PROJECT SUMMARY

Overview

Environmental health, safety, and security processes at Texas A&M University - Kingsville require significant improvement to ensure that a safe environment exists and the University is in compliance with relevant laws, policies, regulations, and rules. Currently, the University’s Environmental Health and Safety Office (EHS) has one staff member which is significantly below the minimum number of safety staff recommended for the University using a well-accepted industry environmental health and safety staffing model. This has limited EHS’ ability to properly oversee important safety functions including fire and life safety inspections and chemical inventory and storage. Preparation of a formal risk assessment is also needed to identify and analyze safety and security risks throughout the University, along with the necessary controls and staffing levels.

Other opportunities for improvement were noted in the areas of lab safety inspections, safety training, Clery Act reporting and compliance, camp and student travel safety, required spill prevention, control and countermeasure plans, environmental health and safety rule, and EHS performance measures.

Summary of Significant Results

Safety and Security Risk Assessment

Staffing of EHS has been significantly reduced from three full-time equivalent employees to one as a result of turnover during the past few years. Completion of a formal risk assessment and analysis is needed to assist management in identifying and prioritizing the University’s environmental health, safety, and security risks. The risk assessment will help management determine the controls and staffing levels required to address the safety and security risks at the University. The lack of available EHS staffing resulted in many of the control weaknesses and non-compliance issues identified in this report.
Fire and Life Safety Inspections

Formal fire and life safety inspections are not performed for all campus facilities and grounds as required by Texas A&M System Supplemental Risk Management Standards. As a result, fire and life safety deficiencies were noted in several campus buildings and one prior deficiency noted during the State Fire Marshall Inspection report issued in 2010 had not yet been fully addressed. Without an effective fire and life safety process which includes performing fire and life safety inspections for all campus facilities and timely follow-up reviews of deficiencies identified, there is a greater risk of injury to faculty, staff, students, and visitors along with property damage.

Chemical Inventory and Storage

No chemical inventory had been performed in several years for the Chemistry department’s main chemical storeroom. In addition, most chemical inventories tested were missing information such as lab location, quantities, storage location, and chemical hazard information which are needed for adequate monitoring. Differences were also noted between the chemicals and corresponding quantities listed in the chemical inventory records and those found onsite. Instances were noted in which chemicals were being stored in non-compliance with University procedures and were not properly secured. Controlled substances were also found that were not being properly tracked and secured. Improved inventory and monitoring processes are needed to ensure proper safeguards are in place regarding storage and use of hazardous chemicals.

Summary of Management’s Response

It is the intent of Texas A&M University - Kingsville to take aggressive action to fully implement the recommendations of the audit report. Texas A&M University - Kingsville will continue to develop, implement, and review written campus safety and security procedures and guidelines based on the results of a formal safety and security based risk assessment. As recommended, Texas A&M University - Kingsville has taken action to hire the requisite level of EHS personnel to address the findings of the audit. Texas A&M University - Kingsville will leverage technology to provide accurate, timely, and consistent information that is critical to continuous improvement in the areas of fire and life safety inspections and chemical inventory and storage. Texas A&M University - Kingsville will establish procedures and protocols that promote the goal of a
safe and secure campus environment for faculty, staff, students, and visitors.

Scope

The review of environmental health, safety and security at Texas A&M University - Kingsville focused primarily on the areas of: laboratory and fire and life safety inspections; chemical inventory and storage; student and employee safety training; Clery Act reporting and compliance; camps and clinics; student and faculty travel; spill prevention, control and countermeasure plans; and benchmarking certain aspects of the University Police Department operations. The audit period focused primarily on activities from September 1, 2010 to January 31, 2012. Fieldwork was conducted from February to April, 2012.
OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. Safety and Security Risk Assessment

Observation

A formal risk assessment has not been performed to identify, analyze, and address safety and security risks in all University areas.

Completion of a formal risk assessment and analysis is needed to identify and analyze the safety and security risks at the University. A formal risk assessment will provide management with the means to determine the controls and staffing levels needed to address the safety and security risks especially given the diversity of activities and operations within the University. For instance, the University has a strong focus on research and agricultural programs, both of which have high inherent safety risks. There is currently only one full-time EHS staff member to provide oversight and support for safety processes within the University as well as the Texas A&M Health Science Center Pharmacy School located on the University’s campus.

