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OSHA Activity

OSHA Proposes Label And Placard Retention Rule

OSHA is proposing a requirement for employers who receive packages, containers, motor vehicles, rail freight cars, aircraft or vessels which contain hazardous materials to retain the mandatory markings, labels, or placards that arrived with these items.

The retention requirements would pertain to any markings required by the Hazardous Materials Transportation Act and the markings would need to be retained as long as the hazardous materials are on-site.

This rule was proposed pursuant to section 6(b) of the Occupational Safety and Health Act of 1970 (the Act) and in accordance with section 29 of Public Law 101-615, the Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA).

Public Law 101-615, the Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA), 104 Stat. 3244, was enacted by Congress on November 17, 1990. Section 29 of HMTUSA reads as follows:

Not later than 18 months after the date of enactment of this Act, the Secretary of Labor, in consultation with the Secretary of Transportation and the Secretary of the Treasury, shall issue under section 6(b) of the (29 U.S.C. 655(b)) standards requiring any employer who receives a package, container, motor vehicle, rail freight car, aircraft, or vessel which contains a hazardous material and which is required to be marked, placarded, or labeled in accordance with regulations issued under the Hazardous Materials Transportation Act to retain the markings, placards, and labels, and any other information as may be required by such regulations on the package, container, motor vehicle, rail freight car, aircraft, or vessel, until the hazardous materials have been removed therefrom.

OSHA believes that this rule will impose no significant compliance burdens on industry. It requires only that employers must assure that the markings, placards, and labels and any other information required by the DOT regulations to be displayed on packagings or vehicles, remain on the packaging or vessels on-site until the hazardous materials have been removed so that they no longer pose a health or safety risk.

The Congressional rationale for this requirement was provided in Senate Report No. 101-449, as follows:

In November 1988, six Kansas City firemen were killed when the arson-caused fire they were fighting caused the violent explosion of an unmarked truck-trailer parked at a highway construction site. Because the trailer's hazardous materials placards had been removed, the firemen were unaware of the danger it posed. The Secretaries of Labor Transportation and the Treasury should cooperate in order to ensure that placards and labels required on hazardous mate-

rials and explosives both in transportation and at stationery facilities, be retained until such materials have been removed to the extent that they no longer pose a safety risk.

Congress was specific in its mandate to OSHA for this rule, and the rule itself is limited to implementing the Congressional mandate. In its proposal, OSHA has slightly elaborated on the statutory language to the extent necessary to ensure that its requirements are clear. This regulation is essentially a continuation of the DOT regulations, so employers may wish to consult those regulations, which are codified at 49 CFR parts 171-180, in regard to compliance.

For further information contact: Mr. James F. Foster, OSHA Office of Public Affairs, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210, telephone (202) 219-8151.

OSHA Study Recommends Safety Guidance To Pulp/Paper Industry

Most worker deaths in pulp, paper and paper-board mills happen when the employee or employer do not follow proper work and safety procedures, according to a study released by the Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor.

Acting Assistant Secretary for OSHA David C. Zeigler said, "This study provides information employers can use to eliminate hazards and improve worker training. We at OSHA will continue to use such information in targeting inspections, reviewing standards, in regulatory programs, and for training, education and consultation."

The study covered 65 cases involving 72 fatalities in pulp and paper mills during the period 1979-84. Forty-one of the 65 fatal incidents (or 63%) involved operating procedural problems in which improper, risky and unsafe work procedures were used, machine guarding was inadequate or lacking, or fall protection was not provided. Twenty-one (32%) were due to malfunctioning or failure of equipment, hazardous materials or collapse of structures. Three were due to other causes.

Types of fatalities were as follows:

- 28% of the workers (20 of 72) died when they were caught between rotating rolls, between pin points formed by rotating rolls and surfaces such as felt, when caught in components of machinery or between machinery and other surfaces.
- 18% of the deaths (13 of 72) were workers struck by falling, tumbling rolls or bales and other objects such as machinery parts.
- Thermal and chemical burns, 12 % (9); asphyxiation or poisonings, 10% (7); fatal injuries involving vehicles, 7% (5); falls from elevations, 7% (5); electrocutions, 6% (4); health-related, 6% (4); struck against objects, 4% (3) and drownings, 3% (2).

