

Practical Solutions

Hazard Evaluations, Inc.
Quarterly Newsletter

Fall 2018

Important Compliance Dates & Deadlines for 2018:

TP-550 Quarter 3
October 20

Quarter 3
Stormwater DMR
October 28

Cooling Tower
Annual
Certification
November 1

Stormwater
Annual CSCIER
December 31

Quarter 4
Stormwater
Annual Sampling
December 31

Quarter 4
Stormwater
Visual Monitoring
December 31

VISIT US

ONLINE AT:

hazardevaluations.com

OR CALL:

(716) 667-3130

UNDERSTANDING SPCC SECONDARY CONTAINMENT



The Spill Prevention Control and Countermeasures (SPCC) rule is a federal regulation that applies to facilities with above-ground oil storage capacities of more than 1,320 gallons or underground oil storage capacities of more than 42,000 gallons. Under SPCC regulations, facilities must prevent oil from being discharged into navigable waters or adjoining shorelines by using secondary containment. There are two types of secondary containment requirements referenced in the regulations, general and specific.

The SPCC Guidance Document for Regional Inspectors states that the general secondary containment requirements are “intended to address the most likely discharge from bulk storage containers; mobile/portable containers; production tank battery treatment, and separation installations; a particular piece of oil-filled operational or process equipment; (non-rack) transfer activity; or piping in accordance with good engineering practice.” The general secondary containment requirements do not mandate that a specific volume be contained and therefore allow for the use of active containment measures. Active containment measures which require a physical action or response by facility personnel, such as placing a cover over a drain to prevent oil from entering a sewer or using a spill kit to contain and clean-up a spill.

Specific secondary containment requirements are, according to the SPCC Guidance for Regional Inspectors, “intended to address a major container failure” and include specific provisions for the size, design and freeboard that need to be addressed in a facility’s SPCC Plan. As a general rule, specific secondary containment measures must be designed to hold up to at least 110% of the volume of material stored in the single largest container. Items requiring specific containment include all bulk oil storage containers (defined as containers equal to or greater than 55-gallons in capacity) including mobile or portable containers and oil loading/unloading racks. Owners/operators of facilities subject to SPCC regulations should ensure that the appropriate containment measures are being used wherever oils are handled or stored.

CONTROLLING ON-SITE STORMWATER FLOW



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Since the new Multi-Sector General Permit (MSGP) took effect on June 1, 2018, HEI has completed multiple comprehensive stormwater compliance inspections and has evaluated different ways of directing stormwater off-site in a controlled manner. Below are some tips, methods, and ideas that HEI has recommended that may help you control stormwater on-site.

- **Ditches / Swales:**
Easily installed with an excavator or dozer; direct water away from potentially exposed pollutants, stored materials and/or sensitive areas; use excavated spoils to create on-site berming; establish vegetation and use of angular rocks within ditches to reduce erosion and flow velocity; and use check dams within the channel to reduce discharge flow rate.
- **Settling Ponds:**
Reduce total suspended solids (prior to discharge off-site); wide and shallow ponds will facilitate evaporation and infiltration; and install check dams with finer aggregate on the upslope and coarser aggregate on the downslope to reduce suspended solids.
- **Culverts:**
Direct stormwater runoff under the ground surface in high traffic or storage areas to reduce exposure.
- **Earthen Berms:**
Keep stormwater on-site or in a designated flow path.

Please contact HEI to evaluate methods for controlling stormwater at your facility.

**Remaining
Compliance
Dates &
Deadlines:**

Cooling
Tower
Bacteriological
Sampling
Every 30 Days

Cooling Tower
Legionella
Sampling
Every 90 Days

Cooling Tower
System
Inspection
Every 90 Days

WORKPLACE VIOLENCE PREVENTION



Workplace violence can pose a serious threat in the workplace. Each year, hundreds of workers in the United States die as a result of workplace violence; millions more report as having been the victims of some type of workplace violence; and even more cases go unreported. Although workplace violence is statistically higher in certain industries, it can occur anywhere at almost any time.

There are four types of workplace violence that describe the relationship between the perpetrator and the victim. Type 1 (Criminal Intent) is where violence occurs during an attempted robbery or crime; Type 2 (Customer/Client/Patient) is where the violence is directed at employees to whom the employer provides some type of service; Type 3 (Co-Worker) is where a violent act occurs between any co-workers; and Type 4 (Personal) is where the violent act is committed by a non-employee who has a personal relationship with an employee.

Under Section 5(a)(1) of OSHA's General Duty Clause, employers are required to provide employees with a place of employment that is "free from recognizable hazards that are causing or likely to cause death or serious harm to employees". This clause includes workplace violence. Engineering controls that employers can implement to prevent workplace violence include adequate lighting, door locks, physical barriers, metal detectors, panic buttons, security alarms, and closed circuit video or camera systems. Administrative controls include security guards, the buddy system, and effective training. For more information or assistance, please contact HEI.

WASTE OIL VS. USED OIL



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Used oil and waste oil have differing management requirements. Although these may seem like the same material and quite often the terms are used interchangeably, used oil and waste oil are separate materials that must be managed in their own way. The USEPA defines used oil as "any petroleum or synthetic oil that has been used, and as a result of such use is contaminated by physical or chemical properties." It is oil that has been used for its intended purpose and as a result has been contaminated by dirt or chemicals during its normal use. An example of used oil is oil drained from a truck engine or machinery. Used oil is exempt from regulations as a hazardous waste under 6 NYCRR Part 374-2, based on the presumption that it will be recycled or reused. Used oil may be stored in tanks or containers, however, they must be appropriately managed under best management practices (i.e., labeled as USED OIL, non-leaking containers, etc.).

Waste oil on the other hand is used or any other oil that has been contaminated through use or accident such that it cannot be used for its intended purpose and is not subsequently refined or recycled. Therefore, this oil is waste and, if displaying hazardous waste characteristics such as ignitability, is also a hazardous waste and must be managed as such. This includes proper labeling, transporting, and recordkeeping. Waste oil must be classified as on-specification or off-specification pursuant to 6 NYCRR Part 374-2.2(b)(1).

NEW UNDERGROUND STORAGE TANK RULES

Revisions to the federal underground storage tank (UST) operation, maintenance, and training requirements took effect in 2015; however, the following compliance requirements are going into effect in **October 2018**:

- Operator Training (by October 13, 2018)
 - Owners must designate and ensure 3 classes of operators are trained; and
 - Retraining is required for Class A and B operators at facilities determined to be out of compliance.
- Operation and Maintenance Requirements
 - Every 30 days, check spill prevention and release detection equipment and records;
 - Annually, check containment sumps and hand-held release detection equipment; and
 - Keep records of the walkthrough inspection for 1 year.
- Annually test release detection equipment for proper operation and keep records for 3 years (beginning October 13, 2018).

Note: If you are complying with the New York State PBS program and UST regulations, you may be fully compliant with the USEPA regulations.

The full list of updated UST requirements can be found at: <https://www.epa.gov/ust/revising-underground-storage-tank-regulations-revisions-existing-requirements-and-new>

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