Staffing of the EHS department has been significantly reduced from three full-time staff members to only one safety manager due to employee turnover over the past few years. Management indicated that some assistance is provided by the Director of Risk Management and Sustainability as well as lab supervisors and custodial staff. A recent report prepared by the A&M System Environmental Health and Safety Division indicated that the University needs a minimum of almost four full-time equivalent safety staff as calculated using a well-accepted industry environmental health and safety staffing model. The lack of available EHS staff time and effort resulted in several of the control weaknesses and non-compliance issues identified in this report.

The Treadway Commission’s Committee of Sponsoring Organization’s “Internal Control - Integrated Framework” states that the process of identifying and analyzing risk is an ongoing iterative process and is a critical component of an effective internal control system. Along with assessing risks, management should identify and put into effect actions needed to address the risks including control activities to help ensure that the actions are carried out properly and in a timely manner. In addition, the “Environmental Management Guide for Colleges and Universities” published by the Environmental Protection Agency recommends a systematic approach to providing a healthy and environmentally sustainable campus. This approach includes identification of risk
1. Safety and Security Risk Assessment (cont.)

Factors and compliance requirements as part of the planning process.

**Recommendation**

Prepare a formal risk assessment for safety and security to identify and analyze all safety and security risks at the University and the corresponding controls needed to address these risks.

Reassess the number of personnel required to effectively oversee and administer the safety and security controls and operations. As the University grows and expands, it will be important to closely monitor the number of personnel needed to maintain these operations.

**Management’s Response**

Texas A&M University - Kingsville concurs with the audit finding that a formal risk assessment process is necessary to ensure a safe and secure work environment.

The position of Environmental Health and Safety Coordinator has been reestablished and filled. The additional staff position will facilitate the time and effort necessary to address the manning shortfalls identified during the audit. Working in conjunction with the Association of College & University Auditors, Texas A&M University - Kingsville expects to have a formal safety and security risk assessment process with identified controls completed by August 31, 2012.

2. Fire and Life Safety Inspections

**Observation**

Formal fire and life safety inspections were not performed at least annually for all campus facilities.

Instances of fire and life safety deficiencies were noted in several campus buildings. These deficiencies included damaged ceiling tiles, incorrect or missing fire extinguishers, non-sealed "punch throughs," loose electrical covers, exposed wiring, broken electrical plate covers, missing fire signage, blocked exits, use of candles, and general housekeeping issues. In addition, testing of the 2010 State Fire Marshall Inspection report for University residence halls indicated that one of the eight (13%) prior deficiencies tested had not yet been fully addressed.

Formal fire and life safety inspections are performed for teaching labs and residence halls, but inspections for the rest of the University’s facilities are limited to informal observations by the...
2. Fire and Life Safety Inspections (cont.)

safety manager with assistance from custodians and heating, ventilation, and air conditioning personnel. As a result, fire and life safety deficiencies identified in these areas are not recorded and reported to management or formally tracked and followed up to ensure they are addressed. In addition, Residence Life staff perform the monthly fire and safety inspections of residence halls, but do not have formal fire and life safety inspection training and EHS does not review the checklist used or receive the completed inspection reports for the residence halls.

Texas A&M System Supplemental Risk Management Standards require that procedures be adopted to identify and address fire and life safety deficiencies through inspections of facilities and grounds. Without an effective fire and life safety process which includes performing fire and life safety inspections for all facilities with timely follow-up reviews of deficiencies identified, there is a greater risk of injury to faculty, staff, students, and visitors along with property damage.

Recommendation

Management should direct personnel to address all fire and life safety deficiencies noted during inspections in a timely manner.

Implement a formal fire and life safety inspection process that includes inspections of all campus facilities. Prepare a risk-based fire and life safety inspection schedule of the various facilities to determine the inspection frequency necessary to ensure a safe living, teaching and working environment. Also assess and rate the associated risk of each fire and life safety deficiency identified during inspections and include a required implementation date based on the associated risk.

Develop and implement a formal follow-up inspection process to include formal tracking of all deficiencies identified during fire and life safety inspections, including the State Fire Marshal Inspection report findings. Include regular status updates of corrective actions taken to address these deficiencies and schedule follow-up visits based on the stated implementation dates to ensure appropriate corrective actions have been taken. Inform upper management of deficiencies that are not corrected in a timely manner.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding that a formal fire and life safety inspection process and a formal follow-up procedure are necessary to ensure a safe working and living environment. A risk-based safety inspection schedule is under
2. Fire and Life Safety Inspections (cont.)