The great majority of the workers (83% or 60 of 72) were performing normal job activities such as threading rolls, repairing or maintaining equipment, unjamming equipment, or moving, loading or unloading materials.

Five or 7% of the workers were doing something other than normal work activities. These included extinguishing a fire or attempting a rescue. The activities of the remaining seven workers or 10% were unknown or unclear.

The study recommended a number of preventive measures such as:

- establishing and strictly enforcing safety procedures through standards modification and development in the areas of machine guarding, hazardous chemical/materials and fall protection.
- increasing training and education efforts for work and safety, including procedures to reduce risky and dangerous short cuts and other unsafe work practices such as circumventing or bypassing machinery guards.
- improving supervision at all levels and specifically for workers new to a job.
- providing more information to employers through consultation.

The report includes a brief summary of each incident along with the OSHA standard that was cited; analyses of the findings and a glossary of terms. The agency points out specific problem areas identified in the study, secondary factors and the preventive measures.

Copies of the study, titled "Selected Occupational Fatalities Related to Pulp, Paper and Paperboard Mills as Found in Reports of OSHA Fatality/Catastrophe Investigations," are available from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, Va. 22161, telephone sales desk, (703) 487-4650. The order number is PB-93-213502 and the cost is \$27 paperbound and \$12.50 for microfiche.

OSHA Issues PEL Enforcement Guidance To Its Inspectors

The Occupational Safety and Health Administration (OSHA) has issued a guidance to its field offices on enforcing the Air Contaminants Standard as a result of the 11th Circuit Court of Appeals decision vacating permissible exposure limits (PELs) set in 1989.

Citations issued since March 23 of this year require compliance with the previous PELs from 1971. Citations issued for exposures exceeding the 1989 PELs through March 22 are valid if the contest period has elapsed and the citation has been issued as a final order.

However, when follow-up inspections are conducted, "failure to abate" citations can only be issued to enforce compliance with the earlier PELs.

When employee exposures exceed the 1989 PELs for the 164 substances that were not previously regulated or for any other unregulated substance, violations of the "general duty clause" in the Occupational Safety and Health Act may be considered if certain conditions exist.

The general duty clause, Section 5(a)(1) of the OSH Act, requires employers to furnish employment and a place of employment free from recognized hazards that are likely to cause death or serious physical harm.

In general, the following elements are necessary to prove a violation of the general duty clause:

- The employer failed to keep the workplace free of a hazard to which employees of that employer were exposed;
- The hazard was recognized;
- The hazard was causing or likely to cause death or serious physical harm; and
- There was a feasible and useful method to correct the hazard.

Sources that may be considered in determining whether there is "recognition" of a hazard at a particular exposure level include:

- studies used in the 1989 rulemaking;
- documentation of National Institute for Occupational Safety and Health (NIOSH) recommended exposure levels (REL);
- documentation of American Conference of Governmental Industrial Hygienist (ACGIH) threshold limit values (TLV); and
- industry studies and publications.

When employee exposures are between the 1989 PELs and the earlier limits, issuing citations based on the general duty clause may also be considered, if, in addition to the conditions specified above, employer awareness of the inadequacy of the earlier exposure limit can be shown.

In cases where the criteria for citing the general duty clause cannot be met, a letter describing the hazard and suggesting corrective action may be issued. The OSHA area director will encourage reduction of employee exposures to more protective limits. For more information contact: Frank Kane, OSHA, at (202) 219-8151.

OSHA/EPA Send Enforcement Message With \$6 Million Fines

OSHA

The U.S. Department of Labor has cited Hercules, Inc. for numerous safety and health violations including daily failure to abate previously cited hazards and recordkeeping omissions following a 1989 fire and explosion at its Kenvil, N.J. powder plant. It has proposed penalties totaling \$6,328,000 for these violations.

"The majority of U.S. employers have contributed much to improved worker safety and health, but I must again stress that the few who still blatantly disregard the Occupational Safety and Health Act requirements must and will be dealt with severely," U.S. Secretary of Labor Robert B. Reich said in announcing the citations.

