

04. Incident and Near Miss Reporting and Investigation

REQUIREMENTS

DEFINITIONS

Event Type/Definitions

Observation

“Observation” is defined as “an opportunity to improve that does not entail an event included as a hazardous identification, near miss, or incident.”

Hazardous Identification

“Hazard Identification” is defined as “an existing condition that has the potential to harm people, cause damage to property or the environment, or some combination of these.”

Near Miss

“Near Miss” is defined as “an undesired event in which no property or environment was damaged and no personal injury (i.e., work-related harm, damage, or loss to a person, including first aid cases and recordable injuries) was sustained, but where, given a slight shift in time or position, damage or injury easily could have occurred.”

Incident

“Incident” is defined as “an undesired occurrence that resulted in injury, illness, environmental release, fire, explosion, motor vehicle event, property damage, equipment failure, non-compliance, and/or adverse impact to operations/work.”

EXAMPLE #1	
Identifying a better way to store slings	Observation
Observing slings being stored improperly	Hazardous Identification
Identifying a frayed sling before a lift is made	Hazardous Identification
Making a successful lift with a frayed sling	Hazardous Identification
While load is lifted, the sling breaks and the load is dropped, where the property and environment are not damaged and no persons are harmed	If given a slight shift in time or position, damage or injury could have occurred, then it is a Near Miss; otherwise, it would be a Hazardous Identification
While load is lifted, the sling breaks and the load is dropped and the property and environment are damaged <i>or</i> a person is harmed	Incident

EXAMPLE #2	
Identifying a more efficient way to perform stormwater inspections	Observation
Observing improper stormwater controls (or controls that are damaged/destroyed)	Hazardous Identification (if the observation requires reporting to the New York State Department of Environmental Conservation [NYSDEC], then this would be an Incident)
Observing improper stormwater controls during a rain event and correcting right before a release occurs	Near Miss (if a slight shift in time or position would not have resulted in damage to property or the environment, then this would be a Hazardous Identification)
A stormwater release occurs	Incident

Event Severity Reporting Definitions

For purposes of reporting Observations, Hazard Identifications, Near Misses, and Incidents, an initial estimate of severity must be included. These are defined as follows:

Significant Incident

Incident where a fatality, amputation, loss of an eye, long-term health impairment, or total or partial disability that is permanent occurs; two or more personnel are admitted to a hospital; any person is admitted to a hospital overnight; reportable release that results in severe irreversible or long-term environmental damage; one week or more of equipment failure; DEP reservoir or water supply is impacted; DEP Operations are shut down or severely impacted; property, equipment, vehicle accident, or damage with direct cost/loss exceeding \$50,000; event that will/may create concerns with extensive adverse media coverage or result in legal prosecution or suspension of operations; or any similar incident. For Near Misses and Hazard Identifications, the potential for the above impacts qualifies as Significant.

Serious Incident

Incident where an injury/illness is OSHA-recordable; short-term health impairment; reportable release that results in severe reversible or short-term environmental impact; short-term (less than a week) equipment failure; DEP Operations are adversely (non-significantly) impacted; property, equipment, vehicle accident, or damage with direct cost/loss between \$5,000 and \$50,000; events that may result in prolonged local area attention or regulatory action resulting in fines or punitive action; or any similar incident. For Near Misses and Hazard Identifications, the potential for the above impacts qualifies as Serious.

Incident

Incident where the impact on persons, the environment, equipment, operations, reputations, etc., is below the level of Significant or Serious. For Near Misses and Hazard Identifications, the potential for these impacts qualifies as Incident.

Observation

An opportunity to improve that does not entail the reporting of a Hazardous Identification, Near Miss, or Incident.

REPORTING PROCEDURES

All Incidents, Near Misses, Hazard Identifications, and Observations are required to be reported.

Following an Incident, immediate precautions must be taken to provide care for the injured individual, mitigate the impact of an environmental release, and secure potentially damaged property.

Notification of Hazardous Identifications, Near Misses, and Incidents must be made to BEDC as soon as practicable. Contractors shall develop internal reporting procedures to ensure that Hazardous Identifications, Near Misses, and Incidents are reported from all personnel and are then provided to BEDC.

In no case shall notification to BEDC take precedence over contacting emergency services or providing any necessary emergency response activity.

INVESTIGATION PROCEDURES

An investigation shall be performed for all work-related Hazardous Identifications, Near Misses, and Incidents.

Investigations shall commence immediately following an Incident. Hazardous Identifications and Near Miss investigations shall be conducted as soon as possible.

