

# *Eastern Washington Chapter* **Academy of Certified Hazardous Materials Managers Newsletter**

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## **THE PRESIDENT'S CORNER**

**From Stan Jones**

As the United States' war on terrorism continues and more Anthrax cases are identified, the role of the CHMM becomes more important. We are familiar with chemicals that are dangerous to be around and handle. We know what risks are encountered when exposed to chemicals whether biological or not. Therefore we can provide our companies support in addressing concerns about these biological agents as well as provide input into processes and procedures that could be implemented to reduce the risks.

So look around your work spaces and the routine procedures that take place and evaluate if some modifications could easily be made to increase the security of your workmates and yourself and reduce the risk of exposure. This is the time that CHMMs can contribute so try to make a difference and improve the security of your work environment.

### ***REMEMBER TO ORDER FROM THE ACADEMY***

*Need a CHMM book, hat, mug and/or how about a Lapel pin? Many have-to-have items are available from the Academy. For ordering information, call 1-800-436-0137, or order directly from the website at: [www.achmm.org](http://www.achmm.org)*



## ***Holiday Greetings Everyone!***

**Your EWC-ACHMM Executive Committee is in the process of handing over the reins of its leadership responsibilities for 2002. Another year is coming to an end. Ballots for the new officers are now in the mail.**

**As you know, coming up on December 6 at the Shilo Inn in Richland, our annual holiday dinner is scheduled. A no-host social will begin at 6:00 p.m. with dinner following at 7:00 p.m. We are very excited to have Keith Thomson, President of Fluor Hanford Company, as our featured speaker this year. And, many door prizes will be made available.**

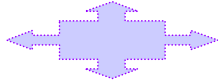
**The EWC-ACHMM will provide a complimentary dinner for all new and current members that sign up for the year 2002. The cost for the 2002 membership is \$25. The dinner cost for spouses and guests is just \$20 (less than the cost of the dinner)!**

**We are looking forward to many interesting events for our members next year, including facility tours and motivating, as well as educational, speakers.**

# The 2002 CHMM Conference

To be held in  
Louisville, KY

September 29 to October 2, 2002  
At the Galt House



It is sponsored by the Kentuckiana Chapter (and home of the Kentucky derby). The theme for the 2002 conference will be "Environmental Leadership into the Winner's Circle." See [www.achmm.org](http://www.achmm.org) for more information.

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## The CHMM<sup>®</sup> Program Is Accredited by CESB

The Council of Engineering and Scientific Specialty Boards (CESB) accredit the CHMM program. The CHMM designation remains one of a select few accredited credentials in the environmental profession.

CESB's guidelines for accreditation include consideration of:

- Validity of the certification examination program
- Fairness of the procedures for determining applicant eligibility
- Adequacy of requirements for ensuring maintenance and enhancement of professional qualifications (recertification)
- Professionalism and independence of the certifying body
- Openness of the program to public scrutiny

As an accredited program, the Institute has earned a significant role in CESB's Board activities, including participation in the review of accreditation applications for other specialty certification programs.

## IHMM Announces New Student Competition: Awards Given for Graduate-Level Research

IHMM has awarded \$19,000 in grants for the academic year 2001-02, to sponsor graduate student research in the field of hazardous materials management.

Under the student research program, up to \$10,000 can be awarded per grant per year, up to a total of \$20,000 in annual grants.

The objective of the program is to provide encouragement, recognition and support to graduate student researchers whose research is intended to increase scientific understanding, advance technology or improve policy in the field of hazardous materials management.

Any graduate student who desires to conduct the type of research contemplated by this program may apply. The research must be conducted as part of a Masters or Doctoral program, and the university professor who is acting, or will act, as the research advisor must countersign the application. (Senior undergraduates may also be considered if they are doing university-sponsored research.)

Candidates must submit APPLICATIONS describing the proposed topic, objectives of the research and how it will enhance the field, the proposed methodology, and a research timetable. Submissions for the 2002-03 academic year will be due by January 31, 2002. See [www.IHMM.org](http://www.IHMM.org) for more information.

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**Two CHMM Exams Scheduled  
At WSU-CIC  
November 17, 2001  
January 4, 2002**

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# *Regulatory Liaison Report*

*From Marsha Beery*

## **EPA GIVES FINAL APPROVAL TO ECOLOGY TO IMPLEMENT SPECIFIC FEDERAL NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS RULES**

On September 19, 2001, EPA published a final rule (66 FR 48211) in the Federal Register giving final approval and delegation of authority to Ecology and four local air agencies to implement and enforce several federal National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations that were adopted into state law. EPA waives notification requirements such that sources within Ecology and local agencies would only need to send notifications and reports to Ecology and the local agencies and would not need to send a copy to EPA;

- EPA is approving Ecology and the local agencies mechanisms for streamlining future delegation of those federal NESHAP regulations that are adopted unchanged into state and local laws; and
- EPA is approving and delegating authority for Ecology and local agencies to implement and enforce specific 40 CFR parts 61 and 63 subparts which are adopted by reference into Chapter 173-400-075 WAC and General Provisions authorities.

