



CT ACHMM NEWSLETTER

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CTACHMM P.O. Box 228 East Glastonbury, CT www.ctachmm.org

President's Message

Gene Metti

CT ACHMM is now INCORPORATED & TAX EXEMPT!

Our Chapter recently became incorporated in the state of Connecticut as the "Connecticut Chapter of ACHMM, Inc." The Secretary of the State of Connecticut confirmed acceptance of our business filings for Incorporation as a non-stock corporation along with acceptance of our filing for Organization and First report in late summer, 2007. These are legal designations which the National ACHMM office recommends each chapter obtain and are required in order to obtain tax exempt status from the IRS.

Having received status of Incorporation from the State of Connecticut we further applied to the US Internal Revenue Service for Recognition of Exemption (tax exempt status) under Section 501c (3) of the Internal Revenue Tax Code. Organizations organized for religious, charitable, scientific, testing for public safety, literary, or educational purposes are eligible for this tax favorable status. We received official notification in mid October that IRS had accepted our application and granted us tax exempt status.

With the achievement of both state incorporation and IRS tax exempt status in place, CT ACHMM recently applied for an updated chapter charter from the National ACHMM office in Bethesda, MD. We are expecting the updated charter shortly.

A considerable amount of time and effort went into applying for and obtaining these valuable designations. Many thanks go to **Stuart Manley** who spearheaded the effort along with **Rose Coggeshall** and **Whyndam Abrams**.

CHAPTER SUPPORT OF CHMM AS CERTIFYING AGENTS-AN UPDATE

Whyndam Abrams

One of the missions of the CTACHMM is to maintain and expand the CHMM credential as a top quality accreditation, both on a National and State level. Several Chapter members, including past Chapter President **Elsa Payne**, **Dominick Zackeo**, **Stuart Manley**, and **Paul Simonetta**, were instrumental in working with CTDEP for CHMM recognition as a professional, high quality certification, and were successful in obtaining inclusion of CHMMs as authorized certifying agents for various regulatory programs. These include:

State of Connecticut

- Aquifer Protection Area Applications
- Applications for Exemption
- Materials Management Plans
- General Permit for the Discharge of Stormwater Associated with Industrial Activity
- General Permit for Miscellaneous Sewer Compatible Wastewater
- General Permit for the Discharge of Groundwater Remediation Wastewater Directly to Surface Water
- General Permit for the Discharge of Vehicle Maintenance Wastewater
- DRAFT Underground Storage Tank Petroleum Clean-Up Account (USTPCA) Compliance Evaluation Forms (annual submission)

Connecticut Municipal Aquifer Protection Regulations

- Town of Avon
- Town of Cheshire

Continued on page 2....

CTDEP has requested a list of CHMMs available as certifying agents. CTDEP makes this list available to regulated entities desiring an approved certifying agent; the list is also available on the Chapter website, www.ctachmm.org.

Early this year, CTDEP published two draft re-issuances of wastewater discharge General Permits, General Permit for the Discharge of Minor Printing and Publishing Wastewater, and General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer, for public comment. Both of these draft General Permits listed CHMMs, along with other accreditations and specialties, as authorized certifying agents to the permit registration process, in addition to the previously listed Professional Engineers. The Connecticut Society of Professional Engineers submitted comments requesting a public hearing in this matter.

The public hearing process is coordinated by the CTDEP Office of Adjudications. This Office first held a status conference on June 21, 2007, which was attended by **Gene Metti**, Chapter President and **Paul Simonetta**. The hearing officer assigned to the case of these two General Permits explained the procedures for the public hearing, submitting written comments in the case, and providing testimony. A pre-hearing was scheduled for August 16, 2007, and the hearing was scheduled for September, 2007. In preparation, the Chapter held a meeting to coordinate its response, and contacted both the National Academy and our accrediting body, the Institute of Hazardous Materials Management. Both **Cedric Calhoun**, ACHMM Executive Director, and **John Frick**, IHMM Executive Director supported our position.

