

Best Practices in Hazardous Waste Information Management

AHMP National Conference
August 29, 2011

Isaac Powell
Product Manager - Technical Services
3E Company – Carlsbad, CA

About the Speaker



- **Isaac Powell:**
- *3E Company – Carlsbad, CA*
- 14 years EH&S experience with implementing compliance management programs including regulatory reporting, emergency response, hazardous waste and dangerous goods management
- Currently Product Manager for 3E Technical Services including Emergency Response, Hazardous Waste Management, Transportation, Classification & Regulatory Reporting Services
- Member of the AHMP, AWMA, National Fire Protection Association & International Code Council
- BA in Economics from at the Univ. of Michigan, Ann Arbor

Hazardous Waste Exposure



LAW360 News, cases, companies, firms

News Sections Alerting Tools Jobs

Airline Fined For Illegally Dumping Hazardous Waste

By Jason S. ...

Law360, New York (January 20, 2011) — Charter airline Miami Air International Inc. sentenced to three years of probation and ordered to pay a \$125,000 criminal fine storing and disposing of hazardous oxygen generators and personal breathing eq

Want to save this for later? Add it to your Queue!

PENNSYLVANIA FINES 2 COMPANIES FOR HYDROCHLORIC ACID SPILL

(The following is a reformatted version of a press release issued by The Pennsylvania Department of Environmental Protection, obtained from www.pdesa.dep.state.pa.us.)

12/7/2009

DEP Fines Chesapeake Appalachia LLC, Schlumberger Technology Corp. for Hydrochloric Acid Spill in Bradford County

Williamsport - The Department of Environmental Protection has fined Chesapeake Appalachia LLC and Schlumberger Technology Corp. \$15,557 each for a 295-gallon hydrochloric acid spill at Chesapeake's Chesapeake Well site in Asylum Township, Bradford County.

PBN PROVIDENCE BUSINESS NEWS SEARCH LOGIN PREMIUM CONTENT

HOME NEWS TOPICS OPINION TOP LISTS EVENTS PHOTOS/VIDEO SPECIAL SECTION

Latest News News Briefs People Business Formations Contact Us Advertise Vendor Locations Six-Week Free Trial

Published online Nov 24, 2010

CVS fined for dumping photo-processing chemicals into Conn. sewers

HARTFORD — CVS Caremark Corp. agreed to pay \$258,900 in fines to Connecticut after illegally dumping photo-processing chemicals into sewers that threatened local drinking water and aquatic life, the Hartford Business Journal reported Tuesday.

Wal-Mart to pay millions in waste case

Payment will settle handling, dumping claims at Calif. stores

Below: Discussion Related

Brown and District Attorneys Sue Target for Illegal Disposal of Hazardous Waste

Separately, Brown and Riverside, Ventura, and San Joaquin County ... settlement with Kmart over simi-

Ap Associated Press updated 9/3/2010 5:54:52 PM

Share | Print | Font: A + -

need to pay \$27.6 million to settle allegations that it improperly res across California in a case that led to changes in the retailer's ay.

involving more than 20 prosecutors

Only on msnbc.com

WILSON NEWSPAPER COX

Home Depot agrees to pay \$10M in hazardous waste dumping lawsuit

BY THE ASSOCIATED PRESS

Is there a “right” way
or a wrong way to manage
hazardous waste
information?



Generator Profile



Common Misconceptions

“We don’t really generate hazardous waste”



Common Misconceptions

“We donate most of our returned, damaged, unused and expired products”

“We send the rest back to the vendor for credit”



Common Misconceptions

“We don’t have any spills”



Common Misconceptions

“Our employees know how identify and handle hazardous waste”



Common Misconceptions

“Our hazardous waste hauler takes care of everything, even manages the paperwork”