"Given the nature of the process engaged in at the Hercules facility and its prior history in life endangering incidents, the gravity of the explosion-related unabated conditions cannot be overemphasized," James Stanley, regional administrator in New York of the department's Occupational Safety and Health Administration (OSHA) said.

The citations against Hercules, one of the world's largest producers of explosives, were issued by OSHA as a result of an inspection to check the abatement of violations cited following an explosion and fire at the same 1200-acre site June 3, 1989.

The citations included two failure-to-abate notices with proposed maximum penalties of \$3,080,000 for each. The first notice was for a road and a control room that were too close to the glaze barrel of a blender packer which contained explosive powder. The detonation of other glaze barrels initiated the 1989 explosion and fire.

The second notice covered violations for failure to record instances of job-related injuries and illnesses on the firm's basic (Form 200) log and on the supplementary log which details each injury and illness.

In each of the two failure-to-abate notices, OSHA proposed the maximum penalty of \$7,000 for each of 440 days the violations remained unabated (from the day the 1989 citations became final orders until the last inspection was initiated) for a proposed penalty of \$6,160,000 for the two.

Employees traveling the nearby road and working in the process control room were well within the recognized hazard zone created by the possibility of explosion of up to 2,000 pounds of powder in the glaze barrel of the blender packer.

Recordkeeping requirements are "the backbone of any job safety and health program," Stanley said. He said although the company agreed to record 189 items cited in 1989, OSHA found that only one of these had been recorded.

Other alleged failure-to-abate violations and proposed penalties resulted from having insufficient venting in a magazine (\$60,000), a failure to address decontamination in the emergency response plan (\$7,500) and the log of job related injuries and illnesses not being certified (\$60,000).

The citations also included 13 additional safety and three health violations with proposed penalties totaling \$36,500 and 11 other-than-serious violations with proposed penalties totaling \$4,000.

Hercules' Kenvil facility has about 300 employees and includes about 400 buildings of varying sizes used in the annual manufacture and storage of approximately 6 million pounds of smokeless powder.

No one was killed in the 1989 explosion, which occurred during the early morning hours, though 12 were injured, three seriously, and extensive property damaged took place.

The 1989 inspection resulted in citations for 71 violations, 21 considered willful and 48 serious, with proposed penalties totaling \$240,000. The company contested those citations and the case was settled later with the company agreeing to abate all violations.

Hercules manufactures specialty chemicals, plastics, resins, composite materials, and flavor and fragrances in plants scattered throughout the world.

A serious violation is defined as one in which there is substantial probability that death or serious physical harm could result and the employer knew or should have known of the hazard.

EPA

U.S. Environmental Protection Agency (EPA) Region 5 has announced that a record \$6 million penalty has been levied against Bethlehem Steel Corp. for violation of the Federal Resource Conservation and Recovery Act (RCRA) and the Safe Drinking Water Act (SDWA) at its Burns Harbor, IN, facility.

The company was fined \$4.2 million for violating the RCRA requirements in its SDWA permit allowing deep-well injection of steelmaking wastes. An additional \$1.8 million was added for violations of hazardous waste landfill standards.

This is the highest RCRA/SDWA penalty assessed by any court to date.

EPA referred the case to the U.S. Department of Justice (DOJ) on August 14, 1990. Suit was filed against Bethlehem Steel on October 16, 1990, in U.S. District Court for the Northern District of Indiana. The lawsuit was one of several filed in 1990 as part of an EPA initiative to speed up environmental improvement in Northwest Indiana.

This decision follows several separate EPA enforcement settlements in Northwest Indiana, notably agreements with USX Corp., the City of Gary, LTV Steel, Inland Steel, and Federated Metals.

Bethlehem had been delinquent in carrying out its RCRA corrective action duties, namely searching for and cleaning up numerous areas at the Burns Harbor facility where hazardous waste may have been released into the environment. The facility is adjacent to both Lake Michigan and the Indiana Dunes National Lakeshore.

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Bethlehem also improperly managed the unlined landfill used to dispose of wastewater treatment sludge from its electroplating operations. EPA has identified such sludges as hazardous waste because they typically contain lead, cadmium, hexavalent chromium, nickel, and complexed cyanides.

