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MTC Environmental and Energy News



Serving 17 counties and 4 cities in SWVA

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"The MTC will be recognized as the technical resource of choice for Southwestern Virginia's business community."



FROM THE ENVIRONMENTAL AND ENERGY SPECIALIST (276-223-4858)

Thank you for reading our **Environmental and Energy Newsletter**. This newsletter has a slightly different focus and that is to help you **ensure your facility is not at risk from environmental regulators**.

The Manufacturing Technology Center can provide Energy Manager and Environmental compliance services if your facility lacks trained personnel or time. This is on a fee basis and being utilized by area plants. A few hours a month will provide environmental compliance that may otherwise not have been possible. Contact us for further details.

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Upcoming Events

- Environmental and Energy Peer-to-Peer Conference, Abingdon—September 19, 2012
- Partnerships to Save Energy, Wytheville—September 28, 2012
- E3 Southside, VA, Charter Signing, Danville—October 1, 2012

Imagine a concerned citizen or employee wants your facility's environmental performance reviewed, are you ready?

There are many good reasons to voluntarily determine if your operation complies with regulations:

1. It's the right thing to do;
2. Pollution prevention;
3. Prevent fines;
4. Community perception of your operation; and
5. Corporate office confidence in you;

A little time each month with an MTC specialist will allow on-site staff to receive compliance training as environmental performance is reviewed and improved upon. This builds the confidence needed during an unannounced compliance audit. When questioned by a regulatory officer during an audit, staff capability and confidence are more critical than it is during a quality or safety review.

*Almost all of Southwest Virginia industries want to do the right thing but what if you missed a requirement?

Have you undertaken a multimedia environmental compliance audit at your facility?

If not, the MTC will help your company improve the environment and meet your firm's environmental compliance obligations by evaluating the compliance status of your facility. Many corporations and other environmentally regulated organizations have found that developing multimedia compliance auditing programs as part of their normal operating practices helps to improve environmental quality and avoid penalties for non-compliance. Comprehensive audits serve not only the purpose of determining compliance with current environmental regulations, but also of identifying areas where process improvements may be made. If the MTC conducts a multimedia environmental compliance audit and you modify your operations based on the evaluation, your organization will benefit from:

1. Improved environmental performance;
2. Better protection of workers and the community-at-large; and
3. Savings in production costs from cutting down raw materials losses, pollution control costs, and generation of wastes.

Possible Environmental Requirements



AIR COMPLIANCE REQUIREMENTS (Air Permit) Clean Air Act

Regulations promulgated as a result of the 1990 Clean Air Act Amendments have far-reaching effects and require every industrial facility, regardless of size, to evaluate current status with regard to existing federal and Virginia air statutes.

Has your firm obtained effective Virginia operating permits to cover the operations of your facility as appropriate?

WASTE COMPLIANCE REQUIREMENTS (Hazardous Waste) Resource Conservation and Recovery Act **RCRA**

The Resource Conservation and Recovery Act (RCRA) requires "cradle to grave" hazardous waste management. Businesses that generate hazardous waste must comply with varying requirements based on the quantity of waste created or specific management practices for its storage, handling, and disposal.

WATER COMPLIANCE REQUIREMENTS (Oil Pollution Act) **Spill Prevention Control and Counter Measure Plans**

If your facility meets the minimum storage volumes for oil and oil products, you must develop and execute a Spill Prevention Control and Countermeasure Plan.

Does your facility store the following amounts of oil or oil products, including petroleum fuels?

1. More than 660 gallons aboveground in a single container?
2. More than 1,320 gallons aboveground at the facility?

Clean Water Act (Industrial Wastewater Discharges) **National Pollutant Discharge Elimination System (NPDES) Requirements**

The NPDES program regulates most industrial point-source pollutant discharges to water. Thus, facilities regulated by this program must obtain the necessary EPA or Virginia permit, which details discharge limits and normally mandates the routine monitoring of discharges.

Clean Water Act (Stormwater Permit or No Exposure Form) **Stormwater NPDES Requirements**

Certain industrial facilities are required by federal and Virginia stormwater NPDES permitting regulations to comply with stormwater pollution control regulations.

Underground Storage Tank Regulations

Owners and operators of underground storage tanks must comply with federal and Virginia regulations involving all aspects of operation. Facilities must meet the following requirements: register underground storage tanks with DEQ, protect tanks from corrosion, secure proper leak detection, ensure appropriate spill response, provide notification of closure, submit required reports, maintain records, and assure financial responsibility.

OTHER ENVIRONMENTAL COMPLIANCE REQUIREMENTS

Superfund Amendments and Reauthorization Act (SARA) of 1986, Title III

Emergency Planning and Community Right-to-Know (EPCRA) Act

EPCRA/SARA Title III mandates that facilities plan for chemical accidents, formulate hazardous substance inventories, track chemical releases, and allow the public to access information on toxic substances that are manufactured, processed, stored, treated, or otherwise used by their firms.



Waste Determination

I refer to the following statement from a DEQ inspector that explains so well the guidance they provide regarding a facilities waste stream generation.

