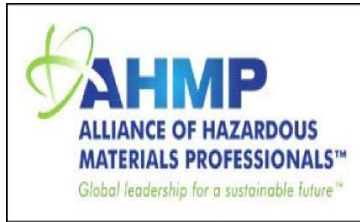


# The Hazardous Materials Manager

EASTERN WASHINGTON CHAPTER OF THE ACADEMY OF CERTIFIED HAZARDOUS MATERIALS MANAGERS  
NEWSLETTER



## Eastern Washington Chapter of the Academy of Certified Hazardous Materials Managers

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Secretary: Roni Ashley  
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## Executive Committee's Corner

Can you believe that another year is almost behind us? Christmas is here and it is time to reflect on our accomplishments this past year, as well as plan for the new opportunities that lay ahead of us.



We continue to support those of you actively working to protect human health and the environment in your jobs every day. If you would like information on a specific topic, or have a suggestion for a presentation, just send a note to the website address or to any one of your EWC Executive Committee representatives. We welcome your ideas!

The EWC rescheduled the Hazardous Materials Overview Course to the end of February 2018. This course is not just for those that wish to become Certified Hazardous Materials Managers (CHMMs). Subject matter experts will present the current updates in the regulations to assure that seasoned professionals can stay at the top of their game.



In October, Andrea Hopkins presented: *Remedial Actions in Remote Locations: Lessons Learned*. She provided an overview of two hazardous projects that she oversaw as the project manager. One of the sites on an island was used by a military base (considered the most remote site in the world). The other project was in the Arctic Circle where native Inuit people worked and lived. She stressed safety and making sure you have the needed resources before the project begins. In the Arctic, she shared encounters with bears, rabid foxes, and the challenges of finding contaminated caribou in the area. Caribou is a primary food source for the natives.



# The Hazardous Materials Manager

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## MANAGEMENT OF HAZARDOUS MATERIALS

The Eastern Washington Chapter Academy of Certified Hazardous Managers (EWC) will hold a training course to build or refresh expertise in regulations and information related to the lifecycle of hazardous materials.

**Who:** For regulators, managers, planners, manufactures, procurement, professionals- health physics, industrial hygiene, safety, environmental protection, waste management, emergency response, Home Land Security, firemen, police, and property managers.

**What:** The course is designed 1) to introduce current regulations and other information to personnel responsible for hazardous materials and 2) to help prepare personnel to take the certification exams. The course will cover an overview of disciplines related to handling hazardous materials and wastes. The breadth of presentations from about 20 experts (including regulators) will cover the following:

- Chemistry, physical properties, and analytical techniques
- Biological risks from use and releases - human and environmental
- Radioactive emissions
- Transportation
- Environmental protection- planning, management, treatment, disposal, and remediation
- Regulatory compliance- air, soil, water, treatment, containment, governmental requirements
- Organizational standards for control of exposures and management
- Certifications and applications
- Reference text provided

**Where:** HAMMER Training Facility, Richland Washington

**When:** February 28, 29 and March 1, 2018 (Tuesday, Wednesday, Thursday)

For additional information contact Andrea Hopkins at 509-539-5520 (email [Andrea.M.Hopkins@ri.gov](mailto:Andrea.M.Hopkins@ri.gov)) or Roni Ashley at 509-302-1402 (email [coochnahai@amerion.com](mailto:coochnahai@amerion.com) )

## REGULATORY NEWS

**Sacramento, CA.** DirecTV will pay \$9.5 million to settle allegations that its California facilities unlawfully dumped hazardous waste. The attorney general and Alameda County's district attorney announced.

They said an investigation found that all 25 DirecTV facilities in California improperly disposed of batteries, electronic devices, aerosol cans and other hazardous materials that ended up in landfills. DirecTV didn't acknowledge any wrongdoing. However, the company agreed to take measures to properly dispose of hazardous waste in the future. The settlement amends a similar 2014 settlement involving AT&T, which acquired DirecTV in 2015.

# The Hazardous Materials Manager

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In a statement, AT&T says the allegations predate the acquisition and the settlement recognizes the company for taking prompt action toward environmental compliance.



**U.S. Department of Labor Proposes Over \$1.8 Million in Fines Against a Wisconsin Corn Milling Facility After Fatal Grain Dust Explosion, Cambria WI.** The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has proposed \$1,837,861 in fines against Didion Milling Inc. following a May 31, 2017, explosion that killed five workers and injured 12 others, including a 21-year-old employee who suffered a double leg amputation after being crushed by a railcar.

