CONNECTICUT ACHMM

REGULATORY

NEWS UPDATE

A service provided by the Connecticut Academy of Certified Hazardous Materials Managers

In this issue:

****

Toxic Releases Drop Sharply in Connecticut

Total toxic releases in Connecticut in 2003 show a sharp drop from 2002 levels, according to toxic release inventory (TRI) data. The 363 facilities, which filed a total of 1,048 forms in 2003, showed a decrease of more than 6.3 million pounds (lb) of toxic releases from 2002. On-site and off-site releases totaled 11,732,906 lb in 2002 and dropped sharply to 5,384,116 lb in 2003. On-site releases totaled 3,733,725 lb, with off-site releases (transfers off-site for disposal or other releases) totaling 1,650,391 lb in 2003. The bulk of releases in Connecticut

in 2003 were to the air, with 2,154,851 lb from point sources and 855,300 lb of fugitive air emissions.

The top five chemicals released in Connecticut in 2003 were:

- Nitrate compounds: 929,382 lb
- Toluene: 471,394 lb
- Dichloromethane: 350,522 lb
- 1-Chloro-1,1-Difluoroethane: 349,379 lb
- Methanol: 209,212 lb

Connecticut facilities recycled 34,842,576 lb of toxic chemicals in 2003 and recovered 4,318,764 lb of chemicals for energy. In 2000, TRI was expanded to include persistent, bioaccumulative, and toxic chemicals (PBTs). Connecticut facilities reported releases of 230,984 lb of PBTs, the most significant of which was the release of 215,411 lb of lead and lead compounds in 2003. Facilities in Connecticut also released 5,823 lb of mercury and 7 grams of dioxins.

(BLR Website – Published July 2005)

****

EPA Deletes Methyl Ethyl Ketone (MEK) From the TRI List

In the June 30, 2005 Federal Register (Volume 70, Number 125), EPA amended its regulations to delete methyl ethyl ketone (MEK) from the list of chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA). This action was taken to comply with a DC Circuit decision and order requiring the Agency to delete MEK. Upon promulgation of this rule, facilities will no longer be required under EPCRA section 313 to report releases of and other waste management information on MEK, including those that occurred during the 2004 reporting year.

(NEMA Government Affairs Website)

****

Solid Waste Plan Up for Revamping

If you are concerned about the costs of solid waste disposal, it would be a good idea to get involved early in the process of making changes to Connecticut's Solid Waste Management Plan. The Connecticut Department of Environmental Protection (DEP) is soliciting input on plans to replace the current Plan that was adopted in 1991. In the development of the new plan, DEP will concentrate on:

- Significantly reducing the amount of waste generated in the state
- Increasing the amount of recycling and reuse
- Managing the waste that must be disposed of efficiently and in an environmentally friendly manner

The Department claims that recycling and source reduction rates have not increased enough to offset the significant increase in solid waste generation in Connecticut since 1991. Governor Rell has endorsed a recommendation of the Climate Change Steering Committee to increase the rate of recycling in Connecticut from the current estimated rate of 25 percent to 40 percent. In addition to municipal solid waste, DEP plans to develop comprehensive strategies to reduce the volume and toxicity of specific waste, including, but not limited to, construction and demolition debris, electronic devices, mercury-containing products in the waste stream, dredged materials, and contaminated soil.

(BLR Website – Published August 2005)

****

New CTDEP Signatory Requirements for New Source Review or Title V Documents

Effective July 19, 2005, Section 22a-174-2a of the Regulations of Connecticut State Agencies (RCSA) requires that any New Source Review or Title V document, including but not limited to, a permit application, report or certification, submitted to the commissioner shall be signed by certain named individuals or positions, as identified in RCSA Section 22a-174-2a(a). Only certain Title V corporations identified in RCSA Section 174-2a(a)(2)(B) must complete and submit the Written Authorization Form. Please refer to RCSA Section 22a-174-2a(a) for details.

(CTDEP Website – July 2005)

****

Clean Harbors Environmental Services Achieves OSHA Recognition

Clean Harbors Environmental Services Inc.'s Lone Mountain facility in Waynoka, Okla., has earned membership in the prestigious "Star" Voluntary Protection Program of the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA).

A recognition ceremony was held on August 2, 2005 at the company's facility in Waynoka.

"Clean Harbors Environmental Services, Lone Mountain, has demonstrated excellence in effective safety and health management," said OSHA Regional Administrator John Miles in Dallas. "Their outstanding efforts include maintaining an injury and illness rate 60 percent below the national average for their industry."

The company's Lone Mountain facility, which employs about 60 workers, provides a comprehensive treatment facility for the disposal of solids and liquid wastewater treatment including the treatment of hazardous waste by neutralization, chemical reduction, chemical oxidation and alkaline chlorination.

Headquartered in Braintree, Mass., Clean Harbors is the largest provider of environmental

services in North America with locations in the U.S., including Puerto Rico, and in Canada and Mexico.

