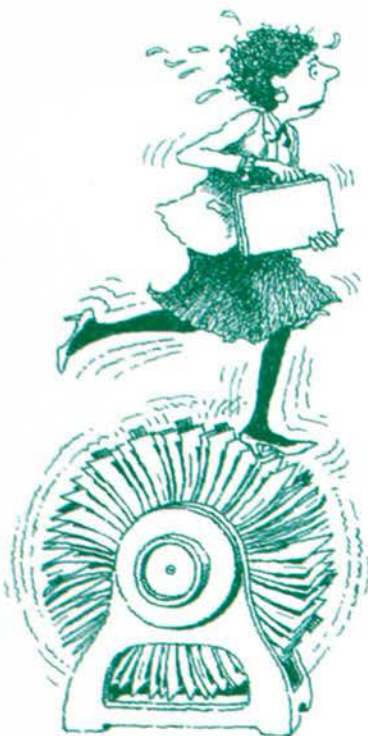


A Primer for a comprehensive golf course maintenance environmental health and safety program

BY FRANK J. MEEKER, CEP.



Okay, so Washington is looking over the General Duty Clause (section 5A.1 of the OSHA Act) and Republicans in the House of representatives are looking at curbing excessive regulation on businesses.

You, the golf course superintendent or golf course owner can breathe a sigh of relief, right?

Well, folks, the General Duty Clause yielded over \$3.5 million for the federal coffers as of September 1994 alone. During the same period of time for programs as simple as Lockout/Tagout-Training and Communication, OSHA levied almost \$8.8 million in fines. Hazard Communication Program violations gathered in another \$8.4 million and continues to be one of the standards most frequently cited as being violated.

Do you really think OSHA is going to back off of these cash cow areas without a fight? I don't, and if history is any teacher, you shouldn't either.

So what kind of program do you really need in order to have some hope of convincing these folks that you are trying to do your best? Generally, the best approach has been found to be a combination of systems which rely on training, auditing, communication, and investigation of and reporting actions within established programs. Let's look at a few examples of how this could work.

Program Audits

The first thing to do is determine what programs you already have in place. A Program Audit (PA) takes a look at your existing operations and determines to what degree they follow established and applicable regulatory areas. Certainly the PA would look at your OSHA record keeping, accident reports, medical records and the like.

The PA would also review past audits, if any exist, and previous inspections and/or enforcement actions to decide if issues identified in the past have been addressed. Next, a comprehensive review of any training and communication programs would be done. Specifically, we would be looking for the following written programs:

- 1) a respiratory program,
- 2) a HAZCOM (hazards communication) program,
- 3) an emergency action plan (contingency for dealing with CERCLA and/or RCRA issues),
- 4) an emergency response plan,
- 5) a pesticide storage/handling/inventory program,
- 6) an above/below ground storage tanks inspection/reconciliation program,
- 7) a SARA Title III reporting program,
- 8) a hearing conservation program,
- 9) a MSDS collection and employee information distribution program, and
- 10) a verified waste-management program (with recycling being a key element).

Other programs to consider for this action step would include your fire safety program, an equipment inspection program for cranes, lifts, hoists, and even what emergency equipment is available and how/where it is stored.

But lastly, and probably the only protection you have during an inspection, is a review of your documentation. You need to document your training, your programs, your inspections, your pesticide inventory, and practically everything else. And the impacts of regulation go far beyond just complying to OSHA regulations. Just look at today's tanks program.

Above/below ground tanks have become a favorite target for regulators recently as more of the inspection responsibilities for the program are passed from state (in our case, the Florida Department of Environmental Protection) down to the counties or local municipalities.

Key areas being hit? Documentation is the big one. They want to see documentation of the visual inspections prov

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ing that you are covering required areas.

Which area? Certainly monitor wells, bailers and pumps visual inspections for underground storage tanks are important. Secondary containment and firesuppression inspections for aboveground storage tanks are the others.

The other important paper trail under the tanks program is the documentation for product reconciliation. The agencies want to see that you are reconciling the tank volume every day product is added or removed and that things balance out from week to week.

This information needs to held for three years for each tank before it can be discarded. We have used computer programs to simplify this process, collecting

only a meter and stick reading in the morning of day one and using the opening meter reading from day two as the closing meter reading for day one. The computer calculates everything else.

There are also areas in the program to include deliveries of product, listings of carriers, warning of overage or shortages, and sign off areas from visual inspections.

As a side note, not everyone recognizes that the tanks program includes pesticides, ammonia, and blends, mixtures or byproducts of oil or gas (like used oil tanks) for this program.