Ecology will continue to work with the Benton Clean Air Authority (BCAA) to manage and enforce the Asbestos NESHAP for sources at Hanford. In this action, EPA is not delegating to Ecology and the local agencies any 40 CFR 61 subparts pertaining to radon and radionuclide air emissions since EPA has determined that the agencies do not have sufficient expertise to implement these NESHAPS. EPA has also determined that since the State of Washington, Department of Health's, interim delegation of authority for implementing 40 CFR part 61, subparts H and I as the state radionuclide standards for Washington had lapsed, EPA would be currently responsible for federal implementation of these regulations. The final rule becomes effective October 19, 2001. For more information, email to: [John\\_A\\_Bates@rl.gov](mailto:John_A_Bates@rl.gov) with Fluor Hanford's Environment & Regulation at (509) 376-2088.

## **ECOLOGY PUBLISHES THE FINAL RULE AMENDING THE GENERAL REGULATIONS FOR AIR POLLUTION SOURCES AND THE AIR OPERATING PERMIT RULE**

On September 5, 2001, Ecology published the final rule (WSR 01-17-062) in the Washington State Register amending Chapter 173-400 WAC, the General Regulations for Air Pollution Sources and Chapter 173-401, the Air Operating Permit rule. The main purpose of the rule amendment is to update the rules, particularly the pre-construction permitting programs provisions, to make them consistent with new federal requirements. The final rule amendments include changes to the provisions on:

- Potential for significant deterioration;
- Visibility protection;
- The best available retrofit technology; and
- Non-attainment new source review.

The amendments also update sections that reference or include federal requirements, as well as the air operating permit applicability criteria, and clarify and streamline agency procedures. The final rule became effective September 15, 2001. For more information, email to: [Kirk\\_A\\_FDHPeterson@rl.gov](mailto:Kirk_A_FDHPeterson@rl.gov) of Fluor Hanford's Compliance Services at (509) 372-2364.

## **ECOLOGY PUBLISHES PROPOSED NOTICE OF RULEMAKING AMENDING THE WASTEWATER DISCHARGE PERMIT FEES**

On September 19, 2001, Ecology published a pre-proposal statement of inquiry in the Washington State Register on a proposed rulemaking to amend Chapter 173-224 WAC, the Wastewater Discharge Permit Fees rule. RCW 90.48.465, the Water Pollution Control law, requires that annual fees be paid by all permit holders who have wastewater permit coverage. Ecology is, therefore, proposing to amend Chapter 173-244 WAC, the Wastewater Discharge Permit Fees rule for fiscal years 2003 and 2004 to increase fees as well as create a new permit fee category for aquatic pesticide control.

The fee increase will allow Ecology to continue to operate the wastewater discharge permit program. The new fee category has been added as a result of a federal court ruling, which determined that applicants for aquatic pesticide use must have a wastewater permit. This new fee category will cover the cost of permit coverage. For more information, email to: [Marsha\\_A\\_Beery@rl.gov](mailto:Marsha_A_Beery@rl.gov) from the Olympia Office at (509) 709-0664.

## **EPA ISSUES GUIDANCE ON RECOGNIZING COMPLETION OF CORRECTIVE ACTION ACTIVITIES AT RCRA FACILITIES**

On October 2, 2001, EPA published a notice (66 FR 50195) in the Federal Register announcing that draft guidance on "Recognizing Completion of Corrective Action Activities at RCRA Facilities" was available for public review and comment.

The guidance was developed to assist EPA and State regulators on when to make a determination that corrective action activities at contaminated sites are completed. The guidance also provides direction on proper procedures for determining that a cleanup action is complete and is to be used at contaminated treatment, storage, and disposal facilities that are cleaned up under the RCRA corrective action program. This determination of completion is intended to promote transfer of ownership of property and can help return previously used commercial and industrial properties to productive use. According to the guidance, EPA and state regulators should make a determination that corrective action is complete when a review of the remedy indicates that releases have been addressed as necessary to protect human health and the environment.

The draft guidance does not impose legally binding requirements on EPA, States, or the regulated community and may not apply to a particular situation based upon the circumstances. EPA and State regulators retain the discretion to adopt approaches on a case-by-case basis that may differ from the guidance. The draft guidance is available on the Internet at <http://www.epa.gov/correctiveaction.completion>. Comments on the guidance must be received in EPA by November 1, 2001. For more information, contact Wayne Toebe at (509) 372-2359 with Fluor Hanford's Compliance Services.

