

# Part II of Best Practices in Hazardous Waste Information Management

December 11, 2008

Presented by Isaac Powell, Technical Product Manager  
Kami Blake, Solutions Engineer

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# Web Seminar Instructions



- Click Q&A button to submit your questions. Questions will be answered at the end of the presentation.
- This web seminar will be recorded. The audio and visual presentation link will be sent to you after the web seminar

# Guest Speakers



## Isaac Powell, Technical Product Manager, 3E Company

- From 1999 to 2004, held direct supervisory responsibilities for 3E's regulatory reporting, transportation & classification service departments.
- Since 2005, has served as Product Manager for 3E Technical Services which includes Emergency Response, Hazardous Waste Management, Transportation, Classification and Regulatory Reporting Services.
- Is a CHMM and current member of the AWMA, ACHMM, National Fire Protection Association & International Code Council.

# Guest Speakers



## Kami Blake, Solutions Engineer, 3E Company

- From 2002-2006, held supervisory and management responsibilities in 3E Operations Manufacturer Services, Workload Management and Quality Assurance departments.
- Since 2007, has served as Solutions Engineer documenting client's compliance needs and engineering a transition path to meet hazardous materials management compliance goals and objectives.
- 25 years combined experience in FDA, OSHA, EPA & DOT compliance of regulated materials and processes.

# Today's Agenda



- **Session I Overview**
- **Session I Q&A**
- **3E Waste Management & Information Services**
- **Outsource Solution Summary**
- **Questions**

# Session I Overview



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

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

# Session I Overview



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

# Session I Overview



## 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

# Session I Overview



## 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

# Session I Overview



The most common characteristic of an ineffective program that 3E encounters when providing solution assistance is

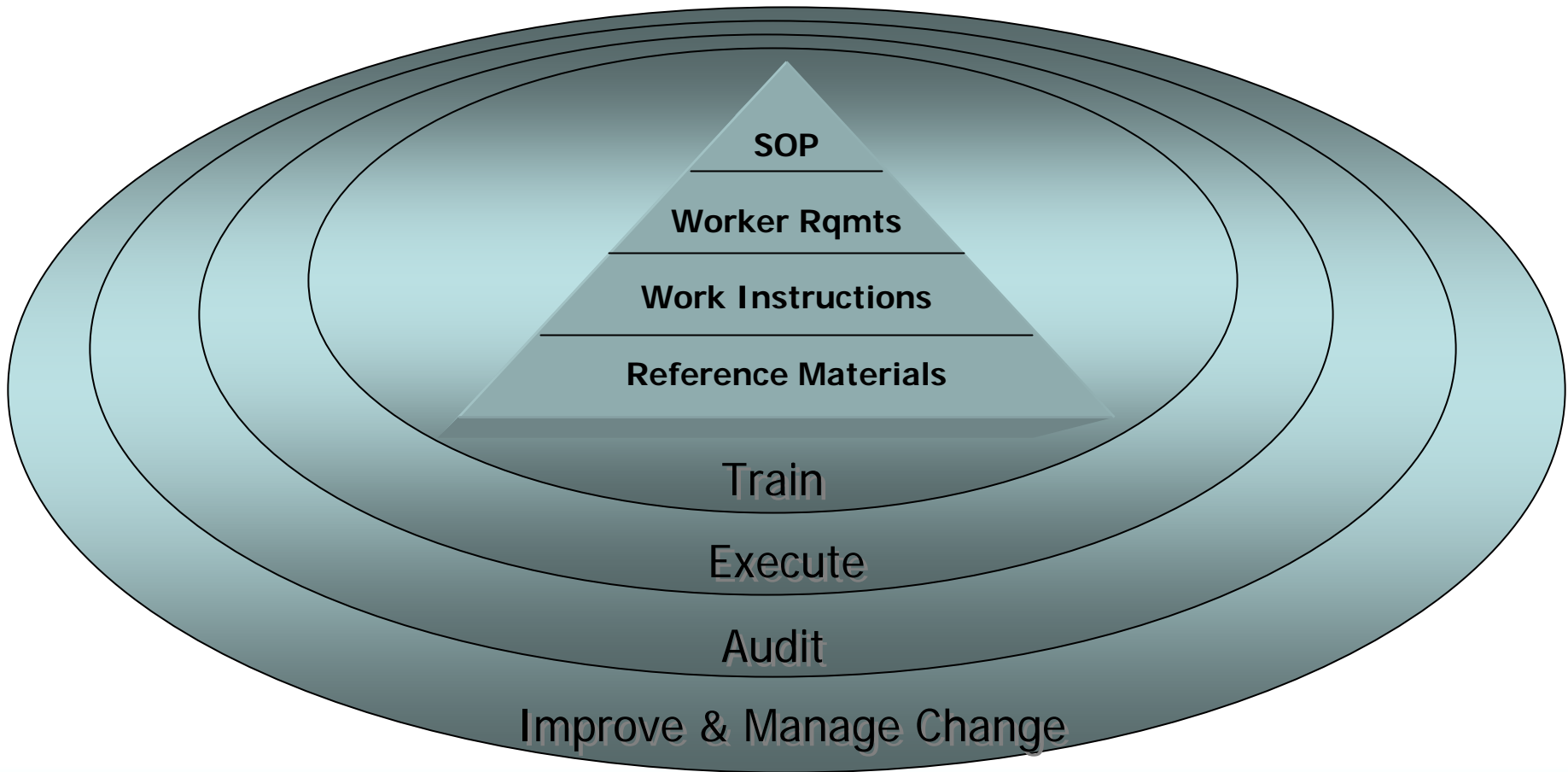
- ▶ Incomplete / Underdeveloped programs that fail to account for all of the critical elements of the waste life cycle