Improved inventory and monitoring processes are needed to ensure proper safeguards are in place regarding storage and use of hazardous chemicals.

development, in conjunction with the State Fire Marshal’s office, which will include all buildings on campus. Fire and life safety issues noted during inspections will be assessed and rated for their associated risk and corrected within 30 days or sooner based on the nature of the discrepancy. Formal work orders will be submitted to Physical Plant through the TMA work order system allowing for the formal tracking and follow-up of the issues based on their stated implementation dates. University Housing and Residence Life staff will be formally trained to conduct fire and life safety inspections within residence halls. The process will be completed by August 31, 2012.

3. Chemical Inventory and Storage

Observation

No chemical inventory has been performed in several years for the Chemistry department’s main chemical storeroom. EHS procedures require that chemical inventory listings be submitted annually. Additional testing of chemical inventory and storage resulted in the following:

- Chemical inventories obtained from 29 different labs included 19 (66%) that were missing necessary information such as lab location, current quantities, storage location, and chemical hazard information.

- Differences between chemicals listed in the chemical inventory records and those found onsite were noted for 6 of 60 (10%) chemicals tested as well as differing quantities for 10 of 52 (19%) where chemical quantities had been included.

- Chemical storage included instances where chemicals were being stored above eye-level, over sinks, on shelves with no lip, with the large bottles in front of small bottles, etc. In addition, controlled substances were found that were not being properly tracked and secured.

- Instances were noted in which access to chemicals within the facilities was not adequately restricted including lab doors that were open or unlocked and chemicals stored in unlocked storage cabinets or on open shelving.

There are no comprehensive procedures in place related to the University’s chemical inventory and security processes including requirements for ensuring all chemical inventories are properly completed in a timely manner. In addition, there is no standard
3. Chemical Inventory and Storage (cont.)

chemical inventory format required to be used by departments to ensure these inventories contain all information needed for monitoring purposes. The University’s chemical hygiene plan contains several specific requirements regarding the proper handling and storage of hazardous chemicals. In addition, Texas A&M System Supplemental Risk Management Standards involving health and safety require implementation of a chemical safety program to protect students, employees, and the environment. This includes addressing areas such as proper storage, handling, and monitoring of chemicals.

Recommendation

Develop and implement comprehensive written procedures for chemical inventory and monitoring processes including use of a standard chemical inventory template that captures all necessary information to better facilitate more real time monitoring of chemical inventories. Consider using the chemical inventory process currently in use by the Biology department as a model for all labs. Require all laboratories containing chemicals to submit updated chemical inventories at least annually according to a predetermined schedule. Monitor to ensure inventories are received from all labs as required.

Implement a follow-up inspection process for labs which includes ensuring hazardous chemicals are stored according to the University’s Chemical Hygiene Plan and properly secured such as locking lab doors when not in use and/or locking chemicals within the labs.

Improve current processes for identifying the existence of controlled substances and properly securing and maintaining accountability of the substances.

Inform upper management of non-compliance with chemical inventory and storage requirements.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding that comprehensive written procedures for chemical inventory and storage is necessary to ensure a safe working and learning environment. Texas A&M University - Kingsville will transition to the CHEMTRACKER chemical inventory system. The new system will standardize and facilitate real-time monitoring of chemical inventories and controlled substances. The chemical inventory system will be implemented by January 31, 2013. Storage and security of controlled substances and hazardous chemicals will be
3. Chemical Inventory and Storage (cont.)

Lab safety monitoring processes need improvement in some areas to ensure facilities and laboratories remain safe.

reviewed as part of the safety inspection follow-up process noted above.

4. Lab Safety Inspections

Observation

Improvements are needed in the University’s current process for inspecting teaching and research labs on an annual basis. Several issues were noted related to current lab safety inspection processes as follows:

- There are no procedures to provide detailed guidance for performing lab safety inspections.
- The current schedule of lab safety inspections is not risk-based.
- Inspection reports do not rank the risk of each deficiency identified or include a required implementation date that corresponds to the associated risk.
- Safety deficiencies identified are not formally tracked and followed up to determine whether the deficiencies have been addressed in a timely manner.

Testing of 35 safety deficiencies previously identified in teaching labs and 55 in research labs determined that six (17%) teaching and thirteen (24%) research lab safety deficiencies had not been corrected.

