KELLER'S

INDUSTRIAL SAFETY REPORT

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FEATURED THIS MONTH

ERGONOMICS FINES ARE ON THE RISE - OSHA has issued inspectors a guidance document on ergonomics enforcement and is using the General Duty Clause to enforce cumulative trauma disorder-related fines. **Page 1.**

OSHA'S WORKPLACE VIOLATIONS REPORT - According to OSHA, plant safety and construction violations made up the overwhelming majority of violations for fiscal year 1992/93. **Page 5.**

WHERE HAZWOPER OVERLAPS OTHER AGENCY'S RULES - The *Industrial Safety Report* staff reviews how OSHA's HAZWOPER regulations overlap similar emergency response rules from other government agencies. **Page 6.**

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OSHA Activity

OSHA Steps Up Ergonomics Enforcement

In issuing ergonomics enforcement guidance to its inspectors, OSHA has laid the groundwork for increased enforcement in the area of cumulative trauma disorders and related health issues.

The term ergonomics is a broad term used to describe site working conditions such as ventilation, heat, comfort, repetitive motion activities, and an overall healthful working environment.

The 25-page inspectors' enforcement guidance was issued last year. Ergonomics violations are usually issued under OSHA's General Duty Clause.

The General Duty Clause is used by OSHA for enforcement of employee safety issues that may not be spelled out in a standard, but nonetheless, constitute a violation of its mandates to create a safe and health working environment.

In the absence of an ergonomics standard, inspectors haven't found as many ergonomics violations as they might have if a standard existed. By spelling out for inspectors what they should be looking for, asking about, and how to document violations, OSHA has signaled its intent to increase enforcement in this area.

Among the documentation directives is the use of video cameras to record employees engaging in repetitive motions that may cause carpal tunnel syndrome or similar maladies. The directive also notes that repetitive motion disorders do need to be reported on OSHA's Form 200 injury and illness record-keeping forms.

The guidance will also help OSHA avoid court challenges based on the absence of an ergonomics standard. Several challenges in the past have been successful due to the absence of a written standard specifying measures or procedures employers must institute in the workplace.

An increased awareness of cumulative trauma disorders associated with ergonomic exposures in the work place has increased OSHA's emphasis in ergonomics.

According to the Bureau of Labor Statistics, "disorders associated with repeated trauma" have more than tripled since 1984. In 1991, 185.4 thousand repeated trauma injuries accounted for 56% of the total injuries reported to the BLS.

Currently, no OSHA ergonomic standard exists. Although an Advanced Notice for Proposed Rulemaking was published in the *Federal Register* on August 3, 1992, a general industry standard is not expected for the next five years. In the interim, guidelines are necessary to ensure uniform enforcement.

Following are some of the questions inspectors ask themselves or provide in writing to employees as part of an ergonomics inspection. Although they represent only a small portion of the 25-page guidance, they do give you a good indication of what an inspector will be looking for in the way of ergonomics violations or problems.

Physical symptoms

1. Within the past month, have you had repeated feelings of numbness, tingling or "pins and needles" sensations in one or both hands?

Right Hand Left Hand

2. Within the past month, have you had repeated feelings of soreness or pain in either forearm or elbow?

Right elbow Right forearm
Left elbow Left forearm

3. Within the past month, have you had repeated feelings of pain, discomfort, burning, or tingling in your shoulders?

Yes No

4. Have any of the above symptoms caused you to be awakened while sleeping?

Yes No

5. What time does your discomfort occur regularly?

Mornings?	Yes	No
Afternoons?	Yes	No
Evenings?	Yes	No
Night?	Yes	No

6. Does discomfort in your wrist, arm, or shoulder interfere with your daily activities (eating, writing, sports, etc.)?

Yes No

7. Have you ever received medical treatment for this pain and discomfort?

Yes No

8. Has a medical professional ever given you a diagnosis of:

Carpal tunnel syndrome?	Yes	No
Job Related?	Y	N
Ganglionic cysts?	Yes	No
Job Related?	Y	N
Tendonitis?	Yes	No
Job Related?	Y	N

Tenosynovitis?	Yes	No
Job Related?	Y	N
Bursitis?	Yes	No
Job Related?	Y	N
Epicondylitis?	Yes	No
Job Related?	Y	N
Cervical strain?	Yes	No
Job Related?	Y	N
Other?_____		
Job Related/	Y	N

9. Have you ever had surgery for any of these conditions? Please note the date of surgery by the appropriate medical condition listed above.

10. Does your present job require arm, hand, or finger actions to be repeated many times each hour and work shift? Y N

Explain:

Psychosocial aspects of the employee's work

Please answer the questions below as accurately as possible.

S= Sometimes O= Often N= Never

11. Do you learn new things on your job?

12. Does your job require a lot of skill?

13. Are you free to make a decision on your job?

14. Do you have a lot to say about how to do your job?

15. Do you have more work than you can easily handle?

16. Do you get conflicting orders?

17. Are you required to work fast?

18. Do you work hard?

19. Do you fear that you will be replaced by computers?

20. What is the worst part about your job?

21. What is the best part about you job?

22. How could your job be improved?

23. Is it difficult for you to be honest in this survey?

Tools

1. What types of tools are used for this job?

2. How often are the tools maintained?

3. Are new tools available to the employee upon request? Y N

4. How have the tools been altered by the employee?

5. What is the diameter and span of the tools' hand grips?

6. How long are the tools?

7. Do the tools vibrate? Y N

8. Can the tools be used with either hand?
Right Left Both

9. Do the tool handles have fluted grips (spaces for each finger)? Y N

10. How heavy are the tools?

11. Are the tools used with the hand/upper arms in an awkward posture?
Y N

12. What are the tools made of (i.e. plastic handle with metal hook)?

13. Other comments:

Physical Exposures:

Repetition

1. What is the time required to perform each task and how often is the task performed? (This may be taken from the video tape). The Regional Ergonomist can provide assistance with the analysis of repetition as an ergonomic stressor.

Task	Average Time (sec)	Frequency (times/hr.)