"This litigation with Bethlehem is a great example of EPA's commitment to vigorously pursuing and penalizing environmental violators, said Steven A. Herman, EPA Assistant Administrator for Enforcement. "This record-setting judgment should send a strong signal to the regulated community - we will not tolerate companies flouting our hazardous waste laws."

EPA Region 5 Deputy Administrator David A. Ulrich said: "Bethlehem Steel has chosen to fight environmental requirements rather than comply. The company must now pay a high price for this approach."



EPA Activity

EPA Tests Show Waste Reduction Potential For Companies

U.S. Environmental Protection Agency (EPA) Region 5 has announced that its first national waste minimization tests conducted with two private companies show great promise for preventing pollution and reducing energy costs.

The companies are Chrome Deposit Corp. and Enamel Products & Plating Co., both in Portage, IN. During the tests, the companies modified their production processes to reduce hazardous wastes, wastewater, and solid waste, as well as curtail the use of electricity.

EPA said Chrome Deposit, which runs a mill-roll service, reduce its wastewater discharges by 43 percent and its hazardous waste by 51 percent. The company refinishes and chrome plates large steel rollers used to flatten steel plates and sheets. This produces hazardous by products, which are costly to dispose of.

EPA said Enamel Products & Plating cleans, pretreats, and paints large coils of sheet metal. Customers convert the coated coils into building products and food packaging.

In 1992, Enamel Products & Plating reduced its wastewater by almost 20 percent, its electricity by 1,400 megawatt-hours, and its solvents by 10,800 gallons. The company saved \$1,350 through paper recycling, which also kept 60 cubic yards of waste paper out of local landfills that year.

EPA said the company plans to install on-site equipment for recycling waste solvents. This will eliminate the need to carry 200 drums of solvent to and from off-site recovery facilities every year.

"We congratulate these two companies for being the first in the Nation to take part in EPA-industry tests designed to reduce the generation of hazardous wastes, wastewater, and solid wastes and to step up waste recycling," said Regional Administrator Valdas V. Adamkus.

Barium Sulfate May Receive Section 313 Exemption

EPA has issued a proposed rule to exempt barium sulfate from the reporting requirements under Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). Annual reporting of releases of barium sulfate are currently required under Section 313 under the category known as "barium compounds." Barium sulfate is commonly used in the glass, paint, and rubber industries.

In the fall of 1991, EPA received two petitions requesting that the agency delete barium sulfate from the list of toxic chemicals under Section 313. Both petitions argued that barium sulfate is not toxic and does not meet any of the statutory criteria.

Upon review of the petitions and additional data, EPA concluded that barium sulfate would not be expected to have adverse effects on human health and would not have a significant adverse effect on the environment.

Based on the findings of their review, the Agency has proposed to amend the list of toxic chemicals subject to Section 313 reporting by continuing to require barium compounds to be reported, except for barium sulfate. This change will affect anyone who is required to report toxic releases of barium sulfate on the Form R.

In a separate action, EPA denied three other petitions to exempt the reporting of chromium, nickel, and copper from Section 313 reporting when contained in stainless steel, brass, bronze and other alloys.

The basis for the denial was that chromium, copper, and nickel all can reasonably be expected to adversely effect health and the environment and the petitioners failed to show that manufacturing, processing, and use of the metal alloys would not lead to the release of the metals.

While the petitions have been denied, EPA has asked for comments on the issue. The agency may reconsider the issue of reporting for metals contained in alloys depending upon the comments received.

Browner Confirms Expanded TRI List

In conjunction with the release of 1991 toxic release reporting data showing a 9% drop in toxic releases, EPA Administrator Carol Browner has confirmed that several changes would be made to the Form R reporting requirements over the next year. Browner indicated that, by November, approximately 200 additional chemicals will be added to the Toxic Release Inventory (TRI) list of toxic chemicals which must be reported.

In addition, by July of next year, additional industries will be required to file a Form R report with the Agency. In a related action, President Clinton signed an Executive Order on August 3 requiring federal agencies to determine if they are covered by the Emergency Planning and Community Right To Know Act and to consider voluntary cutting of toxic emissions in half by 1999.