The Voluntary Protection Programs recognize and promote effective workplace safety and health management. About 1,300 work sites representing more than 280 industries throughout the U.S have earned OSHA's highest recognition as participants in the VPP. Program participants typically achieve injury and illness rates more than 50 percent below their respective industry's average rates.

(OSHA Website – Regional News Release)

****

Discarded Equipment Containing Mercury Now Managed As Universal Waste

A final rule that classifies mercury-containing equipment as universal waste seeks to help eliminate mercury in the environment and encourage mercury recovery and improved, safe management of mercury waste. Previously, unregulated households and some small businesses were not required to manage used mercury containing equipment as a hazardous waste, resulting in some mercury waste getting thrown in the trash. Under this rule, used mercury-containing equipment will be readily collected for recycling or disposal at a properly permitted facility.

Mercury-containing equipment includes various types of instruments that are commonly used in industry, hospitals and households, such as thermometers, barometers and mercury switches. Other items already managed as universal waste include batteries, thermostats and fluorescent lamps.

This final rule, adding mercury-containing equipment to the federal list of universal wastes regulated under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations, imposes management standards similar to those for universal waste thermostats because of similarities in the waste streams. Under the system, recordkeeping, storage and transportation requirements for generators of waste, collectors and transporters are reduced to encourage local governments, communities, and retailers to set up collection programs that will pull these wastes out of municipal trash and into the hazardous waste system. Stringent federal hazardous waste management requirements for final disposal or recycling remain unchanged.

According to a pre-publication notice, this rule affects people who generate, transport, treat, recycle or dispose of mercury containing equipment, unless those people are households or conditionally exempt small quantity generators (CESQGs). EPA estimates that about 1,900 generators handling approximately 550 tons of mercury-containing equipment annually will be affected by this rule.

The universal waste rule provides streamlined management requirements tailored to several different kinds of waste. The types of waste governed by the universal waste rule are frequently thrown in the trash by unregulated households and small businesses. Classifying an item as a universal waste provides flexibility for its proper management and can prevent

the item from entering municipal trash, agency official said. Instead, it can be readily collected and disposed of at a hazardous waste facility.

For more information on the rule -- including a Federal Register notice - Pre-publication Version (signed July 27) -- go to www.epa.gov/epaoswer/hazwaste/recycle/electron/crt.htm.

(Environmental Protection Magazine Website - August 2005)

****

OSHA to Extend Comment Period for Occupational Exposure to Ionizing Radiation

OSHA is extending the period for the public to submit comments and information to help the agency determine what action, if any, the agency should take to update its standards for occupational exposure to ionizing radiation.

According to a Aug. 1 Federal Register notice, the agency is extending the comment period to give stakeholders adequate time to comment on the National Academies' National Research Council's Biological Effects of Ionizing Radiation (BEIR) VII report on health risks for exposure to low levels of ionizing radiation, which was not issued until June 29.

The BEIR VII report presents the most up-to-date and comprehensive risk estimates for cancer and other health effects from exposure low-level ionizing radiation. It is among the first reports of its kind to include a detailed estimate for cancer incidence in addition to cancer mortality. The BEIR VII committee reviewed epidemiological studies concerning individuals who had been exposed to ionizing radiation because of medical, occupational, or environmental reasons, including studies of the atomic-bomb survivor cohort in Hiroshima and Nagasaki, Japan. A major task of the committee was to develop an approach for estimating cancer risks from exposure to low levels of low energy transfer ionizing radiation.

"The work of past BEIR Committees has been significant in the radiation standard-setting process. The agency believes it is crucial that stakeholders, in preparing their comments, have sufficient time to fully review the information and issues on the health effects of ionizing radiation presented in the BEIR VII report," OSHA stated in the Federal Register notice.

The agency's May 3 request for information addresses current uses of ionizing radiation in the workplace and issues related to its use, such as employee exposure levels, health effects of ionizing radiation exposure, and workplace programs to control such exposure. The agency will use the information to determine if and how its ionizing radiation standards should be updated.

Written comments must be submitted by Nov. 28, 2005. Written comments (10 pages or fewer) can be faxed to OSHA's Docket Office at (202) 693-1648 or sent electronically to http://ecomments.osha.gov. Three copies of written comments and attachments must be submitted to the OSHA Docket Office, Docket H-016, Room N-2625, U.S. Department of Labor, 200 Constitution Ave., Washington, DC, 20210. Further information on submitting comments can be obtained by calling the Docket Office at (202) 693-2350.

The Federal Register notice can be accessed at http://www.gpoaccess.gov/fr/index.html.

(Occupational Health & Safety Magazine Website - August 2005)

****

This regulatory update is brought to you by CT ACHMM as a benefit of your membership.

Disclaimer: CT ACHMM Regulatory News Update is a service provided by the Connecticut Academy of Certified Hazardous Materials Managers (CT ACHMM) to its members. Articles are selected based on relevance to the hazardous materials industry and are provided to generate thought, discussion and knowledge sharing among CT ACHMM members.