



ShopTalk

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A PUBLICATION FOR DANGEROUS WASTE GENERATORS

Enforcement Leads to Industry-Ecology Cooperation

Most dangerous waste generators in Washington voluntarily comply with the state's rules. Ecology provides extensive technical assistance to generators to help resolve problems. This help comes through routine inspections and informal enforcement or, when requested, from telephone calls or educational on-site visits.

Sometimes though, these methods are not successful. Ecology may then move to formal enforcement through administrative orders and civil penalties. Such was the case with Glacier Bay Catamarans in Monroe. The company operated as a small quantity generator for several years. Then, due to rapid growth, they became a large quantity generator but neglected to attend to the additional regulatory obligations. After four separate inspections found repeated violations, Ecology issued an enforcement order and a penalty of \$39,000 in April 2004.

Compliance units in Ecology's Hazardous Waste and Toxics Reduction Program conduct dangerous waste inspections to make sure that generators protect human health and the environment. Ecology usually reserves formal enforcement for situations that pose a threat to people or the environ-

ment or for repeat violators of the state's dangerous waste regulations. Intentional violations may be referred for criminal investigation. The law allows a maximum penalty of \$10,000 per day, per violation.

The \$39,000 penalty caused Glacier Bay Catamarans to take a hard look at what they were doing. They adopted a positive attitude and decided to make "lemonade out of lemons." The company immediately began moving toward compliance and pollution prevention. They negotiated an innovative settlement with Ecology. This allowed them to use part of the penalty for projects beyond normal compliance requirements. As one of these projects, Glacier Bay and Ecology hosted a free "Environmental Seminar for Fiberglass Reinforced Plastics Manufacturers" in June 2005.

Larry Graf and Jay Radke, Glacier Bay's president and environmental compliance manager, made a presentation focusing on a practical

approach to environmental management that the company developed. They led a tour of their boat manufacturing facility showing waste reduction projects required by the settlement. Ecology representatives discussed compliance issues and updated the group on regulations. The highlight of the event was the open discussion between industry and Ecology representatives on environmental compliance.

Now industry representatives who attended the seminar and exchanged ideas plan to continue meeting on a regular basis to discuss environmental compliance issues. This is a good example of how a formal enforcement can bring about a positive result not only for the environment, but also for other industry members and the community as well.

For more information about hazardous waste management, contact the Ecology regional office in your area.



Glacier Bay President Larry Graf (second from left) and Environmental Manager Jay Radke (fifth from right), with Ecology staff and industry representatives at the seminar in June 2005.

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Dangerous Waste Workshops Scheduled

The schedule is set for the 2006 Dangerous Waste Management Workshops. This one-day (8:30 am to 4 pm), low-cost training covers proper waste management, how to comply with the dangerous waste regulations, and how to increase profits by reducing waste. The workshops are also a chance to ask Ecology staff questions about regulations, wastes, etc. in a relaxed atmosphere.

Register now! Space is limited. The workshops cost only \$55. That includes lunch, refreshments, and materials.

2006 Workshop Schedule

Tacoma

January 19 & 20
La Quinta Hotel

Shoreline

January 24 & 25
Shoreline Conference Center

Kelso

January 27
Red Lion Hotel

Spokane

January 31
Clarion Hotel

Yakima

February 3
Mirabeau Park Hotel

To Register:

You can register on-line at <http://www.ecy.wa.gov/forms/dwmw/index.asp>. Or Lori Gonzalez can register you. Call her at (360) 407-7118, or e-mail her at lgon461@ecy.wa.gov

Manifest Rules Changing

Starting **Sept. 5, 2006**, generators and transporters of hazardous waste, and TSDs must use a new manifest form and process. The current Uniform Hazardous Waste Manifest system provides a paper trail of a waste's progress from "cradle to grave." It identifies the type and quantity of waste shipped and certifies the generator's waste minimization practices.

The new system provides the same information, but allows the use of electronic manifests and standardizes the form and procedures. The US Environmental Protection Agency (EPA) estimates the change in paperwork burden will save states and industry between \$12 and \$20 million each year. The new rule became effective September 5, 2005, but EPA is allowing a delayed compliance date so states, printers, and users can prepare for the new form.