Reich Speaks On OSHA Reform

Secretary of Labor Robert B. Reich has praised the advances made over the past two decades under America's worker protection act but simultaneously urged Congress to reform that act.

"Thanks to this law, countless American workers have avoided harm, injury and even death on the job," Reich told the Senate's Committee on Labor and Human Resources as he detailed the administration's support for the Senate bill to reform the Occupational Safety and Health Act, originally passed in 1970.

"But," he continued, "some enduring problems, along with a new set of workplace hazards, demand that the statute be revised. This bill makes those revisions in a strategic and sensible way. By emphasizing prevention, flexibility, cooperation, expanded coverage, streamlined standards and tough enforcement, the bill ensures that tomorrow's workplace will reach new levels of health, safety and productivity."

In his testimony, the Secretary stressed:

— Despite progress, each year about one in every 11 workers suffers illness or injury from work-related causes; more than 6,000 Americans were killed at the workplace in 1992; thousands more die each year from exposure to harmful substances and 2,000 cancer deaths per year can be traced to workplace hazards. "In every instance, the statistics and studies have a human face," Reich said.

— Workplace illness and injury impose heavy costs ($115.9 billion in 1992, according to the National Safety Council) on industry in addition to burdening "an already beleaguered health care system, saddling employers with needless costs and making it harder to extend coverage to all."

— Illnesses barely recognized when OSHA was created — cumulative trauma disorders, for example — in addition to HIV, tuberculosis and indoor air pollutants — have raised new challenges that OSHA's drafters never imagined."

Reich said that in evaluating how effective the reform bill would be in addressing these and other problems, the Labor Department spent most of last summer listening to employers, labor unions, state and local officials, insurers, doctors, public health officials and scientists.

Based on these discussions, Reich said, "We have concluded that the main elements of this bill will reduce workplace hazards — and boost the health both of the American worker and the American economy."

He underscored the main elements of the bill as:

— Prevention through company health and safety programs to identify and fix hazards before workers become sick or injured.

— Flexibility to modify requirements for workplace safety programs. In a nation of six million workplaces, he said, there can be no "one size fits all" approach. He supported the bill's provisions of special help for small business.

— Cooperation through joint labor-management safety and health committees. He noted the success of Oregon's state-required mandated committees which now are considered "a vital ingredient of loss prevention."

— Expanded coverage to protect state and municipal employees who "handle some of the most hazardous tasks in our society — cleaning up toxic waste, collecting garbage and fighting fires" and in the construction industry, in which injuries are about 50 percent greater than in other private industries.

— Streamlining standards-setting to establish uniform criteria for both health and safety standards, and the requirement that OSHA issue a standard for the chemical exposure limits struck down by a court decision in 1992.

— Tougher enforcement through increased penalties for willful violations which cause death or serious bodily harm. "If an employee is seriously injured on the job, and an employer's willful health and safety violations are to blame, that employer must be prosecuted," Reich said.

OSHA Releases 1992/93 Violations Summary

OSHA has released its enforcement figures for fiscal year 1992/93. The first chart shows violations by standard. The second breaks down plant safety violations into sections and their respective subparts. Plant safety violations accounted for over 105,000 of the total violations found. The 1992/93 results are the latest available.

OSHA FEDERAL STANDARD VIOLATIONS

STANDARD	DESCRIPTION	FY 92/93	FY 91/92
1		280	138
5A	GENERAL DUTY CLAUSE	1,265	1,605
1903	INSPECTIONS, CITATIONS AND PROPOSED PENALTIES	3,336	3,776
1904	RECORDING AND REPORTING OCCUPATIONAL INJURIES	5,456	5,491
1910	PLANT SAFETY	105,568	106,148
1915	SHIPYARD EMPLOYEES	600	607
1917	MARINE TERMINALS	385	528
1918	LONGSHORING	210	200
1919		1	0
1926	CONSTRUCTION	48,484	55,689
1928	AGRICULTURE	246	420
1960	FEDERAL EMPLOYEES	121	100
TOTAL		165,952	174,702

OSHA 1910 VIOLATIONS

SUBPART	DESCRIPTION	SECTIONS	FY 92/93	FY 91/92
A	GENERAL	1910.1-- 1910.7	0	0
B	ESTABLISHED FEDERAL STANDARDS	1910.11 -- 1910.19	0	2
C	GENERAL SAFETY & HEALTH PROVISIONS	1910.20	3,004	3,494
D	WALKING-WORKING SURFACES	1910.21-- 1910.32	5,588	5,552
E	MEANS OF EGRESS	1910.35 -- 1910.40	4,737	4,410
F	POWERED PLATFORMS	1910.66 -- 1910.70	63	85
G	OCCUPATIONAL HEALTH & ENVIRONMENTAL CONTROL	1910.94 -- 1910.100	2,494	2,598
H	HAZARDOUS MATERIALS	1910.101 -- 1910.120	7,380	7,659
I	PERSONAL PROTECTIVE EQUIPMENT	1910.132 -- 1910.140	6,011	6,476
J	GENERAL ENVIRONMENTAL CONTROLS	1910.141 -- 1910.150	9,357	9,380
K	MEDICAL & FIRST AID	1910.151 -- 1910.153	1,700	1,758
L	FIRE PROTECTION	1910.155 -- 1910.165	3,488	3,752
M	COMPRESSED GAS & COMPRESSED AIR EQUIPMENT	1910.166 -- 1910.171	46	74
N	MATERIALS HANDLING & STORAGE	1910.176 -- 1910.190	3,889	4,119
O	MACHINERY & MACHINE GUARDING	1910.211 -- 1910.222	15,780	15,512
P	HAND & PORTABLE POWERED TOOLS	1910.241 -- 1910.247	1,193	1,141
Q	WELDING, CUTTING, & BRAZING	1910.251 --1910.254	2,023	2,082
R	SPECIAL INDUSTRIES	1910.261 -- 1910.275	740	1,147
S	ELECTRICAL	1910.301 -- 1910.399	12,421	12,222
T	COMMERCIAL DIVING OPERATIONS	1910.401 -- 1910.441	124	110
U-Y	RESERVED BY OSHA	RESERVED	0	0
Z	TOXIC & HAZARDOUS SUBSTANCES	1910.1000 -- 1910.1500	25,530	24,575
	TOTAL		105,568	106,148

Where HAZWOPER Overlaps Other Agency's Rules

Last month we presented an article on "HAZWOPER'S Relationship To Other OSHA Regulations" as the second installment of a three-part series on OSHA's Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations, found in 29 CFR 1910.20. This month we conclude the series by reviewing HAZWOPER's relationship to the regulations of other agencies.