On July 12, 2007, **Gene Metti** submitted a letter supporting both draft permits as written, described our credentialing process, IHMM accreditation by the Council of Engineering and Specialty Boards (CESB), and the qualifications required to sit for the CHMM exam. This letter was supported in writing by twenty-six (26) of our members. On July 31, 2007, **Dominick Zackeo** sent an additional support letter, further explaining the history of the inclusion of the CHMM credential as an authorized certifying agent for various CTDEP regulatory programs. This letter was supported in writing by thirteen (13) Chapter members.

The August pre-hearing was attended by **Gene Metti**, **Whyndam Abrams**, **Dominick Zackeo**, **Larry Secor** and **Stuart Manley**, as well as IHMM's **John Frick**. At the pre-hearing, the comment and testimony process was further described to facilitate an orderly hearing. Also at this pre-hearing, CTDEP proposed modified "common-ground" language in the General Permits, to allow the additional types of accreditations and specialties to certify "pre-engineered" pollution control systems, and to allow only PEs to certify site-specific designed systems.

On August 31, 2007, **Stuart Manley** submitted another letter supporting the common-ground language for both the General Permits. John Frick also submitted a letter supporting the Chapter's position. However, the process continued, with a public hearing being held September 24, 2007. Attending from the Chapter were **Gene Metti**, **Whyndam Abrams**, **Dominick Zackeo**, **Larry Secor** and **Stuart Manley**.

Testimony was first heard from CTDEP Permit writers, who stated that CHMM were first added to the various regulatory programs because of their "high-level credentialing," and that there have been no problems with past General Permits due to CHMM certifications. Testimony was then heard from the PE group. A Printing and Publishing trade group submitted testimony on some of the technical aspects of the Printing and Publishing General Permit, and also noted the inclusion of other qualified accreditations as certifying agents would increase compliance within the industry. Gene Metti testified, reading into the record our written comment, describing the CHMM credential and Code of Ethics, the 5-year recertification requirements, information about the Connecticut Chapter, the Chapter's support of the draft General Permits, the points addressed in the previous comment letters, and stated "Regarding the qualifications of CHMMs, CHMMs have the knowledge and skill to make the certifications as currently written in the two draft general permits that are the subject of this hearing." See page 6 for Gene's testimony.

The CTDEP permit writers will now review all of the comments, and prepare a response to the Office of Adjudications. The Office of Adjudications will then provide a written opinion in the matter to the Commissioner. Depending on the opinion, it is hoped that these and future regulatory programs will continue to recognize the CHMM credential as the high-level certification that it is. Thanks are given to all the Chapter members for their support in this matter.

Connecticut well represented at the 2007 National Meeting!

The second highest attendance in the history of the ACHMM national conference made for a lively annual meeting in Arlington, Virginia from August 12-15, 2007 for the over 700 participants from across the country and the world.

Sixteen (16) Connecticut CHMM's attended the conference outside Washington DC which featured over 55 technical sessions covering safety and industrial health, EHS management systems, regulatory updates, new and emerging technologies, international issues, producer responsibility, emergency preparedness and homeland security. Presentations were made by Connecticut CHMM's on Plant Utilities that may be regulated but are often forgotten and on EMS Systems.



Presentations by EPA's National Environmental Performance Track, OSHA's Voluntary Protection Program, the American Chemistry Council's Responsible Care System and the new international standard for security management (ISO 28000) highlighted the benefits of these proactive programs including improved EHS performance, national recognition, removal from government inspection lists, and reduced risk profile.



The area wide emergency response scenario organized by ACHMM conducted at the Washington DC Metro special hazmat training facility received extensive news media coverage running on different channels as the leadoff story and second spot on the 6:00 o'clock evening news. A simulated release of a blistering agent on a DC

metro train stalled in tunnel resulted in several unconscious passengers and was responded to by fire departments from



throughout the region including the DC metro and Arlington hazmat teams. The exercise was a great advertisement for the Academy as the conference was mentioned in several of the local media broadcasts.