OSHA found that the explosion likely resulted from Didion's failures to correct the leakage and accumulation of highly combustible grain dust throughout the facility and to properly maintain equipment to control ignition sources. OSHA cited Didion's Cambria facility with 14 willful – including eight willful per-instance egregious– and five serious citations, most involving fire and explosion hazards. The company has been placed in OSHA's Severe Violator Enforcement Program.

"Didion Milling could have prevented this tragedy if it had addressed hazards that are well-known in this industry," said OSHA Regional Administrator Ken Nishiyama Atha, in Chicago. "Instead, their disregard for the law led to an explosion that claimed the lives of workers, and heartbreak for their families and the community."

The citations were issued for violating OSHA's Grain Handling standard by failing to perform required maintenance on operating equipment and implementing a housekeeping program to control dust accumulations. Willful citations were issued for failure to shut down ignition sources, prevent static electricity discharge, provide adequate personal protective equipment to employees, correct malfunctioning dust collection systems, maintain equipment safety controls, and have an emergency alarm system. Serious citations addressed hazards associated with fires and explosions, and the lack of employee training.

The company has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director, or contest the findings before the independent Occupational Safety and Health Review Commission.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education, and assistance.

**Train Leaks Sulfur in Florida.** The Federal Railroad Administration (FRA) is investigating a CSX freight train that derailed causing a molten sulfur leak in Lakeland, Florida. Residents in the area were initially urged by county officials to stay inside, close their windows and turn off their air conditioners. By 9 a.m., Kevin Watler, a spokesman with Polk County Fire Rescue, said it was okay for residents to exit their homes, but he urged them to stay away from the crash scene.

# The Hazardous Materials Manager

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According to the Centers for Disease Control and Prevention, molten sulfur can form toxic and flammable gases. Traffic in the area was snarled as dozens of workers removed the wreckage from the tracks.

The cause of the crash was under investigation. It's unclear how fast the train was traveling. Emergency officials from Polk County saw the derailment as they returned from a medical call, Watler said. They called hazmat crews and used a large hose to extinguish a fire in one of the cars. The train was traveling from Waycross, Ga., to Winston. Of the 192 cars, 120 were loaded and 72 were empty. In addition to carrying molten sulfur, officials said the train was carrying cardboard, oats and rocks. Typically, the cars hold 13,000 gallons of molten sulfur. Officials were trying to determine how much may have leaked.

**Seattle WA.** The U.S. Environmental Protection Agency, Region 10, has reached a settlement with Emerald Services, Inc., a hazardous waste storage and treatment facility in Tacoma over violations of the Resource Conservation and Recovery Act (RCRA) and violations of the facility's RCRA permit. The facility is located within the boundaries of the Puyallup Tribe's reservation.

Emerald Services manages large volumes of hazardous waste, solvents, and antifreeze and re-refines used oil at the Tacoma facility. Emerald was purchased by Safety-Kleen Systems, Inc. on July 8, 2016, and both Emerald and Safety-Kleen are owned by parent holding company, Clean Harbors, Inc. Ensuring that funds will be available if the company's operations harm people or damage property is an essential element of the "cradle to grave" RCRA hazardous waste management program. This settlement resolves several RCRA violations at the Tacoma-area facility. Specifically, the company failed to maintain adequate third-party liability insurance coverage of the facility for the past six years. As part of the settlement, Emerald Services agreed to pay a \$125,800 penalty and amended its current insurance policy to comply with its RCRA permit.

"Having adequate insurance coverage for your business, especially one that stores and handles hazardous waste, isn't an option, it's the law," said Ed Kowalski, Director of EPA's Region 10 Compliance and Enforcement Division in Seattle. "Liability insurance is a key requirement of the hazardous waste permitting system, ensuring that commercial hazardous waste handlers operate in a safe manner to protect people's health and the environment."

According to the EPA, there is a history of spills and incidents at Emerald's Tacoma facility. In 2013, a 1,900-gallon spill of a highly dangerous fuel oil/asphalt mixture injured a worker. Emerald's pattern of spills and releases suggests the facility may have a higher probability of future accidents, underscoring the need to have liability coverage for possible bodily injury, property damage and environmental restoration.



**Digging in the Mud left by Hurricane Harvey.** The floodwaters from Hurricane Harvey had to go somewhere. The storm dumped 50 inches of rain on parts of the Houston area in late August. Much of the water made its way through streets and bayous and eventually drained into the Houston Ship Channel, the busy commercial waterway that allows ships to travel between the Gulf of Mexico and industrial facilities around Houston. In the weeks since, the water has drained away, but scientists believe many of the contaminants it carried have not. "The Port of Houston is saying they had up to 10 feet of storm layer deposited in the ship channel," explains Tim Dellapenna of Texas A&M University, Galveston, who is studying the so-called storm layer of sediment that Harvey left in the bottom of the channel.