Comprehensive Environmental Response Compensation and Recovery Act of 1980 (CERCLA).

CERCLA, also known as *Superfund*, required the President to revise and republish the national contingency plan, originally published under the Federal Water Pollution Control Act. The current National Contingency Plan (NCP) was created out of this mandate.

EPA addresses workers' health and safety in their regulations on the NCP, found in 40 CFR Part 300.150. This section essentially demands that agencies and contractors operating under an NCP mandate meet HAZWOPER standards in their cleanup operations. Specifically:

- The same provisions for emergency response worker safety and health are required.
- An occupational safety and health program consistent with HAZWOPER is required.
- When the contractor undertakes an NCP emergency response action, that organization needs to meet HAZWOPER standards and those of all other federal and state occupational safety law.

Superfund Amendments and Reauthorization Act, Title III.

SARA Title III, also referred to as the "Emergency Planning and Community Right-To-Know Act of 1986" (EPCRA), requires States and local jurisdictions to develop emergency response plans.

In addition, certain facilities must share information about the hazardous substances they keep on-site with community emergency response planners.

SARA Title III directed governors of each state to appoint a state emergency response commission (SERC), which would, in turn, appoint and coordinate the activities of local emergency planning committees (LEPC).

The provisions of the community emergency response plan are significant because 29 CFR 1910.120(q) allows community responders to use the plan developed under SARA Title III to comply with OSHA.

National Fire Protection Association (NFPA) Standards.

The NFPA is a non-profit organization that publishes the "National Fire Codes" and "A Guide to OSHA Fire Protection Regulations." NFPA is recognized as a national voluntary consensus standards development organization, comparable to the American National Standards Institute.

OSHA frequently adopts such consensus standards as the benchmarks in its regulations. The *Industrial Safety Report* reviewed consensus standards in a January 1994 article.

OSHA modeled the emergency response provisions in HAZWOPER after certain parts of the NFPA standards.

The agency instructs its compliance officers to review NFPA 472, "Standard for Professional Competence of Responders to Hazardous Material Incidents," and NFPA 471, "Recommended Practice for Responding to Hazardous Material Incidents" for help in enforcing the emergency response provisions of HAZWOPER.

Anyone struggling with compliance with the HAZWOPER regulation should review these standards.

Although they contain some detail differences from HAZWOPER, if you're an employer of emergency response personnel and following the NFPA standards, you're generally going to be in compliance with 29 CFR 1910.120(q).

Department of Transportation (DOT), Hazardous Material Transportation Uniform Safety Act of 1990 (HMTUSA).

The handling of hazardous materials in the transportation industry is regulated by HMTUSA.

On May 15, 1992, DOT published the final rule "Hazardous Materials; Training for Safe Transportation" (49 CFR 171-177) to enhance training requirements for persons involved in the transportation of hazardous materials.

The rule requires employers to train their employees in the safe loading, unloading, handling, storing, and transportation of hazardous materials. The rule is also designed to improve emergency preparedness for responding to accidents or incidents involving the transportation of hazardous materials.

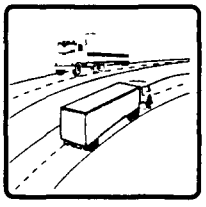
The new DOT rule does not preempt OSHA from enforcing occupational safety and health regulations, such as 29 CFR 1910.120, when employers fall under the scope of HMTUSA.

HAZWOPER applies if transporters are handling hazardous waste that is on the way to a hazardous waste site or to a TSD facility, or when transporters become involved in emergency responses to the release of hazardous substances.

Training that is performed to satisfy OSHA, EPA, or DOT training requirements may be used to satisfy the training requirements of the other agency's rule. Duplicative training is not necessary.

The above list of regulations is not all-inclusive. HAZWOPER also crosses Coast Guard-enforced regulations affecting oil spills on navigable waterways, and may also intermesh with state and local requirements.

The bottom line on HAZWOPER and the needs of other agencies: the government appears to have made a real effort at setting up its requirements for minimal duplication of training and planning. Finding out what are some of the government's sources for creating regulations can help you set up more effective compliance programs.



ICC Activity

ICC Releases NAFTA Implementation Schedule

The Interstate Commerce Commission (ICC) has issued the following implementation schedule for granting operating authority for land transportation to motor carriers located in Mexico, or owned or controlled by Mexican companies, under the provisions of the first phase of the North American Free Trade Agreement (NAFTA):

1. January 1, 1994 — ICC accepts and processes Mexican bus operator applications for authority to provide cross-border transportation of passengers in charter and tour bus service. This date is based upon NAFTA language requiring such action upon entry into force (January 1, 1994) of the agreement.

2. December 17, 1995 — Mexican motor carriers of property may begin cross-U.S./Mexican border operations between Mexico and the states of California, Arizona, New Mexico, and Texas. This date is based on NAFTA language allowing such operations "three years after the date of signature" (former President Bush signed NAFTA on December 17, 1992).

3. January 1, 1997 — Mexican bus companies may begin regular-route, scheduled cross-border service to and from any part of the U.S. This date is based on NAFTA language allowing such operations "three years after the date of entry into force" of NAFTA.

4. January 1, 2000 — Mexican carriers of property may provide cross-border transportation services anywhere within the U.S. Based on NAFTA language allowing such operations "six years after the date of entry into force."

5. January 1, 2001 — Mexicans may establish bus companies in the U.S. to provide service between U.S. points. Based on NAFTA language permitting such operations "seven years after the date of entry into force."