Although most teaching and research labs appeared to be generally well-maintained, certain lab safety deficiencies were noted in most labs observed. This included instances where emergency eye-washes and showers had no documentation indicating that they had been flushed and had boxes or other equipment stored near them such that they could not be readily accessed during an emergency. Additional instances of deficiencies noted included storing items within 18 inches of sprinkler head assemblies, boxes blocking electrical panels, fire extinguishers blocked, fading chemical labels, storage in chemical fume hoods, and general housekeeping issues.

The University does have certain lab safety processes in place including monthly completion of a safety assessment checklist by the lab supervisors, use of student safety surveys to help identify potential safety risks in teaching labs, completion of a project hazard assessment to identify and address potential safety risks related to
4. Lab Safety Inspections (cont.)

research projects involving radioactive or biological hazards, and safety coverage provided by certain research protocol review committees.

Texas A&M System Supplemental Risk Management Standards require implementation of a laboratory safety program to reduce occupational exposure to health and safety hazards. This includes developing a program to monitor and evaluate harmful exposures, in accord with nationally recognized practices and protocols.

Recommendation

Management should direct personnel to address all lab safety deficiencies noted during inspections in a timely manner.

Enhance the current lab safety inspection process by preparing a risk-based safety inspection schedule of the various laboratories to determine the inspection frequency necessary to ensure a safe teaching and working environment. Also assess and rate the associated risk of each lab safety deficiency identified and include a required implementation date based on this risk.

Develop and implement a formal follow-up inspection process to include formal tracking of all lab safety deficiencies identified including regular status updates of corrective actions taken and scheduled follow-up visits based on the stated implementation dates to ensure appropriate corrective actions have been taken. Inform upper management if corrective actions are not completed in a timely manner.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding that all lab safety deficiencies noted during inspections are addressed in a timely manner to ensure a safe working and learning environment. A risk-based safety inspection schedule is under development which will include all labs on campus. Laboratory safety issues noted during inspections will be assessed and rated for their associated risk and corrected within 14 days or sooner based on the nature of the discrepancy. Formal work orders will be submitted to Physical Plant through the TMA work order system allowing for the formal tracking and follow-up of the issues based on their stated implementation dates. The process and procedures will be completed by August 31, 2012.
5. Safety Training

Observation

Current processes do not ensure that all students and employees receive the necessary safety training in a timely manner. Testing of required safety training for a sample of students and employees indicated some students and many employees did not complete training in a timely manner or had no documentation to verify that training was completed. The following was noted:

- Twenty-four of 30 (80%) employees tested that are required to take hazard communication (HazCom) training had no documentation that they had taken the training. Six of these were newer employees hired during the audit period.

- Seventeen of 30 (57%) employees tested that are required to take annual bloodborne pathogen (BBP) training did not have documentation that they had taken the training within the past year as required. Ten had no documentation that the training had ever been taken including six newer employees hired during the audit period. Three did not complete the training prior to their due date or within two weeks of their employment date. The remaining four employees tested did not have documented training due dates so it could not be determined if the training was completed timely. In addition, the list of employee job titles required to take BBP training may need to be expanded due to the potential exposure to bloodborne pathogens. For instance, only the Associate Athletic Director and trainers in the athletic department are required to take this training although coaches could have potential exposure as well.

- Seven of 83 (8%) students tested that had courses with labs did not pass the required lab safety training as of the 12th class day in accordance with University requirements. For five of these students there was no documentation that the training was ever completed.

Current procedures allow new employees who do not complete the required safety training during orientation to complete it within 30 days, which is not timely. It was also stated that prior employee safety training records may have been misplaced during recent staffing changes. The University is in the process of migrating all employee safety training to the Texas A&M University System's TrainTraq training system which will provide detailed tracking, documentation, and reporting of training for increased monitoring and compliance. In addition, the University recently implemented an
5. Safety Training (cont.)

automated training solution for student lab safety training and is still refining this new process.

Texas A&M System Supplemental Risk Management Standards involving health and safety require that standard operating procedures be developed and published and corresponding training be provided and documented on identified health and safety hazards to affected faculty, staff, students, and visitors. In addition, Texas Administrative Code, Title 25 Health Services, Rule 295.7 requires that employers develop a hazard communication program to provide training for new or newly assigned employees.

