

RISK MANAGEMENT PROGRAM STANDARDS

PURPOSE

These standards define NPS minimum requirements for concessioner Risk Management Programs (RMPs) in accordance with NPS policy. The RMP is the management system the concessioner develops and implements to address the risk management aspects of its operations. Concessioners are independently responsible for developing and implementing an RMP of adequate scope and content to comply with all Applicable Laws and to provide for a safe and healthy environment for employees and visitors, irrespective of these RMP standards.

AUTHORITIES

NPS Management Policies (section 10.2.4.8) states that concessioners are responsible for managing all their operations to minimize risk and control loss due to accident, illness, or injury, and that concession contracts must contain requirements for each concessioner to develop a RMP that is (1) appropriate in scope to the size and nature of the operation, (2) in accord with the [Occupational Safety and Health Act of 1970](#) and the NPS concession risk management program, and (3) accepted by the superintendent.

STANDARDS DEVELOPMENT AND UPDATE

The standards were developed in consideration of Applicable Laws, industry safety management standards (such as BS OHSAS 18001), NPS risk management and Operational Leadership policy and guidance, past NPS concession RMP policy and standards, and concessioner risk management practices. This standard will be periodically reviewed and may be revised to reflect changes in Applicable Laws, industry practices, or to provide program improvements.

RMP STANDARDS

The RMP standards defined by the NPS consist of the requirements associated with ten elements, identified in Table 1 below. While the RMP must address each of these elements, it should be specific to, and adequately address, the type and size of services the concessioner provides under its concession contract with the NPS. The RMP can, and should, be simple and flexible to ensure it is fully embraced and implemented by the concessioner's management and staff. More complex operations and services, or additional park requirements to prepare for specific events, may warrant a more detailed program with additional elements or sub-elements than those defined through the NPS standard.

Table 1 – NPS Concession RMP Elements

1	Risk Management Program Scope	6	Reporting
2	Responsibility and Accountability	7	Inspections and Corrective Action
3	Training	8	Hazard Incident Investigations and Abatement
4	Documentation and Operational Controls	9	Management Review
5	Communication	10	Other Contract Requirements

RMP Element 1 –Risk Management Program Scope

The concessioner must establish and maintain an RMP appropriate for the activities, size, and complexity of the operation.

Standards:

- 1.1 The RMP is documented, and its scope covers the ten risk management elements. Furthermore, the RMP scope addresses the risk management objectives and aspects applicable to the operation, including:
 - legal requirements (Applicable Laws), contract requirements (including requirements contained in Exhibits), and safety best management practices
 - employee and visitor hazards
 - operational, facility and natural hazards
- 1.2 The RMP establishes a safety policy for the organization. The policy indicates commitment to:
 - compliance with Applicable Laws and safety and health-related contract requirements
 - providing a safe and healthful environment for employees, park staff and visitors to the extent possible
 - assigning responsibilities
 - providing staff and resources
 - monitoring performance

RMP Element 2 – Responsibility and Accountability

The concessioner must establish the organizational structure, personnel roles and responsibilities, and resources needed to effectively implement the RMP.

Standards:

- 2.1 The concessioner identifies a safety and health official, and documents this assignment in the RMP.
- 2.2 The concessioner identifies the risk management organizational and staff responsibilities, and documents this structure and assignments in the RMP.
- 2.3 RMP resources are developed, documented in the RMP, and applied; resources are adequate to execute the program. Resources include:
 - personnel (e.g., number of staff, experience and skills)
 - facilities and equipment
 - information, documentation, and data management systems
 - agreements for support from outside contractors and agencies
 - training programs for concession personnel

RMP Element 3 – Training and Qualifications

Personnel must be competent to perform the tasks assigned to implement the RMP.

- 3.1 Managers and staff with safety and health responsibilities meet the qualification requirements defined in the contract and RMP. Competency requirements are defined by appropriate education, training, and experience.
- 3.2 A training plan is developed, documented in the RMP, and executed; and includes:
 - Defined training requirements for the safety officer and other personnel, including requirements to meet Applicable Laws, the contract, and the RMP.
 - Required training records, such as training materials, schedules, and participant records.
- 3.3 The concessioner has conducted and documented all training.

