

# MIOSHA

Michigan Occupational Safety and Health Administration (MIOSHA)  
Department of Labor and Economic Opportunity (LEO)

# AGENCY INSTRUCTION

DOCUMENT IDENTIFIER:

MIOSHA-COM-24-1

DATE:

June 17, 2024

**SUBJECT: Process Safety Management – National Emphasis Program (NEP)**

- I. Purpose. This instruction establishes enforcement policies and program guidance for the Process Safety Management of Highly Hazardous Chemicals (PSM) Standards.
- II. Scope. This instruction applies to the Construction Safety and Health Division (CSHD), Consultation Education and Training (CET) Division, and the General Industry Safety and Health Division (GISHD).
- III. References.
  - A. General Industry Standard [Part 91, Process Safety Management of Highly Hazardous Chemicals](#) (Part 91).
  - B. General Industry Standard [Part 591, Process Safety Management of Highly Hazardous Chemicals](#) (Part 591).
  - C. Occupational Safety and Health Administration (OSHA) Instruction CPL 02-01-065, January 26, 2024, [Process Safety Management of Highly Hazardous Chemicals](#).
  - D. OSHA Instruction CPL 03-00-021, January 17, 2017, [PSM Covered Chemical Facilities National Emphasis Program](#).
  - E. OSHA Memorandum, May 11, 2016, [RAGAGEP in Process Safety Management Enforcement](#).
  - F. OSHA Memorandum, July 18, 2016, [Process Safety Management of Highly Hazardous Chemicals and Covered Concentrations of Listed Appendix A Chemicals](#).
  - G. OSHA Memorandum, April 30, 2018, [Process Safety Management Retail Exemption Enforcement Policy](#).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellations. This agency instruction cancels Division Instruction GISHD-COM-16-2, Process Safety Management (PSM) National Emphasis Program (NEP), as amended.
- VI. Next Review Date. This instruction will be reviewed in five years from date of issuance.
- VII. Contact. [Laura Basile](#), Safety and Health Manager, GISHD
- VIII. Originator. Barton G. Pickelman, Director
- IX. Background. Process safety management addresses the use, storage, manufacture, handling, and on-site movement of highly hazardous chemicals at facilities with the purpose of preventing the uncontrolled release of the highly hazardous chemicals into the

environment and to avert fires and explosions due to the chemicals. In Michigan, process safety management is governed by General Industry Standards Parts 91 and 591. The standards become applicable when a facility has greater than the threshold quantity of the chemical; the threshold quantities are listed in the standards. To establish an enforcement program for process safety management, this agency instruction adopts OSHA's national emphasis program on process safety management, OSHA's enforcement directive for process safety management, and a series of OSHA memoranda on process safety management.

- X. Significant Changes. None. This is a new instruction.
- XI. Enforcement.
  - A. MIOSHA adopts OSHA CPL 03-00-021, PSM Covered Chemical Facilities National Emphasis Program (CHEM NEP), which is OSHA's national emphasis program for process safety management.
  - B. MIOSHA adopts OSHA CPL 02-01-065, Process Safety Management of Highly Hazardous Chemicals, which is the federal enforcement directive for the PSM Standards.
  - C. MIOSHA will follow the OSHA May 11, 2016, memorandum on Recognized and Generally Accepted Good Engineering Practices (RAGAGEP) for process safety management.
  - D. MIOSHA will follow the OSHA July 18, 2016, memorandum on Covered Concentrations of Listed Appendix A Chemicals under the PSM Standard.
  - E. MIOSHA will follow the OSHA April 30, 2018, memorandum on the Process Safety Management Retail Exemption Enforcement Policy.
- XII. Outreach. MIOSHA will conduct outreach for the NEP using the MIOSHA News, MIOSHA eNews, MIOSHA Messenger, GovDelivery distribution list, and consultations. The outreach plan is Appendix A.

**APPENDIX A  
Outreach Plan**

**Name of Initiative:** Process Safety Management National Emphasis Program (NEP)

**Initiative Liaison:** Eric Zaban    **Email:** [zabane@michigan.gov](mailto:zabane@michigan.gov)    **Phone:** 517-719-7444

**Date Submitted:** 5/15/2024

**Check all that Apply:**  New/Revised Standard     New Targeted Industry     New Targeted Hazard

**Divisions Involved:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Administration  | <input type="checkbox"/> Appeals          | <input checked="" type="checkbox"/> CET<br><b>(Lead)</b> |
| <input checked="" type="checkbox"/> CSHD | <input checked="" type="checkbox"/> GISHD | <input type="checkbox"/> TSD                             |

**Purpose/Scope:**

This plan identifies MIOSHA activities that will be completed from effective date of the NEP to the expiration date to educate MIOSHA staff, as well as employers and employees in the State of Michigan, about how to address the use, storage, manufacture, handling, and on-site movement of highly hazardous chemicals at facilities with the purpose of preventing the uncontrolled release of the highly hazardous chemicals into the environment and to avert fires and explosions due to the chemicals. This outreach program will inform MIOSHA staff, employers, and employees of the NEP and will be conducted for at least three months at the start of the NEP.

**1. Policy/Procedure.**

- New or revised MIOSHA policies, procedures, instructions, or interpretations.

MIOSHA has a new agency instruction on process safety management, replacing a GISHD division instruction on the same topic. The new instruction expands the scope of the instruction to CET and CSHD, and it incorporates a revised federal OSHA enforcement instruction on process safety management, CPL 02-01-065, Process Safety Management of Highly Hazardous Chemicals.

**2. Staff Training.**

- MIOSHA staff training. CET, GISHD, and CSHD have previously presented information on the NEP at division and/or regional meetings and will be providing an update of the revised instruction to their staff.

**3. Communication (Check all that apply).**

- Press Release.  
 MIOSHA News. GISHD will author one PSM-related article about the NEP.

- MIOSHA eNews. When the new agency instruction is effective, and with it, the new federal enforcement instruction is adopted, an article will be placed in the eNews.
- MIOSHA Website.
- MIOSHA Messenger. When the new agency instruction is effective, an announcement will be made to MIOSHA staff.
- GovDelivery Message. When the new agency instruction is effective, and with it, the new federal enforcement instruction is adopted, CET will draft an announcement to its subscribers.
- Social media.
- Other.

**4. Educational Resources (Check all that apply).**

- Promote existing DVDs in lending library and available for MIOSHA staff use.
- New reference materials for MIOSHA staff use.
- New or revised MIOSHA publications/fact sheets.
- New or revised MIOSHA presentations/training.
- Hard Hat Stickers

**5. Outreach Activities (Check all that apply).**

- Develop, revise, and conduct training program. Training and Consultation Core Committee to create training presentation for use by CET staff.
- Consultation. CET staff to discuss hazards with clients as appropriate.
- Alliances/partnerships with impacted public or private organizations.
  - Contact all alliance partners with information to share with their members about the NEP.
- Letters to target industries. Informing them of CET services, make them aware of the NEP.
- Targeted enforcement. As specified in NEP.
- No outreach activities needed.

**6. Data Generated (Check all that apply).**

- Number of training seminars conducted.
- Number of employees trained.
- Number of consultation activities conducted.
- Number of compliance inspections conducted.

**7. Workgroup**

- Create a workgroup to implement outreach plan.

Anticipated Launch Date: 6/1/24 Length of Initiative: 1 Year