Safety Matters

Hand Tool Safety

Portable Sanders

These tools make finishing work faster. Two types are orbital and belt. Remember these tips:

- Arrange cord so that it won't be damaged by the abrasive belt.
- Keep both hands on the tool for control.
- Hold onto the sander when you plug it in.
- Clean dust and chips from the motor and vent holes regularly and lubricate when necessary.

Miscellaneous Portable Tools

Impact wrenches - They operate on electricity or compressed air and deliver extra power and torque for fastening and loosening bolts and drilling. Don't force a wrench to take on a job bigger than it's designed to handle. Don't use standard hand sockets or driver parts with an impact tool as they can't take the sharp blows. Don't reverse direction of rotation while trigger is depressed.

Soldering irons or "guns" - They can be dangerous because of the head they generate. Handle with care - they can easily cause third degree burns. Always assume that a soldering iron is hot. Rest heated iron on a rack or metal surface. Never swing an iron to remove solder. Hold small soldering jobs with pliers, never hold in your hand. When cool, store it in its assigned area.

Propane and gas torches - These commonly used tools pose flame and heat hazard. Never use a flame to test for propane or gas leaks.

Never store the fuel tanks in an unventilated area and never use a tank with a leaking valve. Use torches in well-ventilated areas. Avoid breathing vapors and fumes they generate.

Glue guns - A glue gun can be a real time saver. However, because they generate temperatures as high as 450° F, avoid contact with the hot nozzle and glue. If you get glue on your skin, immerse the area in cold water. Don't attempt to remove the glue. Cover with a cold compress.

Portable Drills

Variable speed drills are versatile tools used for boring holes, turning screws, buffing and grinding. Keep these pointers in mind when using them:

- Select the correct drill bit for the job to be done. Use only sharp bits.
- Make sure the material being drilled is secured or clamped firmly.
- Hold the drill firmly and at the correct angle. Don't force it to work or lean on it with all your strength.
- Always remove the bit from the drill when you're finished.
- Don't forget to wear safety glasses when you use the sharpener.

Routers

A router mills wood for tight-fitting joints and cuts patterns and contours. The shaft and the bit on a router turn extremely fast and cut very quickly so follow these safety rules:

- Never start the router when the cutting edge of the bit is in contact with the work.
- Hold the router firmly, especially when starting. Keep balanced as you work.
- When the cut is complete, turn off the motor. Don't lift the machine from the work until the motor has come to a complete stop.
- Always keep router base flat on work surface.

Wrenches

There are several important safety rules to follow when you use a wrench and needless to say, the selection of the right wrench for the job is one of them.

Consider the type of job that has to be done. The location and number of nuts and bolts will determine the type of wrench to use for the most efficient job. The size of the nut or screw-head will determine the size of the wrench. But don't use a wrench that's too big.

Whether you're using an adjustable wrench or a fixed-jaw wrench, there are general safety points which should be followed which apply to both types of tools.

The first point is not to use a wrench as a hammer. If there is any one of us who hasn't at least had the urge to use the nearest wrench for a hammer, then he isn't human. But hammering with a wrench is dangerous in itself and may also set up a hazardous condition for someone else later on through undetected damage to the tool.

Never use a damaged wrench. Use only wrenches that are in top condition and if they become worn or defective, take them out of service immediately.

You can help keep a wrench in good condition by keeping it in its proper place on a rack or in a tool box when not being used. This will keep it from becoming damaged by other tools and from becoming a tripping hazard on the floor.

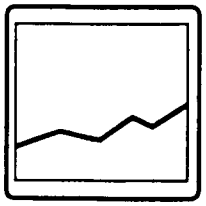
When a wrench is to be stored for a considerable length of time, it should be kept in a dry place and coated with rust-preventive compound. Then upon removal from storage, clean it with a solvent.

Once you have chosen the right wrench for the job, get a good solid footing before applying the tool. This will help you keep your balance should the wrench slip or a bolt thread break.

Make sure the wrench seats squarely and fits snugly around the nut or bolt. This precaution is particularly important when it is necessary to pull hard on the wrench.

Adjustable wrenches are not made for hard service, so set the adjusting knurl so the wrench fits the nut snugly. Failure to do this can cause injury and can also shorten the life of the wrench.

Set a pipe wrench so the teeth will grip the round object with the center of the jaws.



EPA Activity

EPA Budget Could Increase By $500 Million

EPA Administrator Carol M. Browner has announced that President Clinton has proposed increasing EPA's fiscal 1995 budget to $7.2 billion, setting a new record in requested funds for the Agency. The budget request represents an increase of $500 million, or eight percent, over 1994 appropriated levels.

"We're delighted that the President's budget request sets a new record for the Agency. This underscores President Clinton's strong commitment to environmental protection. We're eager to implement this budget and our innovative policy agenda for protecting the environment," Browner said.

Browner noted that some 13 percent of the increase is devoted to the Agency's operating programs, including those dealing with air, water, enforcement, hazardous waste, pesticides, toxic substances, and cross-media issues.

The proposal also includes 19,418 workyears, an increase of 793 workyears from 1994 levels. This work force increase, part of EPA's Contract Reform Initiative, results from shifting resources previously used for contractors to resources for 900 new federal employees.

At Browner's direction, the Agency undertook a complete review of its base activities and resources in formulating the 1995 budget. As a result, the 1995 budget reflects a shifting of base resources to new activities focused on EPA's environmental and managerial goals.

The major components of EPA's budget for FY 1995 include:

- Over $3.0 billion and 14,939 workyears (a workyear is equivalent to one 40-hour a week employee) for the Operating Programs;
- $1.5 billion and 4,376 workyears for the Superfund program;

- $77 million and 103 workyears for the Leaking Underground Storage Tank (LUST) program;
- $2.6 billion for water infrastructure funding, including resources for a Clean Water State Revolving Fund and for a Drinking Water State Revolving Fund.

The FY 1995 budget consists of three major investment areas which demonstrate the Agency's and the Administration's commitment to environmental protection and fiscal responsibility. These areas of investment include: 1) Presidential Initiatives, 2) New Policy Agenda Initiatives and 3) Management Initiatives.