Behavioral and Cultural Obstacles

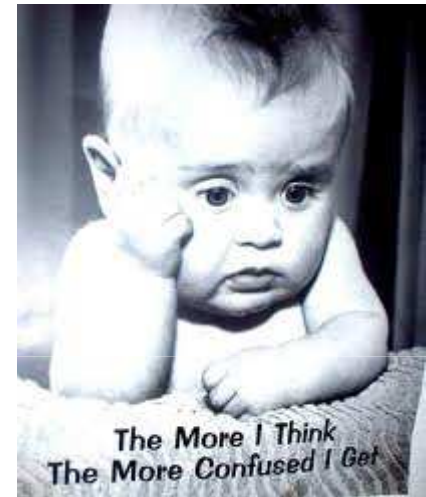


- Employee-level

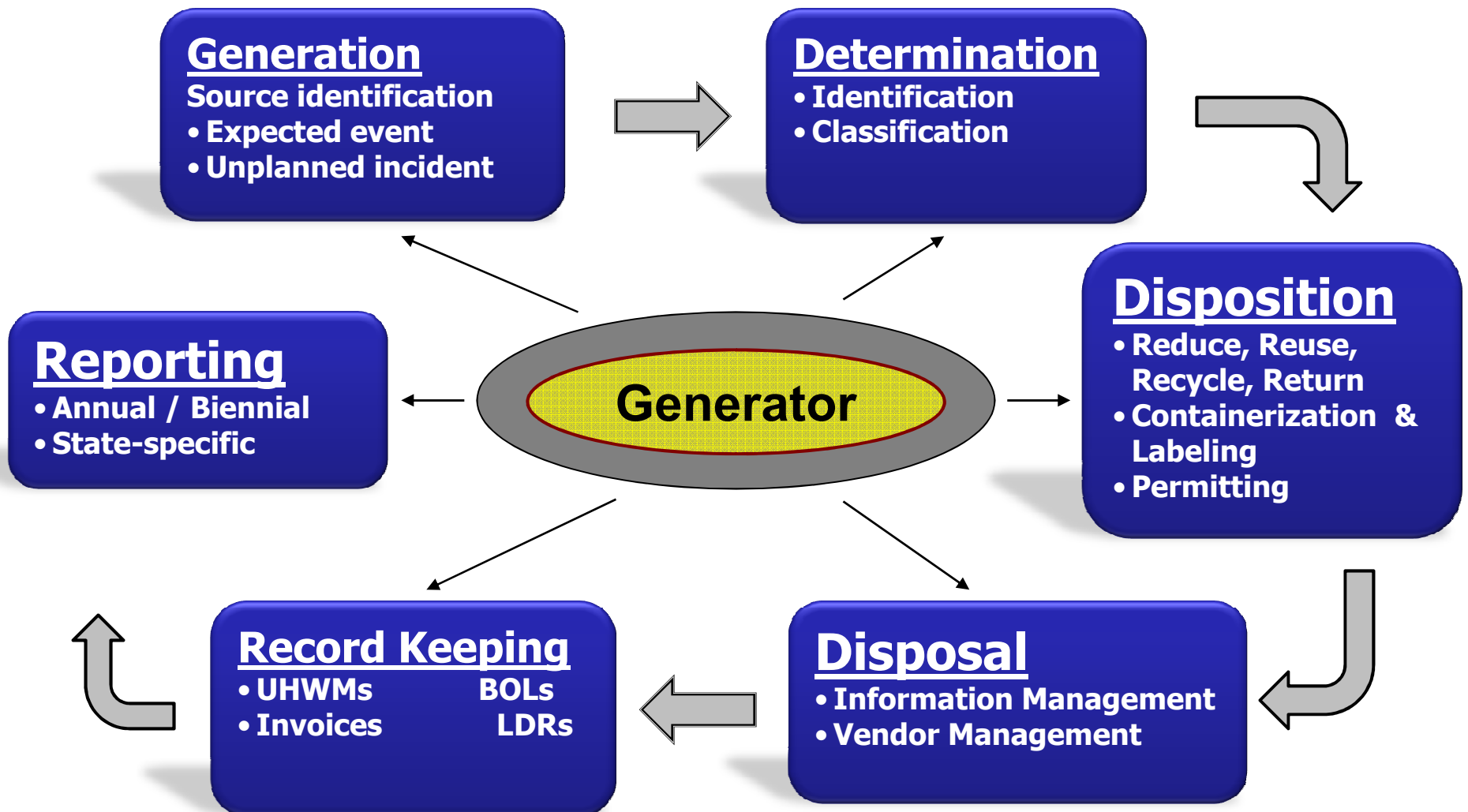
- Affecting behavioral changes from managing waste at home vs. waste in the workplace
- Recognizing the shift in responsibility and risk

- Management-level

- Understanding potential adverse impacts (financially, environmentally, to worker safety and to the brand)
- Supporting standard repeatable processes vs. tribal knowledge



Waste Lifecycle



Common Issues



- Not safely segregating incompatibles
- Storing hazardous waste beyond the authorized time limits
- Failure to have a contingency plan or failure to keep it up-to-date
- Failure to mark the words “hazardous waste” on containers
- Failure to inspect containers
- Failure to close and secure containers

* 2007 Environmental Resource Center Report: Top 10 Hazardous Waste Violations

Waste Determination

- **Most common hazardous waste violation:**
 - Failure to determine which wastes are hazardous*
- *40 CFR Section 262.11 – Hazardous Waste Determination:* A person who generates a *solid waste*, must determine if that waste is hazardous
- *40CFR Part 271 – State Authorization:* State programs have the option to be more stringent than the Federal Standards



Notable States :

CA, CT, FL, IL, IN, KY, MA, MD, ME, MI, MN,
MO, NH, NJ, NY, OR, RI, SC, TX, UT, VT, WA

Hazardous Waste Data Use



- Identify hazardous wastes by State
 - Pre- classify all products at level Federal (RCRA) and State level
 - Integrate with ERP Systems
- Employee Training
- Dispensation Routing
- Selection of Storage Container
- Hazardous Waste Labeling
- Separate Incompatible Materials
- Manage Waste Hauler Costs



Canadian Requirements



Question: What about Canada?