CFC Alternatives Offered by SNAP Program

The EPA has announced the establishment of the Significant New Alternatives Policy (SNAP) program as required by Section 612 of the Clean Air Act. The purpose of the program is to identify alternatives to Class I and Class II ozone depleting substances.

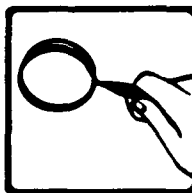
What are some of the approved alternatives?

- Aqueous and semi-aqueous cleaning chemicals
- Non-ozone depleting chlorinated solvents
- Organic solvents
- No-clean processes
- Various highly technical precision cleaning processes

The EPA has published a list of cleaning chemicals which have been approved under the SNAP program criteria. Upon promulgation of the final rule it will be illegal to replace a Class I or Class II substance with any substitute that has not been approved by EPA under the SNAP criteria.

Companies or persons wishing to petition EPA to add their product to the SNAP lists must provide the Agency with health and safety information to support the request.

If you would like a copy of the summary of the proposed rule, you may contact EPA Ozone Stratospheric Protection Hotline at (800) 296-1996.



Agency Activity

Family and Medical Act Comment Period Extended

The U.S. Department of Labor has extended the period for filing written comments on the interim final regulations implementing the

Family and Medical Leave Act of 1993 (FMLA). The notice appears in the August 30 Federal Register.

Interim final regulations (29 CFR Part 825) implementing FMLA were published in the Federal Register on Friday, June 4. The interim rules, which became effective on August 5, invited interested parties to submit public comments on or before September 2, 1993.

Because of public interest in FMLA and the benefits of longer experience under the act before further rulemaking is undertaken, the department has extended the public comment period to December 3, 1993.

Written comments should be sent to Maria Echaveste, administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S-3502, 200 Constitution Ave. N.W., Washington, D.C. 20210. Commenters may also fax their written comments to (202) 219-5122.



Safety Matters

Safety Eyewear: An Important Investment

Nearly 1,000 eye injuries occur in workplaces every day. These injuries result in an estimated \$300 million in damage from lost production time, medical expenses, and workers' compensation costs. This does not even take into consideration the personal toll the accidents take on injured workers. There are some basic types of safety eyewear that could eliminate the majority of these injuries.

Types Of Safety Eyewear

Every day eyewear is not suitable for protecting workers from the hazards in the workplace. Safety glasses, goggles, and other eye protection equipment that meet the eye protection standard of the American National Standards Institute (ANSI) have much stronger, impact resistant lenses and stronger, heat resistant frames than streetwear eye-

glasses. Eyewear meeting ANSI standards is marked with a "Z87" on the frame of the eye wear. Following are the three most common types of safety eyewear.

Safety Glasses: Safety glasses often look like normal streetwear glasses, but offer more protection. Standard safety glasses offer protection from hazards that may strike from the front.

Safety glasses may have extra plastic shields on the sides, top, and bottom for added protection if a hazard may come from the side, or above or below the shield. The hazards encountered during the work will determine whether side shields are necessary.

For extra precaution when issuing safety glasses, also provide safety straps (like those used by athletes) which attach to the temples of glasses and secure them to the head. This prevents the glasses from falling off or being knocked off.

Goggles: Goggles are similar to safety glasses, but fit more snugly around the eyes. Thus, they offer better protection in situations where hazards may be coming from all directions. They are often used to protect against liquid splashes, fumes, vapors, and dusts. There are various styles, often with specific uses in mind.

Face shields: Face shields alone provide minimal eye protection, so they should always be worn with safety goggles or glasses. They can be used to protect the face from chemical splashes, heat, glare, and flying particles. Welding helmets also shield the face, but protect the eyes from intense light as well. These helmets should be worn in conjunction with safety glasses or goggles to ensure adequate eye protection.

Additional eyewear accessories: In addition to the safety straps for securing safety glasses mentioned earlier, other accessories are needed to ensure eye safety. Proper cleaning materials should be readily available for use in lense or shield care. Soiled or dusty lenses can actually be a safety hazard if the worker's vision of potential hazards is obscured.

Eye drops or eyewash fountains (required by OSHA in many instances) should be available

to workers who need to lubricate or cleanse their eyes after exposure to hot, dry conditions or dust-filled air.

What Causes Eye Injuries?