RMP Element 4 – Documentation and Operational Controls

The concessioner must establish and maintain plans and procedures to manage operations and emergencies associated with its RMP. The number and complexity of these plans and procedures will depend on the size and complexity of the concessions operation. Some plans and procedures may be required by Applicable Law or the contract.

Standards:

- 4.1 RMP plans and standard operating procedures are developed, implemented, maintained, and included or referenced in the RMP. These plans and procedures address requirements in Applicable Laws, the contract, and the RMP to ensure safe operations. Some plans and procedures may overlap with those in the Environmental Management Program (EMP) and/or the Public Health Program (PHP). Examples of operating procedures include:
 - Procedures for the safe storage and handling of chemicals
 - Procedures for embarking and disembarking visitors
 - Procedures for safe equipment use, maintenance, and inspection
 - Procedures for managing wildlife interactions
 - Procedures for animal pest exclusion
 - Procedures for cancelling operations due to weather
- 4.2 RMP emergency plans and procedures are developed, documented (if applicable), implemented, maintained, and included or referenced in the RMP. These plans and procedures address requirements in Applicable Laws (e.g., Emergency Action Plan (EAP), Fire Prevention Plan (FPP), the contract, and the RMP. Some plans and procedures may overlap with those in the EMP and/or PHP. Emergencies to be addressed include:
 - Natural disasters (earthquakes, floods, tornados, hurricanes, etc.)
 - Motor vehicle incidents
 - Medical emergencies (visitors and employees)
 - Fire (structural, motor vehicles, wildfires, etc.)
 - Terrorism and law enforcement activities
 - Accidents and fatalities (visitors and employees within park boundaries)

RMP Element 5 - Communication

The RMP must be effectively communicated internally to concession employees, and externally to park personnel, visitors, and to other parties that could be involved in the RMP.

Standards:

- 5.1 The RMP is available to staff and communicated throughout the concession organization so that personnel understand and can effectively implement the RMP.
- 5.2 The RMP addresses procedures for communicating hazards to visitors. The hazards may include:
 - Activity-related hazards (e.g., white water rafting)
 - Natural resource-related hazards (e.g., bears)
 - Facility-related hazards and procedures (e.g., property evacuation maps)
- 5.3 Any visitor acknowledgment of risk is approved by the park. Waivers of liability are not used.
- 5.4 The concessioner's risk emergency plans are coordinated and agreements in place with other applicable parties such as the NPS, other federal, state, or local emergency response agencies.

RMP Element 6 - Reporting

As part of its RMP, the concessioner must develop and implement procedures for reporting internally within the concession organization, and externally to the park and other regulatory agencies.

Standards:

- 6.1 All documents, reports, monitoring data, manifests, notices and other documentation required to be submitted to regulatory agencies are submitted on time and in accordance with Applicable Laws. Copies of such communications are provided to the NPS in accordance with the contract. Additional plans, reports, and other documentation are submitted to the NPS in accordance with the contract and RMP.
- 6.2 Imminent danger and serious incidents are reported to the park in a timely manner in accordance with the contract and RMP.
- 6.3 Annual reports include internal, park, and other regulatory agency risk data, and are submitted to the NPS in accordance with the contract and RMP.

RMP Element 7 – Inspections and Corrective Action

Concessioners must develop and implement safety inspection processes to identify risk management issues. Inspections must be conducted by persons trained and capable of recognizing and evaluating the applicable aspects of the operation. Inspections may be conducted for the concessioner by a qualified third party. Concessioners must also develop and implement a process for abating deficiencies identified through their inspection processes or by any regulatory agency.

Standards:

- 7.1 Safety inspections are conducted as required by Applicable Laws, specified in the contract and RMP, or as otherwise necessary to effectively manage operations safely. Formal and routine inspections are scheduled, conducted, and documented. The inspections are conducted by qualified personnel as described in the RMP.
- 7.2 Imminent danger, serious, and non-serious hazard deficiencies identified by internal or external inspections are analyzed, corrected, or mitigated within the contract or RMP required timeframes. Any deviations from these timeframes are accepted by the park and documented.

RMP Element 8 – Emergency Incident Investigation and Abatement

Concessioners must develop and implement procedures to address accidents/incidents as part of its RMP.