Recommendation

Ensure that all employees with potential exposure to hazardous chemicals and bloodborne pathogens receive safety training prior to initial exposure to these materials/pathogens. Consider providing periodic refresher HazCom training for these employees.

Complete current efforts to migrate employee safety training into the TrainTraq system. Ensure required due dates are added and utilize the automated features within the system to monitor and track employee safety training for timely completion. Review current positions that have the potential for exposure to bloodborne pathogens and update the list of titles required to take BBP training as needed.

Ensure all students have the required safety training prior to participating in lab work. Provide additional instruction and enforcement as needed to ensure lab instructors verify all students complete required safety training prior to allowing students into the lab. Continue refining the current process of using the Blackboard system for online safety training as needed.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding that all safety training for students and employees is completed in a timely manner to ensure a safe working and learning environment. EHS will continue working with Academic Affairs to ensure 12th class day completion of lab safety training including providing additional instruction to and enforcement of lab instructors as needed. Texas A&M University - Kingsville will transition all HazCom and BBP training requirements to the A&M System’s TrainTraq System including the use of required due dates and automated features of this system. Current positions that have the potential for exposure will be reassessed and the list of titles required to complete BBP
5. Safety Training (cont.)

training will be updated as needed. The transition will be completed by August 31, 2012.

6. Clery Act Compliance

Observation

Non-compliance with federal Clery Act requirements was noted in the areas of campus security authorities, the daily crime log, emergency response and evacuation procedures, the annual security report, and the annual fire safety report as follows:

- All campus security authorities have not been identified although many members of the University's leadership have been included.

- The online campus crime log (UPD Police Blotter) does not include the disposition of each crime and there is no backup person trained to maintain the log as required. In addition, the log improperly contains non-Clery crimes and the format for the crime log's hard copy could be enhanced to make it easier to view all required Clery information.

- No information about how the campus will determine the appropriate segment or segments of the campus community to receive an emergency notification was included within the required emergency response and evacuation procedures. There was also no information related to testing emergency response and evacuation procedures.

- A small number of required statements were missing from the annual security report.

- No list showing the titles of each person or organization to which students and employees should report the occurrence of a fire was included in the annual fire safety report.

The federal Clery Act requires that institutions of higher education publish crime statistics and other required security information in an annual security report as well as comply with various other crime and safety related requirements. There are currently no internal operating procedures regarding Clery Act reporting and compliance processes. In addition, there is not a Clery compliance committee or other mechanism for reviewing the annual security report before its submission and to assist in identifying and reviewing new Clery requirements. Non-compliance with Clery Act requirements could result in significant fines and penalties to the University.
6. Clery Act Compliance
(cont.)

Recommendation

Address the issues noted in the areas of campus security authorities, the daily crime log, emergency response and evacuation procedures, the annual security report, and the annual fire safety report.

Develop and implement comprehensive written internal procedures for the Clery Act reporting and compliance processes.

Designate and train an individual responsible as the Clery "daily crime log" backup person.

Implement a mechanism for reviewing the annual security report before its submission, and assisting in identification and review of new Clery requirements, such as by creating a University Clery compliance committee for additional oversight and assistance.

Management's Response

Texas A&M University - Kingsville concurs with the audit finding that all campus crimes and relevant information should be printed and published in accordance with the law. The Chief of Police will work with a designated Clery Act compliance committee to correct noted deficiencies above including development and implementation of written procedures and training a backup for the daily crime log. Corrections will be completed by September 30, 2012.

7. Camps

Observation

For five youth camps tested, camp safety documentation was not found as follows:

- Three (60%) camps did not have required documentation of background checks for all camp staff and volunteers. Two were third-party camps in which no written certification was provided that background checks were performed and that these checks were clear as required. For the University's band camp it was stated employees run the camp and background checks are performed when they are hired. However, six of the University employees were hired more than a year prior to the camp ranging from 1987 - 2008 when background checks may not have been performed. In addition, several camp staff were students and three were not University employees.
7. Camps (cont.)

- Twelve of 50 (24%) camp attendees tested did not have a completed medical treatment authorization and liability waiver form. Two signed up via an online application process, but there was no documentation that the waiver had been signed. The remaining ten attended a third-party camp that did not provide waivers upon request.

- Twenty of 50 (40%) camp attendees tested did not have emergency contact information. Ten of these were from a third-party camp that had not retained the camp documentation.