The investments included in the Presidential Initiatives will create new opportunities for American businesses to develop advanced systems to clean the nation's air, land and water.

The Presidential Initiatives that EPA will invest in 1995, include the Drinking Water State Revolving Fund ($700 million), the Clean Water State Revolving Fund ($1.6 billion), the Environmental Technology Initiative ($80 million), the U.S./Mexico Border and NAFTA Initiative ($179 million), the Wetlands Initiative ($32 million), Watershed Restoration funded through Non-Point Source Grants ($100 million) and the Climate Action Plan ($117 million).

EPA's 1995 budget reflects the Agency's new policy agenda of preventing pollution, pursuing environmental justice, developing new environmental technologies, advancing ecosystem protection and ensuring quality science.

These objectives will be approached through several new and expanded programs in 1995, particularly through renewed relationships with other governmental agencies, non-governmental organizations and the business community.

As part of the Agency's 1995 management initiatives, EPA is implementing four activities to make government more effective. These activities include redirecting resources to areas of greatest environmental risk, increasing in-house expertise through contractor conversion, reorganizing the Agency's Enforcement Office and improving facilities.

Used Oil Rule Revised By EPA

On September 10, 1992, EPA exempted used oil inserted into crude oil pipelines from the part 279 used oil management standards. In a March 4, 1994, Federal Register notice, EPA has clarified the existing pipeline exemption and expanded the exemption to other petroleum refinery applications.

This notices clarifies that the exemption from the used oil management standards did not intend to exclude used oil mixed with crude oil or natural gas liquids ("crude oil") in pre-pipeline units (e.g., stock tanks, production separators) prior to being introduced into the crude oil pipeline.

Additionally, EPA has expanded the used oil exemption to include transportation and/or storage of mixtures of small amounts of used oil (i.e., less than 1%) and crude oil that are destined for insertion into a petroleum refining facility process at a point prior to crude distillation or catalytic cracking.

The March 4 rule exempts from the part 279 standards used oil that is inserted into the petroleum refining facility process after distillation or catalytic cracking operations provided that the used oil meets the used oil specification prior to insertion.

The rule also exempts from the part 279 standards used oil that incidentally enters and is recovered from a refinery's hydrocarbon recovery system or wastewater treatment system (i.e., process sewer, storm sewer, or wastewater treatment units), if the recovered used oil is subsequently inserted into the petroleum refinery process.

Transfer facility definition

In addition, the rule expands the definition of transfer facility to allow used oil to be held *more than 24 hours but less than 35 days* prior to specified activities.

Finally, EPA amends the used oil processor standards to clarify that a specific set of on-site maintenance, filtering, and separation activities were not intended to be covered under the used oil processor standards.

Waste Exchanges Help Eliminate Disposal Costs

Tired of paying excessive hazardous waste disposal costs? Then a waste exchange may be the ticket for you!

After waste minimization has reduced your company's hazardous wastes, there may still have a few wastes you are unable to eliminate. Or, after changing to a new process, you may end up with materials that are no longer needed.

In either case, your next alternative may be to offer the waste to other companies through a waste exchange. Waste exchanges successfully demonstrate that one company's waste or excess materials can be another's raw material. Using a waste exchange can lower your disposal costs and/or inventory costs.

What is a waste exchange?

A waste exchange is a service that identifies both producers and markets for by-products, unspent virgin materials and other forms of solid and hazardous waste materials. Waste exchanges benefit companies:

- With surplus products or raw materials;
- That have wastes which can be used directly (without treatment or reclamation) in another company's process (e.g. feedstocks);
- Interested in reducing raw materials costs by using valuable "cast-off" materials as production inputs.

How does a waste exchange work?

A waste exchange publishes a bulletin that lists both available and wanted materials. Listings describe the material, quantity and form available and indicate the location. Names of the suppliers are not given. Potential users may find out who has the listed material by telephoning the waste exchange or mailing an information request form.

The user must contact the company offering the material to obtain more specific information. Typically, suppliers will offer samples and lab analysis results. Waste exchanges do not take part in the negotiations or shipment. In general the firm offering the material is responsible for transportation costs. Most exchange services do not charge a fee for placing a listing although they may have a bulletin subscription fee.

How effective are waste exchanges?

Between 1985-1991, companies in one midwest state exchanged over 3/4 of a million gallons (or gallon equivalents) for a cost savings of $1.2 million through the Illinois Industrial Material Exchange Service (IMES).

What materials are commonly transferred through waste exchanges?

acids	alkalis	cardboard
computer disks	metals	pallets
paper	plastics	rubber
solvents	textiles	wood

What is a typical listing?

AVAILABLE:

Calcium Hydroxide	Virgin Material
30,450 lbs (one time only)	Charles City, IA

WANTED:

Plastic	Non-Hazardous
bulk quantities	St. Louis, MO

Do the hazardous and solid waste regulations apply to waste exchanges?

Yes. Hazardous waste management rules apply to waste exchanges when hazardous wastes are involved. Therefore, put as much time into researching a potential waste exchange partner as you would when selecting a hazardous treatment and disposal company. Keep in mind that regulatory liability ends only when the hazardous waste ceases to be a waste when it has been beneficially used, reused or recycled.

Visit the facility and check their waste management practices. Are there leaking and/or unlabelled drums lying around? Call the state regulatory agency and ask about the company's compliance record. Talk to other businesses for hints in using waste exchanges.

These steps will help ensure that your waste exchange is a profitable one.

Small and large quantity generators that send hazardous waste to another company for recycling or beneficial reuse/reclamation must manifest the waste.

The transporter must be a state-licensed hazardous waste transporter. The facility receiving the waste may need to be a licensed hazardous waste treatment, storage or recycling facility.

Hazardous waste includes off-specification and discarded chemicals as well as wastes from production.

If you are sending clean product (i.e., wood pallets, sheet metal, etc.) that you can no longer use to another company, you may not have to manifest the shipment. However, check solid waste transport regulations.