After Sept. 5, 2006, only the new manifest form will be valid and acceptable and the new process must be followed. Continue to use the existing forms until that date.

The new requirements will:

- Standardize the content and appearance of the manifest form and continuation sheet (Forms 8700-22 and 22a);
- Make the forms available from more sources;
- Adopt new procedures for tracking certain types of waste shipments. This includes wastes rejected by destination facilities, residues from non-empty containers, and wastes entering or leaving the US;
- Not allow state-specific manifests. State-only information is restricted to state-only waste codes;
- Record the "point of generation" on the manifest (normally the generator's site address); and
- Require the receiving facility to enter the hazardous waste management code describing how the facility will manage the waste.

This code is consistent with the annual report waste management method codes (for example, H141 - Storage, bulking, and/or transfer off-site). Generators will be able to use this code on their Dangerous Waste annual reports if needed.

Ecology will change the *Dangerous Waste Regulations*, Chapter 173-303 WAC to correspond with the new federal rule. Until then, these changes will be required under the authority of EPA and the US Department of Transportation.

Get additional information from EPA on-line at: <http://www.epa.gov/epaoswer/hazwaste/gener/manifest/mods.htm>

Governor Awards Top Environmental Successes

Five businesses received the 2005 Governor's Award for Pollution Prevention & Sustainable Practices in an October ceremony. The award is one of the state's highest honors for protecting the environment while doing business in Washington. The winners are:

Ball Metal Beverage Container Corp. of Kent, for conserving water, avoiding the use of toxic materials, reducing air emissions and using materials efficiently.

Columbia Lighting of Spokane, for eliminating the use of methyl ethyl ketone (MEK), a significant toxic chemical, conserving water, and reducing air emissions, wastewater and other wastes.

Meridian Collision Center Inc. of Puyallup, for avoiding the use of toxics and conserving energy and resources.

Totem Ocean Trailer Express of Tacoma, for conserving fuel and fresh water, protecting the environment from invasive species and supporting Alaska's recycling efforts.

The University of Washington Medical Center in Seattle, for eliminating the use of mercury, conserving water and energy, reducing waste, and supporting the regional community.

Implementing Beyond Waste

About a year ago, Ecology adopted a new statewide hazardous and solid waste plan, called the Beyond Waste plan. The plan emphasizes how we can use wastes as resources. It focuses on five key areas: industrial wastes, small-volume dangerous wastes, organics (yard/food wastes), green building and performance measurement.

Ecology and its partners have already accomplished the following:

- A green building Web resource site focusing on residential construction
- Continued implementation of the mercury chemical action plans, especially addressing the removal of mercury switches from cars
- A report to the 2006 Legislature on how to increase the recycling of consumer computers & TVs
- An in-house food waste composting facility at the Lacey building

The 2005 Legislature budgeted money for Ecology to work on these areas over the next two years:

- Develop a user-friendly Web site on how to reduce and recycle key hazardous substances and wastes
- Work with the state's business associations to develop more incentives for businesses to reduce and recycle
- Change the pollution prevention planning system to address toxics in products
- Emphasize and develop tools for environmentally friendly purchasing
- Produce technical assistance materials to help local governments achieve their Beyond Waste goals

For more information visit the Beyond Waste Web site at: <http://www.ecy.wa.gov/beyondwaste/>

Chemical Inventory Reports Due March 1

What hazardous chemicals do you have at your business? (Not waste, but chemicals or products you store.) Businesses that store hazardous chemicals must report each year to the State Emergency Response Commission, Local Emergency Planning Committee (LEPC) and local fire department. Reports for the calendar year 2005 are **due March 1, 2006**.

This is required under the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as SARA Title III. Ecology's Community Right-to-Know Unit will send reminders to previous reporters in January 2006.

Chemicals or hazardous substances such as gasoline and diesel are reportable if 10,000 pounds or more are on-site at any one time. Chemicals such as ammonia and chlorine are classified as Extremely Hazardous Substances. They must be reported at much lower thresholds: ammonia at 500 and chlorine at 100 pounds. The reporting requirements apply to the maximum amount of a chemical on-site **at any one time** during the previous calendar year.

Visit our Web site at <http://www.ecy.wa.gov/epcra> for more information on reporting requirements, forms, and reporting software. We encourage businesses to use EPCRAMail, an electronic reporting application. This convenient way to report is especially useful for businesses with multiple sites.