In one study of eye injuries in the workplace conducted by the Department of Labor's Bureau of Labor Statistics (BLS), nearly 70% of the injuries resulted from flying or falling objects or sparks striking the eye.

Most of the objects involved were estimated by the injured worker to be smaller than a pin head in size, and most were traveling faster than a hand-thrown object when the accident occurred. These injuries generally occur during activities such as caulking, chiseling, grinding, hammering, and metal working.

The BLS study results indicated that another 20% of eye injuries were caused by contact with chemicals. Workers handling acids or caustics are susceptible to these eye injuries. Additional eye injuries occurred when objects were pulled into the eye when the worker was using them. Objects causing injury in these instances included tree limbs, ropes, chains, and tools.

Other hazards in the workplace that can cause eye injuries include dusts, powders, fumes, and mists from scaling, spot welding, and woodworking activities; splashing molten metal; ultraviolet and infrared rays and heat given off during welding, metal cutting, and furnace tending; and arcing and sparks from electrical equipment.

Further review by BLS of the accidents involving eye injuries revealed that almost 60% of the workers injured were not wearing eye protection at the time of the accident. Several workers who were wearing eye protection were wearing the wrong kind of protection for the job.

Who Gets Injured The Most Often?

Potential eye hazards can be found in nearly every industry, but the BLS study reported that more than 40% of the injuries reviewed occurred among craft workers, including mechanics, repairers, carpenters, and

plumbers. Another third of the injured workers operated some type of machinery or equipment, such as assemblers, sanders, and grinding machines.

Laborers suffered about one-fifth of the eye injuries. About half of the eye injuries were to employees in the manufacturing sector; another 20% were to construction industry workers.

Preventing Injuries

While eye injuries are a frequent occurrence in the workplace, they need not be. Preventing eye injuries may be as simple as requiring proper eye protection to be worn when undertaking certain tasks. It has been estimated that 90% of all eye injuries can be prevented through the use of proper eyewear.

Several steps can be taken to reduce eye injuries in the workplace.

- First, require effective eye protection to be worn. Nearly 50% of the injured workers in the BLS study who wore eye protection thought that eyewear had minimized their injuries. To be effective, eyewear must be appropriate for the hazard encountered and must be properly fitted.

Eye protective devices should not allow chemicals or objects to reach the worker's eye by passing under or around the protective lens. Protective devices should allow only for air to circulate between the eye and the lens.

- A second step in preventing eye injuries is training and educating workers. The BLS study reported that workers injured while not wearing protective eyewear often believed that eye protection was not required by the situation.

Many of the workers involved received no information on where eyewear was located and what kind of eye protection should be used. Inform employees about tasks where eye protection is necessary due to flying objects, chemical vapors, dusts and mists, or other hazards.

Identify the proper eyewear for the job and explain the importance of proper fit. Make eye protection readily available in the workplace.

- Third, maintenance of eye protection is important to ensure that it performs properly when needed. Safety glasses, goggles, and other eye protection should be inspected prior to each use for scratches, breaks, or other damage that may reduce its protective qualities. Scratches in the lenses can weaken the lenses and otherwise impair vision.

Eyewear should be cleaned following the manufacturer's instructions and stored in a clean, dry, safe place to prevent damage from falling or being crushed. Damaged eyewear should not be used and should be replaced as soon as possible.

- Finally, even though eye protection may be required and worn, eyewashes in hazardous locations are recommended (and sometimes required by OSHA).

For More Information

For additional information regarding eye protection and preventing eye injuries, contact your local OSHA area office. OSHA experts can explain the mandatory requirements for effective eye protection and answer questions. They can also refer you to the state consultation office for free advice on eliminating possible eye hazards and designing a training program.

Also, the National Society to Prevent Blindness has information and training materials that can be used to help prevent workplace eye injuries. It can also provide consultation in the development of effective eye safety programs. Contact the Society at: 500 East Remington Road, Schaumburg, Illinois 60173, (708) 843-2020.

Skin Cancer Precautions A Year-Round Project

Although Labor Day signals the end of the summer, the U.S. Environmental Protection Agency (EPA) urges everyone to limit sun

exposure year-round. Even during the fall and winter, the sun's ultraviolet (UV) rays can cause sunburn. Repeated overexposures may lead to cataracts and skin cancer.