The US Treasury Department Bureau of Engraving and Printing provided an excellent presentation and guided tour of the environmental aspects of the nation's currency printing operations. The extensive use of inks, nickel and chromium plating in the government's "intaglio" printing process which imbeds the ink below the surface of the linen/cotton bills results in significant amounts of wastewater and hazardous waste. Tour participants observed the effluent treatment and waste management facilities in addition to getting an up close look at the currency printing operations.

Over 50 exhibitors had booths at the Conference and displayed a range of products including emergency response equipment, analytical and monitoring instrumentation, engineering and cleanup services, training venues, and certification services.

Connecticut Chapter members got together at the exhibitors welcome reception to enjoy drinks and hors d'oeuvres and discuss the day's events. The luncheon with the New England Chapter was a great opportunity to share ideas and best practices on conducting chapter business with fellow New England CHMM's.



All in all the national meeting had something for everyone and was an excellent venue to keep current on events, technical and regulatory developments, trends and obtain re-certification points in the process!

Testimony of Gene Metti at the 9-24-07 Public Hearing

Good morning, my name is Gene Metti and I am the President of the CT Chapter of the Academy of Certified Hazardous Materials Managers (CT ACHMM for short). I live in Danbury CT and work out of Shelton, CT.

Certified Hazardous Materials Managers (CHMM's) are EHS professionals credentialed through the Institute of Hazardous Materials Management (IHMM). The CHMM credential is accredited by the Council of Engineering and Scientific Specialty Boards (CESB). CHMM's must be re-certified every 5 years through attainment of re-certification maintenance points.

The Academy of Certified Hazardous Materials Managers is an organization of professionals with expertise in environmental, health and safety (EHS) management and science. CT ACHMM is the local affiliate of the Academy. The CT Chapter currently has 70 active members and our chapter mailing address is in East Glastonbury, CT.

CT ACHMM is in attendance today to support the draft general wastewater permits that are the subject of this hearing.

We believe that the draft general permits meet the DEP's primary responsibility of conserving, improving and protecting natural resources and the environment and controlling pollution in order to enhance the health, safety and welfare of the people of the State of CT.

The CT ACHMM has been present at each of the meetings associated with the re-issuance of the draft general permits including the status conference on June 21, 2007, the pre-hearing on August 16, 2007 and we are here today to demonstrate our continued support of the permits, as proposed. I'm accompanied by several of our board members and chapter members who are here to assist in answering any questions.

We have sent three letters to the Office of Adjudications with our comments on the subject permits dated July 12, 2007 from myself, July 31, 2007 from Nick Zackeo, and on August 31, 2007 from Stuart Manley. All three of us are here today. Our members statewide are in support of the general permits and have also sent in their own emails to indicate their support.

To very briefly touch on some of the key points we raised in our letters:

We noted that the certifications in the draft wastewater permits are focused on certifying that proper operation and maintenance of a system will meet permit conditions, or certifying that discharges generated at a subject site will comply with effluent limitations. It is our opinion that these are not certifications of engineering design. The certifications can be carried out by qualified environmental professionals through a review of applicable screening forms, historic land use, water and chemical analyses, existing reports, plans and specifications, maintenance plans, and actions taken to prevent further violations.

The permit certifications contemplate that the certifying party will review any available information, which would include for example, representations from a pre-engineered component manufacturer and its design engineer, the components having been designed and constructed under the supervision of an engineer to meet certain specific performance criteria. As such, the placement and operation of a pre-engineered system is not, in itself, practicing engineering.

We noted that our code of ethics precludes us from certifying programs that are out of our area of expertise such as engineering design.

We believe it is impractical to think that only a licensed Professional Engineer can inspect and review to determine that a system which has already been designed by an engineer is being properly operated and maintained and that the discharge generated at a site will meet environmental permit conditions. If this was the case, only licensed PE's would be allowed to perform operation and maintenance reviews and inspections to determine that existing systems such as building foundations, roads, electrical systems, plumbing systems, plant manufacturing systems, etc. are being operated and maintained properly and comply with applicable regulations or permits. Inspectors qualified and competent in their areas of expertise who are not licensed PE's can and do perform these functions.