Contact your LEPC to find out about workshops on all of the EPCRA reporting requirements. Contact information for LEPCs can also be found at the above Web site.

For EPCRA technical or regulatory assistance call (800) 633-7585 (in state) and press 2 at the greeting. Or dial (360) 407-6893 if you are outside of Washington.

Dangerous Waste Annual Reports Due March 1

If your site had an active RCRA Site ID number in 2005, you must submit a 2005 Annual Report. Ecology sent reminder letters (to paper reporters) and E-mails (to electronic reporters) to businesses at the end of December. If your site was active and you did not receive the reminder notice, go to Ecology's Web site at <http://www.ecy.wa.gov/programs/hwtr/reportingrequirements.html> or call us at (800) 874-2022 (within state) or (360) 407-6170 to obtain the needed information.

There are a few 2005 annual reporting changes. The changes added new wastes codes for wastewater treatment sludge for two manufacturing production processes, and a new field to the Site ID form for Universal Waste Mercury Containing Equipment. For more information regarding the changes, go to Ecology's Web site at <http://www.ecy.wa.gov>.

Use TurboWaste.Net to Submit 2006 Annual Reports

TurboWaste.Net is an Internet application used for the electronic submittal of Annual Dangerous Waste Reports to Ecology. It has been available for two years and reporters really love it. Of the nearly 5,000 businesses that submitted 2004 Annual Reports, 86 percent used TurboWaste.Net. This significantly reduced time and money spent on completing and mailing their annual reports. To find out more about the benefits of using TurboWaste.Net go to Ecology's Web site at <http://www.ecy.wa.gov>. You will be glad you did!

Recycling Association Seeks Award Nominations

The Washington State Recycling Association is seeking nominations for their annual awards. Criteria and nomination forms are available on the Association's Web site at www.wsra.net or by calling their office at (206) 244-0311. Nominations are due March 1, 2006.

Q What is an MSDS? What can it tell me?

A The Material Safety Data Sheet (MSDS) was established by the Occupational Safety and Health Administration (OSHA) Hazard Communications Standard (HAZCOM) as a communication link between chemical manufacturers and handlers. An MSDS supplies workers, emergency personnel, and visitors at a facility with information on the hazards associated with a chemical, the proper procedures for handling it, and quick guidance during an emergency. An MSDS must be on hand for most chemicals used or stored at a facility, though some chemicals, such as FDA-regulated compounds, do not require them.

MSDS do not have to follow a particular format, but they must include specific information:

- Name, address, and telephone number of the manufacturer responsible for preparing the information
- Chemical and common names of hazardous chemicals, Chemical Abstracts Service (CAS) number for each chemical listed (e.g., Benzene Anhydrous, 99%; Mineral naphtha; CAS: 71-43-2)

- Hazards Identification: Hazardous Materials Identification System (HMIS) and National Fire Protection Association (NFPA) are both used with a scale of 0-4; the higher the number the more severe the hazard)
- Information on exposure limits from OSHA and/or the National Institute for Occupational Safety and Health (NIOSH)
- Primary routes of exposure and acute and chronic health effects posed by the hazardous substance
- Signs and symptoms of overexposure
- Carcinogen listing
- Physical and chemical characteristics of the hazardous chemical (i.e., vapor pressure, flash point)
- Proper safe handling practices and use precautions (including personal protective equipment and controls)
- Other safety precautions in the use of or exposure to the hazardous substance
- Emergency procedures for spills or fires
- First aid procedures
- Disposal procedures
- Date the material safety data sheet was updated

Department of Ecology

Remember, your business is liable for all dangerous wastes generated. If you are uncertain about your responsibilities as a dangerous waste generator, call your nearest Ecology office and ask for a hazardous waste specialist. For information on reducing or recycling dangerous waste, ask for the toxics reduction staff, at:

- Bellevue: (425) 649-7000
- Lacey: (360) 407-6300
- Yakima: (509) 575-2490
- Spokane: (509) 329-3400

If you need this information in an alternate format, please call the Hazardous Waste and Toxics Reduction Program at 360-407-6700. If you are a person with a speech or hearing impairment, call 711, or 800-833-6388 for TTY.

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