Waste Exchanges

There are 18 waste exchanges across the country. These include:

Illinois Industrial Material Exchange
217-782-0490

Great Lakes Regional Waste Exchange
616-363-7367

Indiana Waste Exchange
317-634-2142

Midwest Industrial Waste Exchange
314-231-5555

Wastelink, Division of Tencon Association
513-248-0012

Northeast Industrial Waste Exchange
315/422-6572

California Waste Exchange
916-324-1807

Texas RENEW Waste Exchange Program
512-463-7773.

You may also contact:
National Materials Exchange Network
800/858-6625 electronic bulletin board
509/325-0507 direct use

EPA May Add Over 300 Chemicals To Toxic Release Inventory

EPA is proposing to add over 300 chemicals and chemical categories to the list of toxic chemicals required to be reported on under the Toxic Release Inventory (TRI).

The TRI falls under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 and section 6607 of the Pollution Prevention Act of 1990.

Since EPA will not propose these additions before the spring or summer of 1994, the soonest reporting of these chemicals would begin is July 1 of 1996.

The proposed addition of these chemicals and chemical categories is based on their acute human health effects, carcinogenicity or other chronic human health effect, and/or their environmental effect.

EPA believes that these chemicals and chemical categories meet the EPCRA section 313(d)(2) criteria for addition to the list of toxic chemicals.

Section 313 of EPCRA required certain facilities manufacturing, processing, or otherwise using listed toxic chemicals to report their environmental releases of such chemicals annually.

Beginning with the 1991 reporting year, such facilities also were required to report pollution prevention and recycling data for such chemicals, pursuant to section 6607 of the Pollution Prevention Act, 42 U.S.C. 13106.

When enacted, section 313 established an initial list of toxic chemicals that was comprised of more than 300 chemicals and 20 chemical categories. Section 313(d) authorizes EPA to add chemicals to or delete chemicals from the list, and sets forth criteria for these actions.

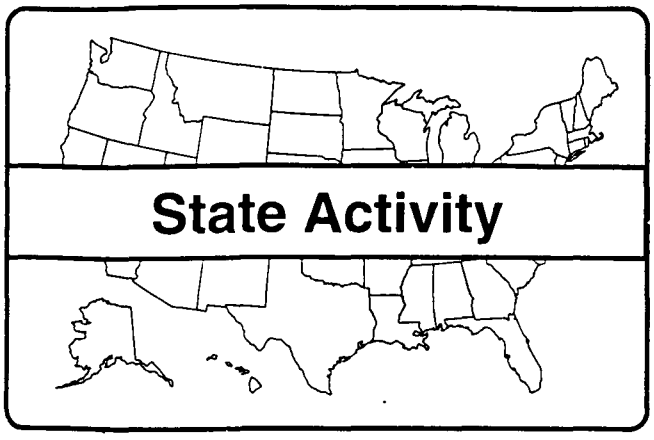
Being considered for addition to the TRI are chemicals from lists found under:

Clean Water Act	California's Prop 65
Clean Air Act	FIFRA
RCRA	EPCRA Section 302
CERCLA	Safe Drinking Water Act

Under section 313(e) any person may petition EPA to add chemicals to or delete chemicals from the list.

EPA has already added to and deleted some chemicals from the original statutory list.

For further information contact Maria J. Doa of the EPA at (202) 260-9592. You may also contact Tim Crawford of the EPA at (202) 260-1715.



OSHA Approves Several State VPPs

Slowly, but surely, OSHA's Voluntary Protection Program (VPP) is being implemented by various states. The program allows companies to develop safety programs which result in their being removed from OSHA inspection lists. But the main benefit of the programs is a dramatic decrease in workers' lost workday injury rates.

The Occupational Safety and Health Administration (OSHA) has approved the adoption of Voluntary Protection Programs in Utah, Arizona, and Puerto Rico. The approvals recognize the state programs for offering the VPPs which promote excellence in workplace safety and health programs.

Assistant Secretary of Labor Joseph A. Dear, who administers OSHA, said, "We are very pleased that these state-plan states will now be offering Voluntary Protection Programs (VPPs) to employers who are willing to meet the rigorous requirements for participation. Employers in the three states have expressed a desire to be in the program.

"At worksites covered by federal OSHA's Voluntary Protection Program, workers' lost workday injury rates are 62 per cent below the national average for their industries; workers compensation costs and turnover have been reduced dramatically and productivity has been greatly increased."

State plans in California and Iowa already are operating VPP programs and North Carolina and South Carolina, both state-plan states, are developing VPPs.

In order to participate in a VPP, a worksite must meet certain requirements:

- Management commitment to worker safety and health protection;
- A written safety and health program;
- Worksite analysis of existing or potential hazards;
- Hazard prevention and control;
- Safety and health training;
- Employee involvement in safety and health activities; and
- Annual program evaluations.

In addition, there must be formal, signed statements from any collective bargaining agents indicating their support of the VPP application. The worksite must also have average or below average injury and lost workday injury case rates or a plan to achieve such rates.

VPP participant worksites are removed from programmed inspection lists by OSHA or plan states, but can be inspected upon employee complaints, or when a fatality, catastrophic injury or serious chemical leak occurs.

There are three levels of VPP:

STAR - designed for worksites with comprehensive, successful safety and health programs.

MERIT - designed for companies willing to commit to achieving STAR qualifications.

DEMONSTRATION - designed for situations in which the STAR program requirements may not be appropriate, but where companies are interested in exploring the use of VPP.

There are currently over 120 participant worksites in the federal OSHA VPP program, with over 100 in STAR, 18 in MERIT, and one in Demonstration. They represent 53 companies and cover over 86,000 workers.

Participant industries include chemicals, construction, food processing, hospitals, manufacturing, medical research, paint, plastics, research and development, refineries, textiles, utilities, and wood and paper products.

California's VPP has three STAR sites, all in the plastics industry, with 627 employees. Iowa has one STAR site in the sheet metal fabrication and assembly industry with 34 employees.

For more detailed information on the VPP program, refer back to the September 1993 VPP article in the *Industrial Safety Report*.

