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## Level II: Compliance

### A Commitment to Safety, Health and the Environment: PMA's Regulatory Compliance Certification Program

*(Person submitting application)*

Name		Title	
Company			
Address/City/State/Zip			
Phone	Fax	Email	
Web Address		Signature	

#### Instructions

Complete each section below. You must demonstrate compliance in each section. The intent is to demonstrate compliance with all applicable statutory and regulatory requirements concerning health, safety and the environment. This includes requirements from all appropriate authorities with jurisdiction over your operations, such as federal (EPA and OSHA in the U.S.), regional (states, provinces) and local authorities. If not located in the U.S. refer to your country's equivalent requirements

#### Commitment of Management

**Level I Certification- Commitment** in the PMA Regulatory Certification Program. Date: \_\_\_\_\_

#### 2. Protection of People

##### 2a. Compliance with OSHA Regulations

All applicable statutory and regulatory requirements concerning safety and health are being complied with.

##### 2b. Employee Protection: Isocyanates

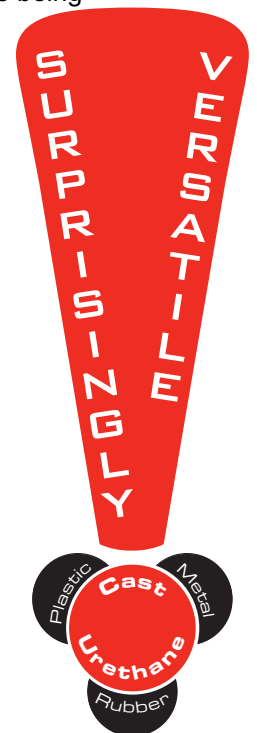
Affected employees have been trained to the applicable portions of PMA's "Working Safely with Isocyanates and MOCA in Polyurethane Casting Shops"

Employee's level of exposure to isocyanates has been determined AND Appropriate Engineering Controls AND/OR Respiratory Protection are in place to prevent overexposure in accordance with PMA's "Working Safely with Isocyanates and MOCA in Polyurethane Casting Shops"

##### 2c. Employee Protection: MBOCA

If MBOCA is not used in the company's facility, check here and proceed to the next section.

Affected employees have been trained to the applicable portions of PMA's "Working Safely with Isocyanates and MOCA in Polyurethane Casting Shops"



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**2c. Employee Protection: MBOCA** *(continued)*

- Required portions of PMA's "MOCA Safe Use Guidance for the Castable Polyurethane Industry" have been implemented.
- Employee's level of exposure to MOCA has been determined through urinalysis AND appropriate Engineering Controls AND/OR Personal Protective Equipment are in place to prevent overexposure in accordance with PMA's "Working Safely with Isocyanates and MOCA in Polyurethane Casting Shops"

**2d. Employee Protection: MDA**

- If MDA is not used in the company's facility, check here and proceed to the next section.**
- Required portions of PMA's "Guidance to Using the OSHA MDA Standard" have been implemented.
- Employee's level of exposure to MDA has been determined AND appropriate Engineering Controls AND/OR Personal Protective Equipment are in place to prevent overexposure in accordance PMA's "Guidance to Using the OSHA MDA Standard".
- In the U.S., OSHA MDA regulations are complied with

**3. Protection of the Environment**

- Compliance with Environmental Regulations
- All applicable statutory and regulatory requirements concerning the environment are being complied with.

**4. Maintaining Compliance**

- An annual review will be conducted to ensure that the Company maintains its qualification for this Level.

**5. Certification by Responsible Corporate Official**

I certify that all of this information on this application is accurate to the best of my knowledge and this company will commit to maintain the qualification for this level of certification during the four year period of the certification.

*(Must be CEO, President, Owner or the Responsible Corporate Official)*

Name
Title
Signature
Date



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### OPTIONAL

Answering the following questions concerning the methods and resources you found useful for attaining compliance will help PMA develop future resources to help members attain and maintain a healthy and safe work environment.

#### Please indicate the methods/resources used to attain HEALTH and SAFETY compliance:

- An in-house H & S program
- PMA's Health and Safety documents
- PMA annual meeting presentations
- A commercially available H & S compliance product
- A consultant was used to conduct an assessment of H & S regulatory compliance
- Participation in an OSHA co-operative program such as SHARP (Safety and Health Achievement Recognition Program), Voluntary Protection Program (VPP), Alliance Program, OSHA Strategic Partnership Program (OSPP), OSHA Challenge Program or OSHA's Consultation Program.
- OTHER (please list) \_\_\_\_\_

#### Please indicate the methods/resources used to attain ENVIRONMENTAL compliance:

- An in-house environmental program
- PMA's Environmental compliance documents
- PMA annual meeting presentations
- A commercially available Environmental compliance product
- A consultant was used to conduct an assessment of H & S regulatory compliance
- Participant in an EPA Partnership Program such as WasteWise, E3's Green Suppliers Network, or similar federal, state or provincial program
- Membership in an industry program such as ACC's (American Chemistry Council) Responsible Care or Responsible Care Partnership Program, or SOCMA's ChemStewards program
- Registered to ISO-14001 by a third-party registrar.
- OTHER (please list) \_\_\_\_\_

Thank you, your Level II: Compliance application is complete.  
You may now proceed to the Level III: Leadership, or the  
**OPTIONAL** Level II: PMA Safe and Compliant Verified  
*(see following pages)*



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## 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 3<sup>rd</sup> 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 3<sup>rd</sup> Party Verification Report

To protect the confidentiality of the optional 3<sup>rd</sup> 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 3<sup>rd</sup> party Safe and Compliant audit and review. Please do this by asking PMA legal counsel to send a letter on your behalf to your 3<sup>rd</sup> 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.**