Answer: Environment Canada is the overseeing agency

- Wastes are considered to be hazardous if they are known to be harmful to human health and the environment if not disposed of properly
- Many of the definitions of what is considered waste regulations are referenced in the Transportation of Dangerous Goods regulations.
- Provinces can have stricter requirements. They are primarily responsible for establishing controls for licensing hazardous waste generators, carriers and treatment facilities within their jurisdiction.
- At Least 5 provinces have variances from the federal guidelines:
 - Alberta (unique waste codes)
 - British Columbia (special wastes)
 - Manitoba (unique waste codes)
 - Ontario (unique waste codes)
 - Quebec (unique waste codes)

Disposal Consideration



1. Importance of Vendor Selection
2. Consider Cost vs. Reliability
3. Vendor Qualification

Statement of Qualifications



- Company history and experience
- Listing of hazardous waste response capabilities & equipment, including type of waste handled (e.g. Chemical, Pharmaceutical, Blood Bourne Pathogens, etc)
- Geographical areas covered
- Listing of locations and 24-hour contact numbers
- Customer References

Insurance Requirements



- Require Vendors contractors meet minimum standards of insurance coverage:
 - Worker’s Compensation
 - Employers Liability
 - Commercial General Liability
 - Automobile Liability
 - Contractor’s Pollution Liability
 - Professional Errors and Omissions Liability
- Maintain Copies of Insurance Certificates

Other Elements



- Review of contractor financial stability including: financial history, bankruptcies, mergers and acquisitions.
- Requires that the contractor certify that they maintain all required licenses, permits and registrations to handle, store, transport or dispose of hazardous waste within the jurisdictions they service.

Other Elements



- Review of contractor compliance record including reported violations and fines
- Have the contractor supply copies of current licenses, permits and/or registrations
- Review of customer service track record based on industry referrals, customer references, and personal experiences

Other Elements



- Know where the wastes go; Specify TSDF if appropriate
- Find out if they subcontract
- Contractual agreements
 - Specific performance and compliance standards
 - Confidentiality
 - Preferred Pricing

Other Elements



- Perform audits of vendors
- Update vendor information as business requirements change or on a periodic basis
- Use competitive bid process
- Document due diligence efforts

Record-keeping



- EPA ID# and Generator Status
- Uniform Hazardous Waste Manifest (cradle to grave management system)
 - 3 Year Retention Requirement
 - Exception Reporting
 - Consider Electronic Retention Options
- Land Disposal Record (LDR)
- Waste Profiles

Waste Data & Analysis



- Centralized data facilitates filing of generator reports
 - Biennial Waste Reports
 - State/Local Reports
- Monitoring changes to generator status and potential impact on existing waste management programs
- Develop effective waste minimization strategies by looking at waste streams and disposal methods over time
- Benchmark data to compare performance over time or across multiple facilities
- Demonstrate effective cost management implications and justification for EH&S initiatives

Outsource Evaluation



- Will it save you \$\$\$?
- Will it save time and/or resources?
- Does it maintain or increase safety and compliance?
- Does it add a layer of expertise and oversight not currently available?

Question: Is there a “Right” way or a wrong way to manage hazardous information?



Answer: There are a host of methods available to manage this information effectively in order to maintain safety and compliance.

Waste Program



An organization's hazardous waste management practices will likely depend upon numerous variables that include

- Current program and practices
- Applicable compliance requirements
 - Statutory (local, state, federal)
 - Industry specific
 - Organizational (corporate policies)
- Volumes and types of wastes generated
- Internal personnel
 - Number of resources
 - Level of expertise
- Integration of outsourced solutions

Definitions



Program refers to the set of organizational practices deployed to manage hazardous waste information

The Critical Elements of any program should address the entire waste life cycle

3E defines these elements as

1. Generation
2. Determination
3. Disposition
4. Disposal
5. Record keeping
6. Reporting
7. Training & Auditing

Conclusions



- ▶ The only “wrong” way, is to have no hazardous waste information management program in place
- ▶ Though some type of program is better than no program at all, the risks associated with an ineffective, underdeveloped program may be similar
- ▶ Ineffective programs share some common characteristics

Questions?

Isaac Powell

Product Manager, 3E Technical Services

Office: 760-930-6638

ipowell@3ecompany.com