The incorporation of licenses and certifications from the environmental profession with comparable levels of competency in the proper management of hazardous materials ensures that a greater body of qualified professionals are available to be called upon to assist the state and regulated community as needed in certifying compliance so that aspects of the proposed permitting process will function expeditiously, as intended.

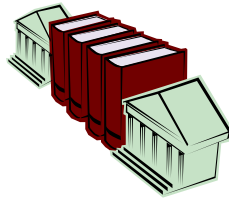
It is our understanding that the inclusion of the CHMM credential in other general permits such as Discharge of Storm water from Industrial activities, the permit on Miscellaneous sewer compatible wastewater, the Discharge of Groundwater remediation wastewater directly to surface water permit and other permits has been in place for several years and has been successful and without issue.

Regarding the qualifications of CHMM's, CHMM's have the knowledge and skill to make the certifications as currently written in the two draft general permits that are the subject of this hearing.

To summarize, our main interest is in facilitating that a qualified body of professionals is available to be called upon to assist the state and regulated community as needed in certifying compliance so that aspects of the proposed permitting process will function practically and expeditiously, as intended.

Regulatory Update

Matt Twerdy



The Largest Environmental Settlement in History

American Electric Power (AEP) has agreed to cut 813,000 tons of air pollutants annually at an estimated cost of more than \$4.6 billion, pay a \$15 million penalty, and spend \$60 million on projects to mitigate the adverse effects of its past excess emissions.

This is the single largest environmental enforcement settlement in history by several measures. For example, it is the largest settlement in terms of the value of injunctive relief, and will result in the largest amount of emission reduction from stationary sources, such as power plants and factories.

"Today's settlement will save \$32 billion in health costs per year for Americans," said Granta Nakayama, Assistant Administrator for EPA's enforcement and compliance assurance program. "Less air pollution from power plants means fewer cases of asthma and other respiratory illnesses."

An unprecedented coalition of eight states and 13 citizen groups joined the United States government in this settlement. The agreement imposes caps on emissions of pollutants from 16 plants located in five states. The facilities are located in Moundsville (2 facilities), St. Albans, Glasgow, and New Haven (2 facilities), West Virginia; Louisa, Kentucky; Glen Lyn and Carbo, Virginia; Brilliant, Conesville, Cheshire, Lockburne, and Beverly, Ohio; and Rockport and Lawrenceburg, Indiana.

AEP will install pollution control equipment to reduce and cap sulfur dioxide and nitrogen oxide emissions by more than 813,000 tons per year when fully implemented. By installing these pollution control measures, the plants will emit 79 percent less sulfur dioxide and 69 percent less nitrogen oxides, as compared to 2006 emissions.



The settlement resolves a lawsuit filed against AEP in 1999, alleging the company violated the New Source Review requirements of the Clean Air Act.

The company will spend an additional \$60 million to finance and conduct projects to mitigate the impact of past emissions. Of the total, \$24 million for these projects will be allocated among the states that joined the settlement. The remaining \$36 million will be spent on mitigation projects identified in the settlement agreement.

The following eight states joined as plaintiffs in the case: New York, New Jersey, Massachusetts, Vermont, Connecticut, New Hampshire, Maryland, and Rhode Island.

10/09/2007 - BLR Website

CALENDAR OF EVENTS

AMERICAN SOCIETY OF SAFETY ENGINEERS
NEW ENGLAND AREA PROFESSIONAL DEVELOPMENT
CONFERENCE AND EXPO
NOVEMBER 27-28, 2007
CROWNE PLAZA HOTEL
WORCESTER, MA
FOR MORE INFO:
[HTTP://REGION8.ASSE.ORG/NEWENGLANDAREA](http://region8.asse.org/newenglandarea)

CHMM REVIEW COURSE
NOVEMBER 7, 8, 9, 2007
ABC-ROCKY HILL, CT
FOR MORE INFO: WWW.FIELDSSAFETY.COM

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NEWSLETTER SUBMISSION DEADLINES FOR 2008

FEBRUARY ISSUE: JANUARY 20

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