This usually does not include fertigation tanks depending upon what is in them. We have had the agencies try to

impose regulation of aboveground fertigation tanks which only contained trace minor nutrients under this program. The Tallahassee office of the FDEP later, thankfully, confirmed this was not the intent of the tanks program. Look things over and, if you're not sure, ask for some advice.

It is paramount to understand that a program like Lockout/Tagout and HAZCOM have documentation requirements as well. A written program, and documentation as to how that program is run, is the type of verification agencies are looking for when deciding compliance. Without documentation, you too can join the few and the proud who have been levied with fines for noncompliance.



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Facility Audits

At the same time the Program Audit is under way, it is time to update, or at least start, a Facility Audit (FA).

A FA starts with a good map showing the layout of the facility, location of any aboveground or belowground storage tanks, pesticide storage areas, electrical outlets, fire safety stations, eye wash stations, load/mix areas, ventilators, waste storage areas and equipment storage areas.

We believe it is a good idea to identify any land forms of significance as well, including ditches, stormwater ponds, wetlands or critical wildlife habitat areas. It includes walk arounds and inspection of personal protective equipment (PPE), a review for unsafe conditions, looking especially for anything that could cause accidents.

We have found that employee participation in this part of the program is good for the employee and the employer. It

never hurts to have a fresh set of eyes looking from a different perspective, and it becomes another means of training the employee in the program. Rotate the employees from inspection to inspection and document your review. Both the golf course superintendent and employee should sign the inspection report and file the inspection right away for future availability.

Unsafe Activities Reports

An often overlooked area in the documentation chain is a review of unsafe activities by employees. Problems with an employee not wearing PPE or failing to follow the Lockout/Tag should first be corrected, then noted in the employee's file.

Other items for consideration would include using the wrong tool for the job, driving around the course at unsafe speeds, failing to secure equipment, removal of protective guards, using unsafe job procedures, or generally trying to

bypass the safety program.

We know it seems like tattling, distrust or overkill, but a lack of documentation of these events leaves the employer open when the inevitable lawsuit happens where, through the employee's own bad habits, he or she is injured on the job.

On the other hand, a trail of documented problems with a particular employee, signed by the employee, can show a clear pattern of disregard for the safety program. This could possibly limit some liability to the owner or superintendent during the worker's compensation claim or other suit.

Further, documentation of these activities, plus discussion with the employee after each occurrence, establishes a clear pattern of action taken by the employer. When brought into court. This clearly shows an effective and active safety program which has been working to try and correct the individual's poor work habits and keep the workplace safe for the employee.



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As a subunit of the Unsafe Activities Report, unsafe conditions should be addressed, too. This would include a review of machine guarding (\$2.9 million in fines), electrical grounding or wiring problems (another \$2.7 million in fines), and a host of other issues such as fire/explosive hazards, food in the workplace, defective tools, improper stacking, ventilation, welding, etc.

Final Tips

1) If you don't have a complete list of MSDSs which reflect not only your pesticide inventory, but virtually every other chemical found in the workplace, now is the time to get one.

2) If you haven't started reducing the amount of chemicals stored onsite at any one time, now is the time to do it. You don't want to end up reporting chemicals under SARA Title III and have your name broadcast across the country and your local community just because you couldn't plan ahead. Many of the chemi-

cals are now tracked fairly closely by the government, and you don't want to get caught never having reported these chemicals to the feds, the state (in Florida, the Regional Planning Councils) or the local fire department.

3) If you are not documenting your training and program, you are opening yourself up to, at the very least, some very expensive worker's compensation issues.

4) If you haven't prepared written programs for the types of programs discussed above, you had better sit down and do some. We have yet to see a facility fined that was able to produce documentation that they were trying to do their best with a series of very complicated regulations except under extraordinary circumstances.

5) Speaking of worker's compensation, if you don't review the files and follow up with the doctor and employee, you risk losing considerable amounts of money when your employee takes you to

court. We know one company that saved well over \$500,000 this year just by looking over the files and noticing that something just didn't seem right.

6) We haven't talked about it here, but OSHA now requires employers to not only provide and maintain PPE, but also assess the potential hazards associated with their particular job around the workplace in general. Further, you must train the employees on the proper use of the equipment, and its hazards and limitations. The program must be written and certified.

7) If your training program doesn't include signatures of all attendees and some kind of proficiency test when it is done, you are asking for trouble.

8) To simplify your chemical training, go ahead and break the chemicals down into use categories such as corrosives, flammables, solvents, etc. You may need as many as 10 to 15 categories, or as few as five or six.

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