The University provides detailed guidance for ensuring the safety of youths attending camps including a requirement that background checks be performed on all individuals affiliated with the camp. This includes adding a provision to contracts with third-party camps requiring a certification in writing that they have conducted criminal background checks on all individuals affiliated with the camp and that they are clear. However, the current template used for contracting with third-party camps does not contain this provision. The University also requires each camp or program participant to complete a medical treatment authorization and liability waiver form although there is currently no requirement to obtain emergency contact information for campers.

Recommendation

Improve current monitoring processes to ensure camps/programs are in compliance with University rules and procedures.

Revise the current template used to contract with third-party camps to include the required provision that background checks be performed for all camp staff and volunteers and that a written certification is provided that the checks were performed and cleared.

Perform background checks for all employees serving as camp staff and volunteers if they have not had a background check performed within the past year.

Ensure camps obtain signed medical treatment authorization and liability waiver forms and emergency contact information for all camp attendees. Revise current camp procedures to require that emergency contact information be obtained and add a place to include this information on required camp forms such as the waiver.
Management’s Response

Texas A&M University - Kingsville concurs with the audit finding that current camps/programs monitoring processes require improvement to ensure compliance with System policy and regulations and University rules and procedures. All camp/program coordination is now directly reporting to the Associate Dean of Students. All camp forms, including third-party contracts, have been reviewed and updated as recommended and are required for the 2012 camp season. The University’s process for performing background checks has been revised and an annual check will be performed by all camps. The emergency treatment and liability waiver form now includes the emergency contact information for all camp attendees and this requirement has been added to camp procedures, to ensure the information is collected for each camper.

8. Student Travel

Observation

For five student trips tested, non-compliance with current student travel safety requirements were noted as follows:

- Three (60%) trips had a driver of a leased vehicle that was not a University employee.
- One (20%) trip used a privately owned vehicle with no indication that the state inspection was current.
- Four (80%) trips had drivers that did not have their driving record verified by the University Police Department (UPD) and were not on the Physical Plant’s qualified driver list.

University procedures indicate that only University employees (including student employees) may be authorized to drive university-owned or leased vehicles and a current state inspection is required when using a privately owned vehicle. However, there is currently no field on the student trip itinerary form to document a review of the state inspection for a privately owned vehicle. In addition, departments are required to verify that the drivers for student trips are either on the Physical Plant’s list of qualified drivers or meet specific requirements, including having a verified acceptable driving record. Driving records were being verified by UPD through the Texas Law Enforcement Telecommunication System (TLETS), but that system became unavailable to UPD and no alternate process was subsequently implemented. No list of qualified drivers is maintained by the Physical Plant.
8. Student Travel (cont.)

**Recommendation**

Implement additional procedures and improve monitoring processes to ensure compliance with the University’s student travel rule. Add a field on the student trip itinerary form to indicate whether privately owned vehicles used have a current state inspection. Begin maintaining a qualified driver’s list at the Physical Plant and/or implement a process for which UPD can verify driving records as needed.

**Management’s Response**

Texas A&M University - Kingsville concurs with the audit finding that current student travel monitoring processes require improvement and require additional procedures to ensure compliance with the University’s student travel rule. A UPD process will be developed for the completion of safe driver checks. In addition, current state inspections and safe driver checks will be included on the student travel itinerary. The process and procedures will be completed by August 31, 2012.

9. Spill Prevention, Control, and Countermeasure Plan

**Observation**

A spill prevention, control, and countermeasure plan has been developed but not updated as required.

The University has established and implemented a Spill Prevention, Control, and Countermeasure (SPCC) Plan as required by the United States Environmental Protection Agency (EPA) Spill Prevention, Control, and Countermeasure Plan Rule. However, the plan has not been reviewed and evaluated within five years as required by Title 40 of the United States Code of Federal Regulations (CFR) Subpart. The completion of the review and evaluation must be documented including a signed statement as to whether the plan will be amended either at the beginning or end of the plan or in a log or an appendix to the plan. In addition, any amendments to the plan must be implemented as soon as possible, but not later than six months following preparation of any amendment. EHS staff indicated that discussions are currently being held to review and evaluate the plan.

**Recommendation**

Continue current efforts to complete a review and evaluation of the current SPCC plan and document this process as required. Amend the plan as needed within six months of this review. Implement a mechanism to ensure that a review and evaluation of the plan is
9. Spill Prevention, Control, and Countermeasure Plan (cont.)