For all Incidents, the Contractor and investigating party shall immediately consider whether any workers involved may have been impaired and whether such impairment was a factor in the incident.

Incident Investigation

Drug and alcohol screening is required when there is reasonable suspicion that an employee is impaired. Results of the investigation into potential impairment shall be considered and recorded as part of the incident investigation.

Reports of all work-related Incidents, Near Misses, or Hazard Identifications shall be provided to BEDC using the Incident Report Process. Fields to be completed should be based upon the type and severity of the incident.

Investigations shall identify the following:

- Contributing Factors
- Root Causes
- Corrective and Preventative Actions

Areas where Significant or Serious Incidents have occurred shall be immediately secured and rendered safe to avoid further incident. Once the affected area has been secured, it shall not be disturbed until the investigation has concluded, to provide for an accurate representation of the events contributing to the incident.

For Significant or Serious Incidents, an investigation team is required. For Significant Incidents, the investigation team will be established by BEDC. For Serious Incidents, members should include management and EHS personnel along with any other trades or specialties needed due to the nature and potential causes of the incident. Members should also represent the involved parties. An independent member (i.e., not involved in the incident) and/or a DEP operational member (if not involved in the incident) may also be selected to help provide an impartial view of the incident investigation.

The investigation shall identify contributing factor(s) and root cause(s). Contributing factors include events, conditions, tools, equipment, and/or actions that were partially responsible for the event. A root cause is defined as the ultimate direct cause(s) of the event. Causes shall be identified as listed in the Tables of Immediate and System Causes Used to Determine Contributing and Root Causes of Near Misses and Incidents (Appendix A).

Corrective actions shall address both the contributing and root cause(s). One corrective action may address multiple contributing and root causes. All corrective actions shall be assigned to an individual(s) and tracked to completion date.

Report Timing

Reports should be submitted as soon as practicable considering the needs to investigate, determine causes and factors, and develop appropriate corrective actions.

Investigation reports for Significant Incidents will be presented, upon completion, to BEDC at the next scheduled meeting of the BEDC Incident Review Panel. The investigation report must also be presented by the incident investigation team to the BEDC Incident Review Panel.

At the request of BEDC, incident reports for Serious Incidents will be presented by the incident investigation team to the BEDC Incident Review Panel.

All other Incident investigation reports will be reviewed by the BEDC Incident Review Panel on an ongoing basis.

Environmental Release Reporting and Investigation

All environmental release incidents must be reported, as identified above.

For any release of an extremely hazardous substance, four or more ounces of a hazardous substance, or one or more gallons of a petroleum-based substance, the BEDC Environmental Release – Addendum Form must be completed and attached to the incident report.

Lessons Learned

Where Contractors identify incidents or corrective actions that can be educational to the general BEDC Contractor community, Contractors are encouraged to develop a short Lessons Learned that communicates:

- Brief summary of the events before, during, and after the Incident/Near Miss
- Things that went right with the operation
- Things that went wrong or could have gone wrong with the operation
- Lessons Learned or methods developed

Lessons Learned may be produced either in writing or by video and may identify the company producing. By producing, Contractors agree to allow BEDC to utilize and distribute the Lessons Learned.

After review, BEDC may share the Lessons Learned throughout the capital construction program.

TRAINING

All personnel shall receive, as part of their Site Orientation training, information about Observations, Hazardous Identification, Near Misses and Incidents, their responsibility to report, and how they report within their company/project structure. Contact information shall be included with the BEDC EHS Field Guide.

All Contractor EHS Representatives (EHSRs) and CM EHS Officers (CM EHSOs) must be trained in Incident Investigation, which, at a minimum, shall cover the following topics:

- Introduction to basic incident investigation procedures and incident report writing.
- Understanding what data must be collected and included in an incident report.
- Techniques for gathering complete, accurate, and objective incident data.
- How to establish a root cause(s) and identify any contributing factors.
- Developing effective corrective and preventive actions, including hazard control(s).

Minimum course length shall be no less than 7.5 contact hours and may be completed either in-person or online/virtually. A course completion certificate, or other means of verifying course completion, and a course outline/syllabus, must be submitted to BEDC EHS for review and acceptance.

ADDITIONAL AND REFRESHER TRAINING

Whenever BEDC EHS has reason to believe there are deviations from the accepted program or inadequacies in the employee's knowledge.

TOOLS AND FORMS

BEDC EHS Field Guide

BEDC Incident Report Form

DEP Environmental Release Report

RELATED PROCEDURES

[SOP 315 Incident and Near Miss Reporting and Investigation](#)