#### **EPA PROPOSES REVISIONS TO THE HAZARDOUS WASTE IDENTIFICATION RULE**

On October 3, 2001, EPA published a direct final rule (66 FR 50332) in the Federal Register revising the Hazardous Waste Identification Rule: Revisions to the Mixture and Derived-From Rules (66 FR 27266) that was published in the Federal Register on May 16, 2001.

The revisions corrects two provisions including:

- Reinserts certain exemptions to the mixture rule which were inadvertently deleted; and
- Clarifies that mixtures consisting of certain excluded wastes (commonly known as Bevill wastes) and listed hazardous wastes that have been listed solely for the characteristic of ignitability, corrosivity, and/or reactivity, are exempt once the characteristic for which the hazardous waste was listed has been removed.

The direct final rule will become effective December 3, 2001 unless EPA receives adverse comments by November 2, 2001 at which time it will withdraw the rule. EPA published a

proposed rule (66 FR 50379) elsewhere in the same Federal Register in the event adverse comments are received.

Comments on the proposed rule were to be received in EPA by November 2, 2001.

#### **EPA RELEASES FINAL VERSION OF THE HANDBOOK OF GROUNDWATER PROTECTION AND CLEANUP POLICIES FOR RCRA CORRECTIVE ACTION**

On October 17, 2001, EPA published a notice in the Federal Register announcing that the final version of the "Handbook of Groundwater Protection and Cleanup Policies for RCRA Corrective Action" was available. This Handbook was developed as part of the RCRA Cleanup Reforms EPA announced it was doing in 1999 and 2001. The primary goal of the reforms is to promote faster, more focused, more flexible cleanups and provide creative solutions to cleanup efforts. The goal of the Handbook is to help meet the reform objectives by reducing time-consuming uncertainties and confusion on EPA's current policies on groundwater protection and cleanup at RCRA facilities. The Handbook addresses topics including:

- Groundwater protection and cleanup strategy;
- Short-term protection goals;
- Intermediate performance goals;
- Final cleanup goals;
- Groundwater cleanup levels;
- Point of compliance;
- Cleanup timeframes;
- Source control;
- Groundwater use designations;
- Institutional controls;
- Monitored natural attenuation;
- Technical impracticability;
- Reinjection of contaminated groundwater;
- Performance monitoring; and
- Completing groundwater remedies.

The final Handbook is available for immediate use. EPA intends to revise the document as needed to ensure it reflects the agency's current positions. The Handbook can be found on the Internet at <http://www.epa.gov/correctiveaction>.

#### **EPA ISSUES FINAL RULE ESTABLISHING THE TOTAL MAXIMUM DAILY LOAD AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM REVISIONS EFFECTIVE DATE**

On October 18, 2001, EPA published a final rule (66 FR

53043) in the Federal Register establishing the total maximum daily load (TMDL) and national pollutant discharge elimination system (NPDES) program revisions effective date as April 30, 2003. These TMDL and NPDES program revisions were published in the Federal Register on July 13, 2000. These revisions amended and clarified existing regulations implementing Section 303(d) of the Clean Water Act which require States to identify waters that are not meeting the State water quality standards and to establish TMDLs to restore the quality of those waters. The rule also provides time frames EPA will assure that lists of waters not meeting the water quality standards and TMDLs are completed and that necessary source controls are implemented on point and nonpoint sources to meet the TMDLs.

EPA is also revising the date on which States are required to submit the next list of impaired waters from April 1, 2002 to October 1, 2002. This is intended to give States the time to incorporate recommendations EPA suggested in guidance entitled, "2002 Integrated Water Quality Monitoring and Assessment Report Guidance" which is currently being finalized (see briefly, this edition). EPA has scheduled five listening sessions throughout the United States on the TMDL rule revisions including in Chicago on October 22-23, 2001, in Sacramento on November 1-2, 2001, in Atlanta on November 7-8, 2001, in Oklahoma City on November 15-16, 2001, and in Washington, D.C., on December 11, 2001. The final rule revisions on 40 CFR Parts 9, 122, 123, 124 and 130 become effective April 30, 2003. The final rule amending 40 CFR 130.7(d)(1) becomes effective on November 19, 2001. For more information, contact John Winterhalder at (509) 372-8144 with Fluor Hanford's Regulatory & Environmental Compliance.

