use of HHC. The 2024 Directive will be used by OSHA enforcement staff to interpret the PSM standard during inspections and enforcement actions. While the 2024 Directive does not have the legal authority of a statute or regulation, its predecessor directive has been used to govern OSHA's inspections, audits, citations, and enforcement proceedings under the PSM standard. Companies regulated by the PSM standard should study the 2024 Directive and understand how its terms apply to specific HHC storage and use at their facilities.

Of note, the 2024 Directive removes the "Appendix A PQV Audit Checklist" used by OSHA inspectors for nearly 20 years and adds an 80-page list of questions and responses for each of the 15 separate subsections of the PSM Standard. This lengthy section covers specific issues such as Process Safety Information, Process Hazard Analysis, Operating Procedures, Incident Investigation, and Compliance Audits. In many cases, the response has a link to an existing OSHA background document. OSHA issued the 2024 Directive after stakeholder feedback in 2022. OSHA reports that it continues to consider revisions to the PSM Standard. For more information, see the OSHA PSM Standard website at <https://www.osha.gov/process-safety-management>.

For more information on the PSM Standard, applicability to your facilities, and the 2024 Directive, please contact your Vorys attorney or one of the following: Ben Shepler, Kristin Watt, Anthony Giuliani, or

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