

Practical Solutions

Hazard Evaluations, Inc.
Quarterly Newsletter

Fall 2019

Important Compliance Dates & Deadlines for 2019:

Quarter 3
TP - 550 HW
Assessment & Fees
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

Environmental Advantage Reminder

C. Mark Hanna, President and Principal of Hazard Evaluations, Inc., wants to remind our clients of the significant change in the firm's structure which is focused on developing a proper business succession. Effective June 27, 2019, Mr. Hanna formed a second firm, Environmental Advantage, Inc. Hazard Evaluations, Inc. (HEI) and Environmental Advantage, Inc. (EA) will operate as sister companies for the foreseeable future. Services will be segregated by the end of 2019 with EA fully operational for environmental services in 2020. For more details about the goals and structures of the companies, please see the previous Practical Solutions newsletter (Summer 2019) or contact Mark Hanna directly.



Updated e-Manifest User Fees Now in Effect

The U.S. Environmental Protection Agency (USEPA) is encouraging the hazardous waste industry to fully adopt electronic manifesting as soon as possible to take advantage of the benefits and cost savings. New fees are effective on October 1, 2019 through September 30, 2021. Receiving facilities will see their first invoices reflecting the new rates starting in November 2019. The new fees are as follows:



Mailed in Paper Manifest	\$25
Scanned Image Upload	\$20
Data and Image Upload	\$14
Electronic Manifest (Fully Electronic & Hybrid)	\$8

User fees are charged to the receiving facilities for each manifest submitted. The amount of the user fee is based on how the receiving facility submits the manifest to the USEPA. Site managers will receive an invoice and should pay their invoice in e-Manifest through a Pay.Gov account. If invoices are not paid, the USEPA enforces late fees including a monthly handling charge and penalty for each month the bill remains unpaid.

Training Grant Funds Available

HEI is offering facilities the opportunity to receive significant training grant support during the August 2020 - July 2021 Program Year. The Hazard Abatement Board awards grants for employers to provide OSHA training programs which train and educate workers, supervisors, and management personnel. The grants also promote workplace accident and injury prevention by offering approximately \$6.5 million in annual funding, throughout New York State.



HEI provides affordable grant-eligible safety training focused on site-specific compliance. Grant funding is typically awarded for actual on-site training costs. Please contact Erik Hanna, Director of H&S Services at (716) 667-3130 or by email at ehanna@hazardevaluations.com for further information. To ensure that your organization is included in this opportunity, please submit your requests to HEI by January 3, 2020. Now is the time to discuss your submission for the 2020-2021 New York State Hazard Abatement Board Safety Grant, administered through HEI.

Increased Penalties for Hazmat Violations



The U.S. Department of Transportation (USDOT) increased the civil penalties for Hazardous Materials Regulations (HMR) violations. The increases were effective July 31, 2019 and are as follows:

- The maximum civil penalty for violation of hazardous materials transportation law increased to \$81,993 per day, per violation;
- The civil penalty for a violation that results in death, serious illness, severe injury, or substantial property damage increased to \$191,316; and
- The minimum penalty for a hazmat training violation increased from to \$493 per employee, per day. All hazmat employees must be trained every 3 years.

Although the financial penalties of noncompliance are important, the consequences of hazmat noncompliance go beyond those penalties. Improper classification, packaging, labeling, and handling of hazardous materials could cause injury to employees during loading, unloading, and transit. These mistakes could also lead to financial burdens for the company, such as rejected or delayed shipment and re-packaging or re-labeling. For these reasons, it is extremely important to ensure comprehensive training for all hazmat employees.

Proposed Amendments to Part 226



The period to comment on the proposed revisions to 6 NYCRR Part 226 'Solvent Metal Cleaning Processes' recently came to a close. Part 226 originally applied to cold cleaners, open-top vapor degreasers, and conveyORIZED degreasers that utilized volatile organic compound (VOC) containing solvents, which cleaned metal objects. The main change to this rule is the elimination of the distinction that this part only applies to metal cleaning processes. The proposed amendments would also lower the VOC limit of solvents that can be used within the 'cold cleaning degreasing' process.

The New York State Department of Environmental Conservation (NYSDEC) is also proposing the addition of Subpart 226-2, 'Industrial Cleaning Solvents', which will cover cleaning solvents used in processes otherwise not covered by other regulations. This subpart will only apply to facilities with actual emissions of 3 tons or greater of VOCs from cleaning solvents (12-month rolling total). A recordkeeping requirement has also been proposed in which the owner or operator of a facility must retain records of the quantity and type of cleaning solvents stored and utilized on-site. It should be noted that exemptions exist for both parts of this regulation. For more information on this proposed regulation change, visit the NYSDEC website, or contact HEI to determine if your operations will be subject to this regulation change.

Attention SPDES MSGP Holders



Every two years, the Clean Water Act (CWA) requires States to redevelop their lists of impaired waterbodies. An impaired waterbody is described as a waterbody that does not meet water quality standards and may need the development of Total Maximum Daily Loads (TMDLs) in order to restore water quality. The USEPA has requested water quality data for the 2020 list be compiled by the States and submitted by April 2020. The release of the final 303(d) list should be read and followed closely by NYSDEC SPDES Multi-Sector General Permit (MSGP) holders. The discharge to a newly impaired waterbody may mean that a facility who was required to visually monitor outfall discharges in the past, may now be required to collect those discharges and submit samples for lab analysis on a quarterly basis. Furthermore, if a new 303 (d) list removes an impairment of a waterbody and samples were required in the past, samples may no longer be required. It is important to understand this list and appropriately identify impaired waterbodies around your facility.

Reminder for All Air Facility Registration and Permit Holders!

All Air Facility Registrations and State Facility Permits are issued for a period not to exceed ten years (even if there appears to be no expiration date). If you have already received a notice from the NYSDEC to renew your registration / permit, or your facility's permit or registration is approaching the expiration date, contact HEI for expert assistance with the renewal process.

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