CALIFORNIA

Court Mandates Clean Air Plans

Acting under orders from federal courts, the U.S. Environmental Protection Agency (U.S. EPA) has released proposed clean air plans to bring the areas surrounding Los Angeles, Ventura and Sacramento into attainment of national, health-based air quality standards for ozone pollution and to bring the Los Angeles area into attainment for carbon monoxide pollution as well.

In addition to this court-required action, the 1990 Clean Air Act still requires California state and local agencies to develop their own air pollution control plans, which are due by November 15, 1994. As acceptable local and state rules are adopted, they will replace these proposed federal controls.

"Our goal is — and always has been — for local and state officials to develop their own plans for meeting the standards of the Clean Air Act, so that this plan would be unnecessary," said Felicia Marcus, regional administrator for U.S. EPA's western region. "We will continue to work with state and local agencies so that their plans are ready by the November 15 deadline."

The court orders which require the Agency to provide plans for these areas are the result of lawsuits against U.S. EPA brought by Citizens to Preserve the Ojai, Coalition for Clean Air, the Environmental Council of Sacramento and the Sierra Club. The groups filed lawsuits when state and local agencies in California did not develop adequate plans to meet the federal clean air standards by 1987 as required by the 1977 Clean Air Act.

Ozone Pollution

Ground-level ozone, more commonly known as smog, causes health problems by damaging lung tissue and sensitizing the lungs to other irritants.

Regular exposure to ozone at concentrations below levels found in the Los Angeles, Ventura and Sacramento areas has been found to significantly reduce lung function in normal, healthy people during periods of moderate exercise.

People with asthma, the elderly, and children are especially at risk. Carbon monoxide reduces the delivery of oxygen to the body's organs and tissues. People with cardiovascular disease are most at risk.

The Los Angeles, Sacramento and Ventura areas have some of the highest air pollution levels in the country. Pollution levels must be reduced 30 to 90 percent, depending on the smog-causing chemical, to meet health standards. Under the federal Clean Air Act, state and local agencies play the primary role in creating and implementing plans to bring polluted areas into attainment.

U.S. EPA's proposals contain detailed strategies for reducing emissions of smog-causing pollutants in each of the three areas. The FIPs include proposals to regulate emissions from the following source categories:

- Commercial and industrial facilities such as refineries, chemical plants and gas stations;
- Products that pollute when used, such as pesticides, house paints and industrial coatings;

- On-road vehicles such as automobiles, motorcycles, and light-, medium- and heavy-duty trucks;
- Non-road vehicles such as marine pleasure craft, lawn and garden equipment, all-terrain vehicles, and farm and construction equipment; and,
- Civil airports and military bases, ships in ports and passing by the Ventura coast, locomotives, interstate trucks, and used cars imported from other states.

The FIP also seeks public comment on a proposal to reclassify Sacramento from a "serious" to a "severe" air pollution region. Such a reclassification would give Sacramento until 2005 to come into compliance with ozone standards.

Currently, Sacramento must meet a 1999 deadline, which would require rather extraordinary measures. Ventura already has a 2005 deadline, while Los Angeles has a 2010 deadline for ozone and a 2000 deadline for carbon monoxide, based on its extremely high air pollution levels.

The proposed federal implementation plans (FIPs) also include an enhanced Smog Check program due to the importance of such a program as a cost-effective tool to reduce vehicle emissions. However, U.S. EPA is continuing to discuss with California leaders and legislators a state program that would meet federal performance standards. Once such an approvable program is adopted by the state, it would take the place of that portion of the federal plan.

In addition to outlining specific measures for reducing smog-causing emissions, the plan seeks to encourage the development of cleaner technologies for use in these and other areas. Cleaner vehicles and improved public transportation, for instance, will make important contributions toward meeting air quality standards.

"We intend to comply with the courts' orders, while serving as a catalyst for focused discussion with the public and local agencies on how to find the most practical ways to achieve the Clean Air Act's public health goals," Marcus said.

U.S. EPA is encouraging the public to take part in discussion of clean air planning options in the coming months as the federal proposals and local plans are weighed in workshops, focus groups and public hearings. Formal public hearings will be held in July 1994, and public comment will be accepted for another 30 days after the close of the hearings. U.S. EPA is under court order to have final plans in place by February 1995.

For more information contact: Bill Glenn, EPA Region 9, (415) 744 -1589.

MINNESOTA

MPCA Finds Generators Neglect Staff Training

According to Minnesota Pollution Control Agency (MPCA) inspectors, training staff in hazardous waste management is often overlooked because it is confused with training requirements for other regulatory programs, such as OSHA and Labor and Industry.

Small and large quantity generators (SQGs, LQGs) are required to train all employees who are involved in hazardous waste management. Although personnel training is not required of very small quantity generators, MPCA staff recommend that all generators train their personnel in order to prevent costly mistakes.

Here are some of the most common training violations and how to avoid them:

Documentation. One of the most common training violations found by inspectors is the lack of proper documentation.

When you train your employees, write it down! You can develop your own format or use the MPCA fact sheets already developed for this purpose (#1.065 for small quantity generators or #1.07 for large quantity generators.).

Training appropriate staff. *All* staff who are involved in hazardous waste management must be trained.

Those actually handling the waste must be trained in waste handling procedures; those who oversee shipping the waste must be trained in pre-transport preparation and fill-

ing out manifests; and all who deal with the waste directly should be trained in emergency procedures.

Staff training may involve telling employees that when a chemical is about to be discarded, it becomes a hazardous waste, even if it is still in its pure form.

Training in hazardous waste management. It is not only who you train, but the content of the training information that is important. Right-to-know training and hazardous waste training are not the same! Right-to-know training covers the chemical hazards of the products used in the company's processes.

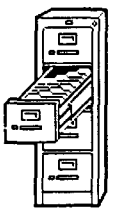
Hazardous waste training covers the proper management of the wastes generated from these processes. Both right-to-know training and hazardous waste training can be carried out during the same session, but be sure to document the information content of the training.