"EPA recommends that people practice 'safe-sun' all year," said David Kee, Region V director of the Air and Radiation Division. "It's easy to do and well worth the effort."

Specifically, EPA recommends these safeguards:

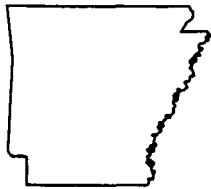
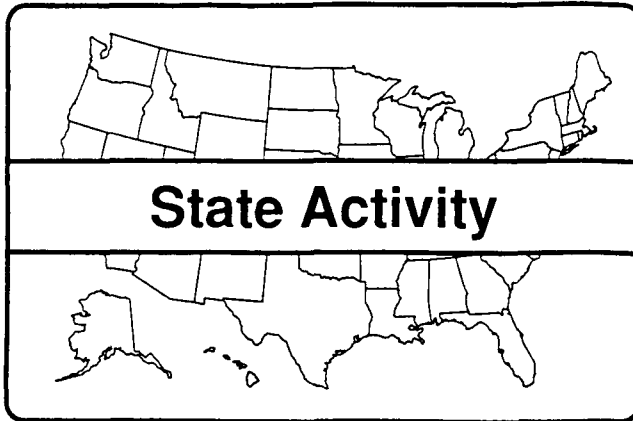
- Avoid sunburn by frequently applying sun block or sunscreen with a sun protection factor (SPF) of 15 or higher.
- Minimize sun exposure during peak sun hours (10 a.m. - 3 p.m.)
- Wear protective sunglasses, hats, and other clothing to cover exposed skin.

Although people who sunburn easily face higher risks of skin cancer, dark-skinned people also should be cautious. Studies show that regularly applying sunscreens with SPF 15 or higher can substantially reduce a child's lifetime risk of skin cancer.

While skin cancer is not a new problem, many scientists and doctors are concerned that the risk from the sun's UV rays may be increasing. Several synthetic chemicals may have begun to destroy the stratospheric ozone layer that protects the Earth from harmful rays.

The thinning of the ozone layer is severe over parts of Antarctica. More recently, thinning has been measured over heavily populated areas of North America as well. "EPA is redoubling its efforts to address the causes of ozone depletion," Kee said. "The Clean Air Act Amendments provide an aggressive, comprehensive program to control the chemicals that destroy ozone."

EPA now requires that products manufactured with or containing ozone-depleting chemical (chlorofluorocarbons, hydrochlorofluorocarbons, carbon tetrachloride, and methyl chloroform) be so labeled. By 1996, production of these chemicals will be banned. However, UV radiation will remain a health hazard even after these bans take place.



ARKANSAS

Arkansas Amends Waste Tire And Battery Laws

The Arkansas General Assembly recently acted on several bills relating to waste tires and lead-acid batteries. Three bills related to tire disposal and recycling and one bill relating to lead acid batteries have been passed. The primary impact of these bills will be to encourage tire recycling by allowing greater amounts of tires to be stored at collection centers and to waive the fee on imported waste tires if the tires go to a tire processor.

Below is a summary of four bills that were enacted amending existing laws:

Act 518 - This new law increases the number of waste tires that can be stored at collection centers to 3,000 of loosely stored or 10,000 if compacted and baled.

Act 519 - This legislation requires a waste tire manifest to be developed by the Pollution Control and Ecology Commission to monitor waste tire distribution.

Act 529 - Under existing law, waste tires that are imported are subject to a fee. This law exempts from the fee waste tires that are imported to a permitted waste tire processing facility.

Act 579 - This law exempts from surcharge, lead-acid batteries which are bought to replace stolen batteries or batteries that are not replacements for another battery.



FLORIDA

Florida Merges Its Environmental Agencies

Florida's Department of Environmental Regulation and Department of Natural Resources have merged to form the Department of Environmental Protection. The merger became effective July 1 of this year.

The existing rules of the two agencies will remain in effect as the rules of the Department of Environmental Protection. The rules of both agencies will be transferred to Title 62 of the Florida Administrative Code. The rules of the Department of Natural Resources are in Title 16 and the rules of the Department of Environmental Regulation are in Title 17.