Standards:

- 8.1 Accidents/incidents are responded to in a timely and effective manner.
- 8.2 An investigation is conducted for every accident/incident.
 - The investigation includes an analysis to determine the cause.
 - Corrective action is taken to mitigate recurrences of the accident/incident.

RMP Element 9 – Management Review

Concessioners must conduct a management review of the RMP at least annually to ensure its continued suitability, adequacy, and effectiveness. This review should consider performance against internal indicators such as health and safety goals and objectives. The review must also consider program failures that occurred during the year. The RMP must be modified to reflect any necessary changes to address any program gaps required.

Standards:

- 9.1 The RMP is reviewed at least annually, and updated as necessary.
 - The RMP review includes analysis of performance in each RMP element area to determine any systemic program failures (particularly failures that resulted in fatal or serious accidents/incidents or imminent danger hazard deficiencies) and non-compliance with Applicable Laws.
 - Systemic problems are addressed in RMP updates.
- 9.2 The initial RMP is submitted to the park within the contract specified timeframe for review, and is accepted by the park. Any subsequent documented RMP updates are submitted to the park for review and acceptance.

RMP Element 10 – Other Contract Requirements

In addition to the requirements outlined for other RMP elements, the concession contract may have additional risk management requirements in the contract, operating, or maintenance plans that are *de facto* standards.

- 10.1 Contract-specific safety and health requirements not otherwise addressed in the RMP standards are met.

DEFINITIONS

Applicable Laws: The laws of Congress governing the Area, including, but not limited to, the rules, regulations, requirements and policies promulgated under those laws (e.g., 36 CFR Part 51), whether now in force, or amended, enacted or promulgated in the future, including, without limitation, federal, state and local laws, rules, regulations, requirements and policies governing nondiscrimination, protection of the environment and protection of public health and safety.

Concession Contract: A binding written agreement between the NPS Director and a concessioner entered into under 36 CFR 51. It authorizes concessioners to provide certain visitor services within a park under specified terms and conditions. All NPS concessioners awarded concessions contracts that are based on the standard concession contract provisions published in the Federal Register on May 4, 2000 (65 FR 26051-26086: Part III, Department of the Interior, National Park Service, Standard Concession Contract; Revision; Notice), are required under Section 4 of the standard concession contract to prepare and submit an initial written RMP to the park within 60 days of the effective date of their concession contract for acceptance.

Deficiencies: Deficiencies are classified into one of three categories.

- **Imminent danger:** A condition or practice with potential for loss of life or body part, permanent disability, and/or extensive loss of structure, equipment or material.
- **Serious hazard:** A condition or practice with potential for serious injury or illness resulting in temporary disability or property damage that is disruptive, but less severe than imminent danger.
- **Non-serious hazard:** A condition or practice with potential for minor non-disability injury or illness or non-disruptive property damage.

Emergency Action Plan (EAP): Emergency plan required under 29CFR 1910.38(a) to ensure visitor and employee safety. EAP emergencies include:

- Natural disasters (earthquakes, floods, tornados, hurricanes, etc.)
- Motor vehicle incidents
- Medical emergencies (visitors and employees)
- Fire (structural, motor vehicles, wildfires, etc.)

- Terrorism and law enforcement activities
- Accidents and fatalities (visitors and employees within park boundaries)
- Hazardous spills or releases

Fire Prevention Plan (FPP): Fire prevention plan required under 29CFR 1910.39 to address fire safety.

Incident: Incidents which must be reported to the park include:

- Fatalities
- Visitor incidents which could result in a tort claim against the United States
- Property damage incidents over \$500
- Employee injuries requiring more than first aid treatment
- Any fire
- Motor vehicle accidents over \$250
- Others as defined in the contract

Timely: The period of time reasonable under the circumstances. Corrective action for deficiencies is completed within the maximum time limits:

- Imminent danger: immediately
- Serious hazard: 15 days
- Non-serious hazard: 45 days

RESOURCES (available soon on SharePoint)

For more detailed guidance on the Risk Management Program, please refer to the following:

RM 48 Chapter 5: Contract Management

RM 48 Chapter 6: Concession Review Program

RMP Guidance

RMP Example