“It is up to the generator to determine if their waste is hazardous or not. This is done by testing, applying knowledge, or a combination of both (also stated on MSDS sheet – 13.0). I strongly advise the generator to do just this in order to determine the nature of the waste”.

Hazardous waste generators are required to provide RCRA and DOT training for affected employees.

Universal waste is a subset of hazardous waste and includes the following categories of wastes:

- **Mercury-containing equipment** – devices that contain elemental mercury integral to their function. Includes thermostats, but does not include batteries or lamps.
- **Pesticides** – substances that are intended for preventing or mitigating pests or intended for use as a plant regulator or defoliant. Excludes animal drugs and animal feed containing animal drugs.
- **Batteries** – devices consisting of one or more electrically connected electrochemical cells designed to receive, store and deliver electric energy. Includes nickel cadmium batteries and lead acid batteries.
- **Lamps** – bulbs or the tube portion of electric lighting devices that are specifically designed to produce radiant energy. Includes mercury vapor lamps, fluorescent light bulbs, and neon lights.

Guidance on the green tipped “environmentally friendly” lamps

<http://www.epa.gov/osw/hazard/wastetypes/universal/lamps/faqs.htm#43>

Do I need to recycle low-mercury (“green end cap”) fluorescent lamps?

EPA encourages the recycling of all mercury-containing lamps, regardless of the mercury content. Note that if you do not test your low-mercury lamps and prove them non-hazardous, assume they are hazardous waste and handle them accordingly.

Electronic waste All electronic waste should be offered for recycling due to the heavy metal contents of this material.

Used Oil

<http://www.epa.gov/osw/consERVE/materials/usedoil/usedoil.htm>

- Label all containers and tanks as Used Oil.
- Keep containers and tanks in good condition. Don't allow tanks to rust, leak, or deteriorate. Fix structural defects immediately.

Never store used oil in anything other than tanks and storage containers. Used oil may also be stored in units that are permitted to store regulated hazardous waste. Tanks and containers storing used oil do not need to be RCRA permitted, however, as long as they are labeled and in good condition. Storage of used oil in lagoons, pits, or surface impoundments that are not permitted under RCRA is prohibited.

Remember that adding any quantity of hazardous waste to used oil results in the used oil being a hazardous waste.

Used Shop Towels

Used rags that are to be disposed of are a RCRA solid waste by definition. Therefore, used rags **contaminated** with listed or characteristic **hazardous waste solvent(s)** will be subject to hazardous waste management requirements when no longer useable.

Aerosol Cans

If you handle your aerosol cans as a steel **recycle** item you will be in compliance. **Disposal** of cans is acceptable only after use of generator knowledge and/or testing.

Puncture cans in an approved device and properly dispose of filter and contents.

Environmental Management System (EMS)

An EMS is a cohesive, comprehensive set of documented policies and procedures adopted by a facility or person and used to establish environmental goals, to meet and maintain those goals, to evaluate environmental performance and to achieve measurable or noticeable improvements in environmental performance through planning, documented management and operational practices, operational changes, self-assessments, and management review (the term includes but is not limited to systems developed in accordance with ISO 14001)

The Virginia Department of Environmental Quality Virginia Environmental Excellence Program (VEEP) is a great opportunity for an EMS and information is available from the MTC and at the following DEQ website.

<http://www.deq.virginia.gov/Programs/PollutionPrevention/VirginiaEnvironmentalExcellenceProgram.aspx>

Tank and Container Labeling (Bottles used on the shop floor)

Regarding chemical container labeling, all purchased products should come with appropriate labeling. Whenever this product is mixed or placed in another container and used on the shop floor it is recommended “to simply put the manufacturer’s label information from the original chemical (or same info) on the new container and write diluted on it in some logical location. This link may help. <http://www.osha.gov/SLTC/hazardoustoxicsubstances/index.html> ”

HMIS blank labels can be found on-line.

If containers are present in the facility without labeling this is a great topic to include in safety huddles and shop floor audits.

Obsolete Chemicals

Take a few minutes to determine if your facility has used or obsolete chemicals onsite. These items may complicate matters during a compliance audit. It is easier to address the cost of disposal when business is reasonably good than during tough times if these chemicals become an issue during plant clean up projects or compliance audits.

DISPOSAL OF PCB AND NON PCB BALLASTS

In 1978, the United States Environmental Protection Agency (EPA) banned the use of PCBs as they were found to pose a health risk to humans. Mineral oils and powdered materials replaced PCBs in lamp and ballast and capacitors manufactured after 1978 and these items generally bear a **label reading “No PCBs”**.

Guidance for disposal of PCB containing light ballast is found at the EPA training module link, page 14.

<http://www.almr.org/1hourtrainingmodule.pdf>

The statement below is from page 16 of the EPA training module.

*According to data submitted in the TSCA Section 21 petition, ballasts manufactured prior to **July 1978**, have a better than 50% chance of containing PCBs at 50 ppm or greater in their potting material. (Federal Register Vol. No. 124 page 35404.)*

U.S. EPA is asking that anyone who seeks to dispose of fluorescent light ballasts in a municipal landfill to “assume that the potting material contains PCBs at 50 ppm or greater and dispose of them as PCB waste.”