# The Hazardous Materials Manager

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Sediment can tell scientists a lot about a flood — contaminants get trapped in the mud, and the very amount of mud and sand can reveal things about how the storm played out. "We're actually going to try to do a full screening for dioxins, heavy metals, polyaromatic hydrocarbons," Dellapenna explains. Mercury is a heavy metal. Polyaromatic hydrocarbons are often released by petrochemical operations, like the ones that line the ship channel. Dioxins, in this case, could come from a Superfund toxic waste site nearby. The San Jacinto Waste Pits upstream flooded during the storm, and the Environmental Protection Agency says dioxins may have washed into the channel.

Dellapenna's team also plans to compare contaminants in the new layer with those found in previous studies of the mud in the channel. For example, they'll specifically screen for mercury, in part because previous work by a doctoral student working with Dellapenna found elevated levels of mercury in the channel mud. Other toxicology and environmental science teams from Texas A&M as well as Rice University and the University of Houston have also been testing sediment left by the storm, focusing on parts of the city such as Buffalo Bayou, which runs through downtown Houston, and residential areas that were flooded.

In the Houston Ship Channel, the amount of sediment deposited can also reveal the scale of the storm. The channel is the dredged upper part of Galveston Bay, and it's usually slightly salty. Harvey caused such severe flooding that the freshwater flowing into the ship channel pushed the leading edge of the salty water out toward the Gulf of Mexico.

Usually, where the salty water begins, the sediment carried by freshwater ends, so looking at the sand left behind in the ship channel can help scientists understand how far out that so-called salt wedge was pushed.

Taking samples in the Houston Ship Channel can be challenging. The process requires anchoring the small research boat with vertical poles and then using a combination of winches, special coring equipment and muscle to sink hollow tubes into the mud below.

"All the barges and tugboats go through there. So just getting to each site is time-consuming because you have to dodge ships," says Lindsay Critides, an oceanography graduate student at Texas A&M, referring to the enormous oil tankers and other vessels that pass each other in the channel. "We're more maneuverable than they are, so we have to get out of the way."



**Macy's Settles Hazardous Waste Violations with EPA (From the Cincinnati Business Courier).** Cincinnati-based retail giant Macy's Inc. settled with the Environmental Protection Agency over hazardous waste violations. Macy's agreed to pay a \$375,000 civil penalty and develop a program to train employees in Oklahoma and Texas on the handling of hazardous materials as well as conducting third-party audits of its 11 largest facilities in Texas, Oklahoma, Louisiana and New Mexico.

The settlement stems from an EPA finding that Macy's, between 2012 and 2015, violated the Resource Conservation and Recovery Act, which regulates hazardous and solid wastes.

# The Hazardous Materials Manager

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The EPA, though it didn't specify what it classified as hazardous waste, found that Macy's generated 269,168 pounds of it in 44 locations between 2012 and 2015. The EPA did not immediately respond to a request for clarification over what hazardous waste Macy's was producing.

Macy's stated "EPA Region 6 found that we had disposed of hazardous waste (primarily liquid and semi-liquid cosmetics) in excess of amounts allowed for certain stores to maintain exempt status. Importantly, Macy's did not do anything to harm the environment. The wastes were disposed of appropriately, and the company has policies and procedures in place to safely handle these waste items." As part of the settlement, Macy's must develop a program to help train other retailers on how to comply with hazardous waste requirements. The EPA estimates that Macy's manages 1.2 million pounds of hazardous waste nationwide per year.

Macy's operates 829 stores and employs about 3,800 in Cincinnati between two offices, a Mason call center, and seven retail locations.



**Los Alamos Comes up Short on Emergencies.** The Defense Nuclear Facilities Board says Los Alamos National Laboratory has come up short during drills intended to show how the New Mexico lab would respond to potential emergencies such as radioactive leaks or earthquakes. The letter to U.S. Energy Secretary Rick Perry says the board found numerous weaknesses dating back to 2014.

While the board did not issue any final recommendations regarding the weaknesses, it detailed its findings in the report in hopes of helping the Energy Department and the National Nuclear Security Administration as the federal agencies address the lab's issues.

The Albuquerque Journal reports that among a long list of criticisms and findings in the report, lab crews regularly failed at establishing adequate incident command capabilities during the simulated emergencies. There was a lack of understanding of roles and responsibilities, ineffective coordination and inadequate communication, among other things. The exercises also showed delays in evacuations or getting emergency medical responders to those likely to be injured.



# The Hazardous Materials Manager

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