#### **EPA RELEASES DRAFT GUIDANCE ON DEMONSTRATING COMPLIANCE WITH THE LAND DISPOSAL RESTRICTIONS ALTERNATIVE SOIL TREATMENT STANDARDS**

On October 18, 2001, EPA published a notice (66 FR 52918) in the Federal Register announcing that two draft documents were available for public review and comment. These are:

- "Guidance on Demonstrating Compliance with the Land Disposal Restrictions (LDR) Alternative Soil Treatment Standards". This guidance discusses the LDR alternative soil treatment standards, published in the Federal Register on May 26 1998 (63 FR 28556 and 40 CFR 268.49). It also provides a step-by-step guidance on statistical and non-statistical approaches

that can help measure compliance with these standards. The alternative treatment standards require that hazardous soil be treated to reduce concentrations of hazardous constituents by 90 percent or to meet the hazardous constituent concentrations that are 10 times the Universal Treatment Standards whichever is greater. This guidance can be found on the Internet at: <http://www.epa.gov/>

- "Interpretive Memorandum on the Stabilization of Organic-Bearing Hazardous Wastes". This draft interpretive memorandum discusses circumstances: where stabilization of hazardous organic constituents may be a permissible form of treatment, where it is classified as impermissible dilution under the LDR program and describes factors to consider when making these evaluations. This document can be obtained from the Internet at: <http://www.epa.gov/>

EPA is requesting public review and comment on these documents. The guidance documents do not impose any regulatory requirements or are not a binding regulation. Comments on the draft documents must be received in EPA by December 3, 2001.

#### **THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY PUBLISHES UPDATED AND NEW DRAFT AND FINAL TOXICOLOGICAL PROFILES**

The Agency for Toxic Substances and Disease Registry (ATSDR) has published several notices in the Federal Register announcing that updated, new draft and final toxicological profiles are available. ATSDR is directed under CERCLA to prepare toxicological profiles most commonly found at facilities on the National Priority List and that pose the most significant threat to human health. The ATSDR currently has a list of 275 priority substances which were published in a Federal Register on October 21, 1999 (64 FR 567920). These current actions include:

- On October 23, 2001, ATSDR published a notice (66 FR 53610) announcing that it had one updated and one new draft toxicological profile developed



for hazardous substances at DOE waste sites available for review and comment. The updated profile is for cobalt and cobalt compounds and the new draft profile is for iodine and iodine compounds. The most current list of hazardous substances at DOE NPL site was announced in the Federal Register on July 24, 1996 (61 FR 38451). The updated and new draft profiles can be obtained from EPA at 888/422-8737. Comments on the profiles must be received in ATSDR by February 22, 2002.

- On October 23, 2001, ATSDR published two notices (66 FR 53611 and 66 FR 53612) announcing that it has three new drafts, two updated drafts, and six updated final toxicological profiles of priority hazardous substances available for review and comment. The six updated final toxicological profiles are on asbestos, benzidine, 1,2-dichloroethane, di-n-butyl phthalate, methyl parathion, and pentachlorophenol. EPA published the notice of availability of the drafts in the Federal Register on October 15, 1999 (64 FR 55943). The final toxicological profiles can be obtained from the National Technical Information Service at (800) 553-6847.
- On October 25, 2001, ATSDR published a notice (66 FR 54014) announcing that it has revised the Priority List of Hazardous Substances that will be the subject of toxicological profiles. ATSDR has also developed a Completed Exposure Pathway Site Count Report. This Report lists the number of sites or events that have ATSDR activities ongoing where a substance has been found in a completed exposure pathway.

#### **EPA ISSUES DRAFT TEMPERATURE GUIDANCE FOR PROTECTION OF SALMONIDS**

On October 31, 2001, EPA Region 10 issued guidance for states and tribes to use in developing water quality standards for temperature that protect native salmonids including salmon, steelhead, bull trout, and cutthroat trout, in the Pacific Northwest for public review and comment. The draft guidance is a result of a two-year initiative involving Northwest states, tribes, and other federal agencies to gather and review information about the relationship between the temperature of rivers and streams and the health of salmonids.

The draft guidance describes a process states and tribes can use to develop temperature standards that meet the biological needs of salmonids and reflects the natural potential of rivers and streams to achieve these temperatures. It recommends that:

- States and tribes develop customized temperature standards for individual sub-basins. However, until states and tribes can develop temperature standards for each sub-basin, EPA is recommending that they adopt specific temperature thresholds to be used as state-wide standards;
- States and tribes adopt provisions that allow facilities with discharge permits flexibility in how they meet the state-wide standards;
- States and tribes adopt provisions that allow for the protection of waters that are currently colder than the temperature standards; and
- No temperature increases would be allowed for waters designated as ecologically significant.

Summaries which were peer-reviewed and can be found on the Internet at <http://www.epa.gov/r10earth/water.htm>. Comments on the guidance must be received in EPA by December 21, 2001. For more information, contact [Marsha\\_A\\_Beery@rl.gov](mailto:Marsha_A_Beery@rl.gov) from the Olympia Office at (509) 709-0664.

