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The HAZWOPER Site-Specific HASP: What Cal/OSHA Section 5192 Requires

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Every hazardous waste cleanup, every underground tank pull with contaminated soil, and every emergency response to a chemical release in California runs under Title 8, Section 5192, and the document that section puts at the center of the job is the site-specific safety and health plan.

Environmental contractors, remediation companies, and the property owners who hire them get into trouble here in two ways: they do not realize Section 5192 applies to them at all, or they show up with a generic HASP that has the wrong site name crossed out. This article covers who needs the plan, what it has to contain, and the training and medical surveillance obligations that travel with it.

Who Section 5192 Covers

Section 5192 is California's version of HAZWOPER, and its scope in subsection (a) reaches five categories of work:

- Cleanup operations or hazardous substance removal work required by a governmental body at an uncontrolled hazardous waste site.
- Corrective actions at RCRA-regulated facilities.
- Voluntary cleanups at sites a government body recognizes as uncontrolled hazardous waste sites.
- Operations at treatment, storage, and disposal facilities.
- Emergency response to releases, or substantial threats of releases, of hazardous substances.

The first three categories are where most of my clients land. A Phase II investigation that turns up petroleum hydrocarbons or chlorinated solvents in soil, followed by a Regional Water Board or DTSC directive to remove it, is a governmentally required cleanup. The excavation contractor, the sampling crew, and the trucking company loading the soil are all doing hazardous substance removal work. The general contractor building the apartments on top of that site afterward may not be, but the line between the two is a question I get asked more than any other, and the answer depends on the agency directive and the actual contamination, not on who is holding the shovel.

The Written Program and the Site-Specific Plan

Section 5192(b) requires a written safety and health program for employees involved in hazardous waste operations, and it lists seven components: an organizational structure, a comprehensive workplan, a site-specific safety and health plan, a training program, a medical surveillance program, standard operating procedures, and the interfaces between general program activities and site-specific activities. The site-



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specific plan is one piece of that larger program, and inspectors know the difference. A HASP without a corporate program behind it is half a document.

Subsection (b)(4) spells out what the site-specific plan must address. At a minimum:

1. A safety and health risk or hazard analysis for each site task and operation.
2. Employee training assignments to ensure the training requirements are met.
3. PPE to be used by employees for each site task and operation.
4. Medical surveillance requirements.
5. Frequency and types of air monitoring, personnel monitoring, and environmental sampling techniques, including maintenance and calibration of the equipment.
6. Site control measures.
7. Decontamination procedures.
8. An emergency response plan, including the PPE and equipment it relies on.
9. Confined space entry procedures.
10. A spill containment program.

The standard also requires pre-entry briefings before any site activity begins and whenever needed after that, so employees know what the plan says and understand it. And it requires the site safety and health supervisor, or someone acting for the employer, to conduct inspections as necessary to determine whether the plan is effective, with deficiencies corrected. That inspection requirement is where a HASP either becomes a living document or a binder in the truck.

Under subsection (b)(2), the written program must be made available to any contractor or subcontractor on the site, to employees and their designated representatives, to Cal/OSHA, and to other agencies with regulatory authority over the site. If your subs have never seen your program, that is a citation waiting to happen on a multi-employer site.

What a Task-by-Task Hazard Analysis Actually Looks Like

The single most common deficiency I find in HASPs is a hazard analysis that describes the site rather than the work. “The site contains petroleum-impacted soil” is a site description. What the standard wants is: excavation of impacted soil to 8 feet with a 320 excavator; hazards are benzene vapor at the excavation face, struck-by from the bucket, cave-in, and heat; controls are downwind PID monitoring at stated action levels, an exclusion zone, a competent person under Section 1541, and a heat illness plan under Section 3395. Then the next task. Then the next. The air monitoring action levels have to be numbers, the upgrade to respiratory protection has to be a decision rule, and the person making the call has to be named.

Training Tiers Under Subsection (e)

Section 5192(e) sets training by the role the worker plays, and the hours are specific:



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- **General site workers** who are exposed to hazardous substances or health hazards: 40 hours of instruction off the site plus 3 days of actual field experience under the direct supervision of a trained, experienced supervisor.
 - **Workers on site only occasionally** for a specific limited task, and workers regularly on site in areas monitored and determined to be below the PEL with no health hazard or possibility of emergency: 24 hours of instruction plus 1 day of supervised field experience.
 - **Managers and supervisors** directly responsible for employees doing hazardous waste operations: the 40-hour and 3-day training plus 8 additional hours of specialized management training.
 - **Annual refresher** for everyone above: 8 hours.
 - **TSD facility employees** under subsection (p): 24 hours of initial training and 8 hours of annual refresher.
 - **Emergency responders** under subsection (q): awareness level, operations level (at least 8 hours), hazardous materials technician (at least 24 hours), hazardous materials specialist (24 hours at the technician level plus additional competencies), and on-scene incident commander.

Two things trip people up. First, the 24-hour class is not a discount version of the 40-hour class for anyone who wants it. It is limited to the situations the standard describes, and a worker digging in contaminated soil with a real vapor exposure is a 40-hour worker. Second, subsection (e)(6) requires that trained employees be certified by the instructor or the supervisor and given a written certificate, and anyone not so certified is prohibited from engaging in hazardous waste operations. Refresher lapses are not a paperwork problem; the worker is off the site until the class is done.

Medical Surveillance Under Subsection (f)

The medical surveillance program covers employees who are or may be exposed to hazardous substances at or above the PEL for 30 days or more a year, employees who wear a respirator for 30 days or more a year, members of hazardous materials teams, and employees who are injured or develop symptoms from an overexposure. Exams are required before assignment, at least once every twelve months unless the attending physician believes a longer interval is appropriate (not to exceed every two years), at termination or reassignment if there has been no exam in the previous six months, and as soon as possible after symptoms or an overexposure. The 30-day thresholds are per year, not per project, so a contractor bouncing between short jobs can cross them without noticing. Track it.

What Inspectors Look For

When Cal/OSHA visits a remediation site, the inspector will ask for the HASP and then test it against the work in front of them. Is the task in progress in the hazard analysis? Are the air monitoring results logged at the frequency the plan says? Do the training certificates on file match the workers in the exclusion zone, and are the refreshers current? Can the supervisor produce the 8-hour management training certificate? Is there a record of the pre-entry briefing? Who is the named site safety and health supervisor,



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and is that person actually here? A plan that was written for the proposal and never updated after the scope changed fails every one of those questions.

What to Do This Week

- Decide, in writing, whether your current project falls within one of the five categories in Section 5192(a). If a government directive is driving the cleanup, assume it does.
- Confirm you have a corporate written safety and health program with all seven components, not just a site HASP.
- Rewrite the hazard analysis by task, with numeric air monitoring action levels and a named decision-maker.
- Audit training certificates against the crew roster and pull anyone whose 8-hour refresher is overdue.
- Confirm supervisors have the additional 8-hour management training.
- Count respirator days and PEL-exposure days per employee for the year to see who has crossed the 30-day medical surveillance threshold.
- Set up a pre-entry briefing log and a site inspection log, and use them.

If you need a HASP that reflects the actual tasks, contaminants, and crew on your site rather than a template with the name changed, McNeil Safety Consulting can help. Learn more about our [safety plan writing services](#) or call **(626) 546-9384**.

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