

Our strengths. Your gains.

Level II: PMA Safe & Compliant Verified An **OPTIONAL** 3rd party verification of Level II compliance

Member Companies may supply written 3rd Party Verification that the member company is in compliance with all Level II requirements.

Once your company has earned **PMA Safe and Compliant Verified** status, PMA staff will send you this seal that you can display on your letterhead, your home page, and other company marketing materials. The PMA will send you an updated seal each January 1st that your company has PMA Safe and Compliant Verified status.



The goal of the 3rd party verification is to establish credibility in the member's Health, Safety and Environmental compliance program certification and also to raise HSE compliance standard among member processor companies.

Terminology/ Position

"Safe" as used in this program means: regarding employee health, emissions from the facility to the neighboring properties and to the environmental standards based on current generally known and accepted air pathway, direct contact pathway standards including OSHA and USEPA standards and PMA Safe Use Guidance program documents including safe use practices and employee and facility monitoring programs.

"Compliant" means substantially compliant with all environmental laws including state and federal regulations, at the time of verification and annual internal audit. This program recognizes that with some continuous emissions monitoring systems no facility is 100% compliant 100% of the time. Our goal is to be substantially compliant all the time; however, recognizing non-compliance excursions less than 1 percent of the operating time.

"Verification" means third party review of facility practices, records and documentation of compliance with all environmental, health and safety laws including state and federal regulations and with the PMA's safe use guidance documents as periodically updated. Third party verification conducted a minimum of once every three years with annual internal audits of compliance performed in the non-third party verification years with corrective measures implemented per such audit recommendations.



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6. Confidential 3rd Party Verification Report

To protect the confidentiality of the optional 3rd party verification report and documentation the following steps are recommended:

1. Establish Attorney-Work Product privilege and Attorney-Client privilege with PMA legal counsel prior to the start of your 3rd party Safe and Compliant audit and review. Please do this by asking PMA legal counsel to send a letter on your behalf to your 3rd party verification consultant. The letter will establish the fact that the verification tasks are in support of legal analysis of regulatory compliance and establish confidentiality between the consultant and the legal counsel. This will protect your company in case of enforcement litigation due to non-compliant facts discovered during the environmental, health and safety review.
2. Have a regulatory consultant verify compliance with all Level II requirements. It is anticipated that some non-compliant items will be identified in the process and that your company will correct the non-compliant items prior to submittal to legal counsel for review.
3. Have your auditor send a copy of the final audit report to PMA Legal Counsel:
Gallo Law, LLC (Attention Don Gallo)
1386 State Road 83; Hartford, WI 53027
donald.dgallolaw@gmail.com / Phone: (414) 507-6626
4. Send \$85 to PMA Legal Counsel (*address above*)
5. The verification review by legal counsel will be completed within 2 weeks of submittal. If the conclusion is "verified" legal counsel will inform the member company and the PMA, and the PMA will send you the PMA Safe and Compliant Verified seal. If the conclusion is "not verified," legal counsel will only communicate with the member company and there will be no communication with the PMA. All documentation generated by the regulatory consultant and the results of the verification review will be maintained confidentially between legal counsel and the regulatory consultant.

7. Third-party Audit Information

VERIFIED:

We have passed a third party audit that verifies compliance with all Level II requirements.

DOCUMENTED:

The auditor has sent a copy of the audit report to the PMA Legal Counsel. The report will be held in confidence by the PMA Legal Counsel and will only be used to establish qualification for this level of the PMA Regulatory Compliance Certification Program

Name of Auditor
Name of Auditing Firm
Audit Date

Thank you, your Level II Compliant application including the OPTIONAL PMA Safe and Compliant Verified application is complete. You may now proceed to the Level III: Leadership.