In similar action, Florida has merged the Department of Business Regulation and Department of Professional Regulation.



MINNESOTA

Environmental Departments To Merge

Governor Arne Carlson has instructed the Director of the Minnesota Office of Waste Management (OWM) and the Commissioner of the Minnesota Pollution Control Agency to initiate the merger of their organizations.

The merger is a product of a Commission of Reform and Efficiency (CORE) study conducted in 1992.

The projected benefits of such a merger are: more accessible, centralized services; better coordination; and increased responsiveness to clients.

The first step in the merger process was to transfer the OWM's local government assis-

tance unit and problem materials unit in September.

Discussions between the MPCA and OWM prior to the transfers determined which programs would serve as a test transfers.

During the 1994 legislative session, the Legislature will be asked to transfer the remaining OWM programs and functions to the MPCA.

Among the programs transferred will be the Minnesota Technical Assistance Program (MnTAP) which is currently funded by the OWM.



NEW YORK

Storm Water General Permit In Effect

ALBANY — The Department of Environmental Conservation (DEC) has issued two General Permits for storm water discharges associated with industrial activity under the State Pollutant Discharge Elimination System (SPDES).

The permits are effective August 1, 1993, and expire August 1, 1998. They require dischargers to develop and implement storm water management plans and may require sampling of storm water discharges for pollutants.

The SPDES general permits control storm water discharges associated with industrial activity

consistent with federal storm water regulations. The first general permit applies to existing and new storm water discharges associated with industrial activity as defined in 40 CFR Section 122.26(b)(14) except for construction activity.

The second general permit applies to existing and new storm water discharges associated with construction activity involving five or more acres as defined in 40 CFR Section 122.26(b)(14)(x). Coverage under either general permit may be obtained by submitting a Notice of Intent (NOI) form to the address provided on the form.

Owners of existing facilities with industrial storm water discharges, including construction activity, who seek coverage under a general permit should obtain a copy of the appropriate general permit, and file an NOI, as soon as the general permits become effective. After submitting an NOI, coverage under the general permit occurs automatically in 48 hours unless notified otherwise by DEC.

For those facility owners proposing activities requiring other DEC approvals, or for those who have previously submitted applications for individual storm water permits in compliance with U.S. EPA regulations, the regional DEC office responsible for the area in which the project is located should be contacted for additional information and direction.

For more information contact: Kenneth Stevens, Bureau of Wastewater Facility Design, DEC, (518) 457-9601.

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CTL023341



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 record-keeping section covers emergency response plans, Hazard communication plans, training and similar items.

Specifications

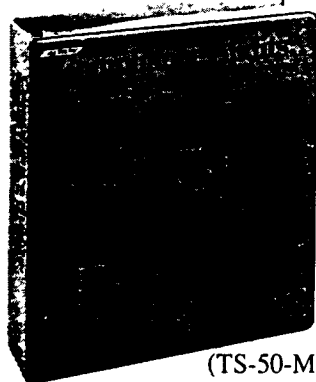
- ▼ 17 area-specific 4-part forms and 1 generic form in front pocket of binder. (Includes pad holder).
- ▼ EPA and OSHA checklists for work areas, including: Warehouse, Welding Area, Compressed Gas Storage Area, Spray Paint Area, Plant Maintenance Area, etc.
- ▼ Hazard Communication written program; 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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(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

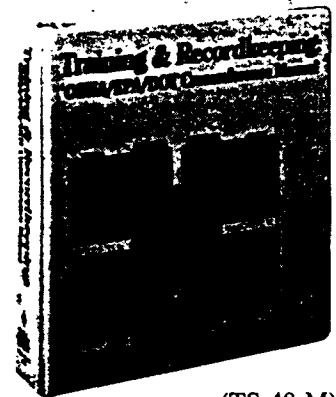
- ▼ Addresses training, as required under OSHA, EPA and DOT: Lists of required training; forms and certificates to be used; compliance tips; checklists; and recordkeeping.
- ▼ Loose-leaf 3-ring binder, tab-divided.
- ▼ Approximately 450 pages.
- ▼ Update Service available separately.

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CTL023342



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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A Program for Employees

(TS-28-K)

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