Large quantity generators have more training requirements than small quantity generators because they generate more hazardous waste. Because of this, LQGs often have the following violations in addition to those mentioned above:

Training according to a person's job title and job description. All staff involved in hazardous waste management must have a job title and a job description that includes their hazardous waste responsibilities. Specific hazardous waste training must be related to that person's hazardous waste responsibilities as outlined in the job title and job description. For further information, contact Darryl Weakley at (612) 297-8497 or (800) 657-3864.

Annual training. LQGs are required to present hazardous waste training yearly.

Training description. Describe the initial and continuing training received by every employee in a written document. All training documents must be available for inspection.



Documentation. This is a must. During inspections, hazardous waste inspectors will ask to see training records showing job titles and descriptions, type of training each employee has received, and evidence of annual training provided by the company.

Program history has shown that companies that have training violations usually have violations in other areas as well. A good training program will increase employee safety and help ensure proper waste management which should, in turn, make compliance easier and more cost effective to achieve.

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 CTL023261

Highlight on Publications —

Compliance Audits

Essential Checklists for
OSHA, EPA & Other Key Agencies

Compliance Need

The complexity of complying with OSHA and EPA regulations requires constant auditing. This unique manual makes the auditing process easier and more comprehensive.

Product Information

Organized by work-area or typical work situation, this manual has three sections:

1. A "pull-out/carry-along" section for the in-plant audit, consisting of multi-part forms: An original for the auditor file, copy for maintenance/repair, and a copy to verify repair.
2. An "office-based" audit section to verify compliance with planning and recordkeeping requirements.
3. A reference section with explanatory material. The recordkeeping section covers emergency response plans, Hazard communication plans, training and similar items.

Specifications

- ▼ 17 area-specific 4-part forms and 1 generic form in front pocket of binder. (Includes pad holder).
- ▼ EPA and OSHA checklists for work areas, including: Warehouse, Welding Area, Compressed Gas Storage Area, Spray Paint Area, Plant Maintenance Area, etc.
- ▼ Hazard Communication written program; Process Safety Management of Highly Hazardous Chemicals; Emergency Action Plan; employee training records and much more.
- ▼ Loose-leaf 3-ring binder, tab divided, 192 pages.
- ▼ Update Service available separately.

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Purchase a 3 or 5 year subscription and receive this manual FREE!

Manual alone,

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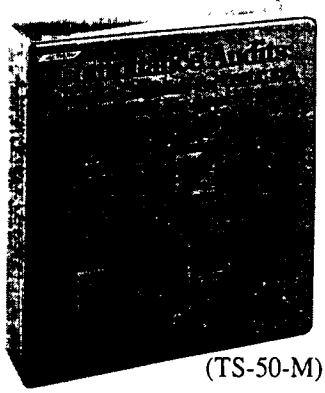

(TS-50-M)

(800) 327-6868

Training & Recordkeeping

OSHA/EPA/DOT
Crossreference Manual

Compliance Need

When dealing with multiple regulatory agencies such as OSHA, EPA, and DOT, there is an overriding need for coordinating the massive recordkeeping and training requirements while eliminating overlapping efforts. Records should also be easily accessible.

Product Information

This "one-stop" reference helps save time by consolidating compliance requirements for OSHA/EPA/DOT training and recordkeeping. It clearly explains requirements and how to handle them to avoid duplicating compliance efforts. It also provides a unified, comprehensive approach to recordkeeping to help assure successful compliance as well as proper documentation in the event of a lawsuit or agency enforcement action. Samples of forms, logs and other support documentation are included.

Specifications

- ▼ Addresses training, as required under OSHA, EPA and DOT: Lists of required training; forms and certificates to be used; compliance tips; checklists; and recordkeeping.
- ▼ Loose-leaf 3-ring binder, tab-divided.
- ▼ Approximately 450 pages.
- ▼ Update Service available separately.

Special Subscriber Offer:
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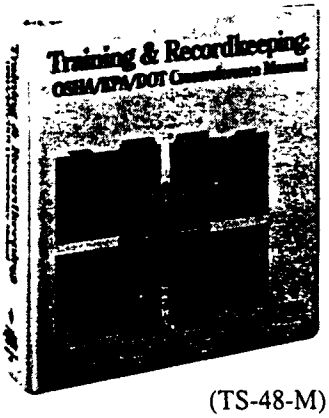

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Action Code 9032

Highlight on Training —

Lockout/Tagout Safety Training

A Video Training Kit

Compliance Need

29 CFR 1910.147 requires that employees involved in certain processes must be provided with a specific training program, on lockout/tagout.

Product Information

A full-color video shows employees practicing proper lockout/tagout procedures in an actual manufacturing plant. It includes employee handbooks filled with the exact training information called for in 29CFR, Part 1910.147. the kit focuses on energy sources - how to identify them, what procedures are required to avoid life threatening situations, how to ensure a "Zero Energy State", when to use tags, what rules to follow for using multiple locks, and other information. It includes the proper paperwork for meeting documentation requirements. Each kit contains enough material to train up to 10 employees. Additional materials can be ordered separately.

Specifications

- 1 VHS, full-color, 13-minute Video
- 1 Instructors Guide (20 pages)
- 10 Employee Handbooks (20 pages each; pre- and post-training quizzes included)
- 1 Training Log
- 10 Wallet Cards

Safe Forklift Operations

A Video Training Kit

Compliance Need

1910.178(1) states that anyone who operates a powered industrial truck (forklift) must be trained.

Product Information

This ready-to-use program covers everything the forklift operator needs to know based on OSHA's Part 1910.178 training requirements. The full-color training video shows professional forklift drivers in different warehouse situations. Topics covered include: inspecting the forklift, picking up and traveling with loads, stacking and dropping loads, working with smaller lift devices, and proper procedures for using hand trucks and other equipment. The kit comes in an attractive clamshell binder for convenient storage of components. Each kit contains enough material to train up to 10 employees. Additional materials can be ordered separately.

Specifications

- 1 VHS, full-color 18-minute Video
- 1 Instructor's Guide (8 pages)
- 10 Employee Handbooks (20 pages each; pre- and post-training quizzes included)
- 1 Training Log
- 10 Wallet Cards

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