A University rule has not been developed to support environmental health and safety processes.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding to continue and complete the review and evaluation of the current SPCC plan. Texas A&M University - Kingsville will contract with Banester Engineering Consultants to provide the University with a reviewed and updated SPCC plan by August 31, 2012. A mechanism will also be implemented by this date to ensure a review and evaluation of the plan is completed as required going forward.

10. Environmental Health and Safety Rule

Observation

Safety guidelines have been developed to address Texas A&M System Supplemental Risk Management Standards; however, no university-level rule has been developed to serve as the basis for these guidelines and ensure they are effectively implemented with the exception of camps and student travel. Without a formal university-level rule that addresses environmental health and safety, there is a greater risk that environmental health and safety requirements are not effectively implemented due to a lack of authority to enforce these requirements and/or a potential unawareness of the procedures in this area. The Treadway Commission’s Committee of Sponsoring Organization’s “Internal Control - Integrated Framework” states that control activities involve a policy establishing what should be done by management which serves as a basis for corresponding procedures to affect the policy.

Recommendation

Develop a formal University rule related to environmental health and safety to better ensure environmental health and safety procedures are effectively implemented.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding to develop a formal University rule related to environmental health and safety to ensure a safe working and learning environment. Texas A&M University - Kingsville will continue to develop comprehensive rules and procedures. The environmental health and safety rule will
10. Environmental Health and Safety Rule (cont.)

be approved by August 31, 2012 with appropriate notification to targeted personnel.

11. Performance Measures

Observation

Although goals and objectives have been developed for EHS, corresponding performance measurement systems have not been prepared to determine whether these objectives are achieved. EHS has focused primarily on addressing day-to-day environmental health and safety processes. According to the State Auditor’s Guide to Performance Measure Management issued in March 2012, performance measurement serves a number of external, as well as, internal purposes and performance information is used by successful agencies to effectively and efficiently manage their operations. As a result, the report strongly encourages the use of performance measures as an integral part of strategic and operational management.

Recommendation

Establish performance measures to evaluate the achievement of goals and objectives for EHS. Monitor performance on a routine basis and effectively communicate results to management and customers.

Management’s Response

Texas A&M University - Kingsville concurs with the audit finding to establish EHS performance measures to evaluate the achievement of goals and objectives. The Office of Environmental Health and Safety will submit to the executive team quarterly and annual reports containing key performance indicators for the department. The process and procedures will be completed by August 31, 2012.
BASIS OF REVIEW

Objective

Review the processes and controls over environmental health, safety and security to determine if resources are used efficiently and effectively to provide reasonable assurance that a safe environment exists for students, faculty, staff and visitors. Determine compliance with laws, policies, regulations and rules relevant to environmental health, safety and security.

Criteria

Our audit was based upon standards as set forth in the System Policy and Regulation Manual of the Texas A&M University System; Texas A&M University – Kingsville’s Rules and procedures; the Treadway Commission’s Committee of Sponsoring Organization’s Internal Control – Integrated Framework (COSO); the Environmental Protection Agency’s “Environmental Management Guide for Colleges and Universities” and “Spill Prevention, Control, and Countermeasure Plan Rule”; Texas Administrative Code, Title 25, Part 1, Chapter 295, Subchapter A, Rule 295 “Hazardous Communication”; State Auditor’s Guide to Performance Measure Management, Report No. 12-333; federal and state laws; and other sound administrative practices. This audit was conducted in conformance with the Institute of Internal Auditors’ “International Standards for the Professional Practice of Internal Auditing.”

Additionally, we conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

The Environmental Health and Safety Office (EHS) and the University Police Department (UPD) within the Division of Finance and Administration comprise the two most significant elements of the safety and security function at Texas A&M University – Kingsville. Both departments oversee safety and security functions for the University which include ensuring that facilities are up-to-
date, safe, operate to the expectation of the facility users, and are in compliance with state and federal regulations. Also the departments minimize occupational injuries to University employees, personal injuries to the University community and losses, and/or damage to University property by maintaining a safe learning and working environment for everyone on campus.

EHS has a budgeted staff of two with one position currently vacant and a fiscal year 2012 operating budget of just over $130,000. UPD has fifteen budgeted positions and a fiscal year 2012 operating budget of approximately $663,000.
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