Other characteristics include:

- ▶ Failure to account for all applicable requirements
- ▶ Failure to apply due diligence to directives that appear to be open to interpretation
- ▶ Undocumented practices and procedures

# Session I Overview

Define → Train → Execute → Audit → Improve and Manage Change



# Session I Q & A



Question: Can you provide an example of non-solid waste?

Answer: Some materials that are reclaimed are not considered solid wastes under RCRA, even if they exhibit a characteristic of hazardous waste.

Examples can include materials such as sludges, by-products, and commercial chemical products that are speculatively accumulated.

The US EPA determined that contaminated wipes, generated as a result of normal operations, sent to commercial industrial laundries and subsequently reused are not "discarded." Therefore, they are not considered a solid waste subject to RCRA regulation. This does not include wipes mixed with hazardous waste and would only apply to laundering facilities adequately regulated through the Clean Water Act's pretreatment requirements.

# Session I Q & A



Question: Can you provide an example of non-solid waste?

Answer: Here's how NASA segments and defines non-solid waste within their hazardous waste management program

- Materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure
- To include brick, concrete and other masonry materials, stone, glass, wall coverings, plaster, drywall, framing and finishing lumber, roofing materials, plumbing fixtures, heating equipment, electrical wiring and components
- That contain no hazardous fluids or refrigerants, insulation, affixed carpeting, asphalt substances, metals incidental to any of the above, and weathered railroad ties and utility poles.

# Session I Q & A



It is important to consider the EPA's definition of solid waste when making a solid/non-solid waste determination

## **Solid Waste:**

According to the EPA regulations, solid waste means any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi- solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities.

# Session I Q & A



Question: What is the Canadian equivalent to the EPA and RCRA?

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. Some, called acutely hazardous wastes, are highly dangerous even when managed properly.
- The Waste Reduction and Management Division (WRMD) of Environment Canada is responsible for implementing terms of international agreements aimed at the monitoring and control of transboundary movements of hazardous and non-hazardous wastes and recyclable materials.
- Many of the definitions of what is considered waste regulations are referenced in the Transportation of Dangerous Goods regulations.

# Session I Q & A



Question: What is the Canadian equivalent to the EPA and RCRA?

Answer: Continued

Provinces, like States, in the US can have stricter requirements. Provinces 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, using previous TDG)
- Ontario (unique waste codes)
- Quebec (unique waste codes)

# Session I Q & A



Question: Where can we find state and local requirements for waste?

Answer: State environmental agencies do not consolidate their waste management regulations in one accessible databank. Research of individual State regulations is typically required to identify specific hazardous waste requirements.

Outsourced solutions include waste management and regulatory consultants who are routinely called upon or put on retainer to research the applicability and business impact of state and local requirements at regional, national and/or global level.

Many large quantity generators with complex programs have credentialed regulatory specialists or experts on staff.

3E offers a variety of solutions that may assist with managing multi-state waste operations that will be covered during this presentation.

# Session I Q & A



Question: Where can an extensive list of Universal Wastes be found?

Answer: There are four types of Federal universal wastes

- Batteries
- Pesticides
- Mercury-containing devices
- Lamps (fluorescent bulbs)

Under RCRA, States can and do impose additional categories, some of those include

- Aerosol cans
- e-Waste
- Anti-freeze

Federal Universal Waste Regulations can be found in 40 CFR Part 273

# Session I Q & A



Question: Where can an extensive list of Universal Wastes be found?

Answer: Continued

The list may soon expand, as

On November 20, 2008, the Administrator of the U.S. Environmental Protection Agency (EPA) signed a proposed rule to amend the Universal Waste Rule under the Resource Conservation and Recovery Act (RCRA) to include pharmaceuticals as universal wastes. If finalized, the rule would streamline regulatory requirements associated with generation, collection, and transportation of hazardous pharmaceutical wastes, while leaving unaltered hazardous waste regulations for recycling or disposal of such hazardous wastes. EPA expects the proposed rule to primarily impact retail pharmacies, reverse distributors of pharmaceuticals, hospitals, and other health care facilities. Comments on the proposal must be submitted to EPA within sixty (60) days following publication in the Federal Register, which is expected in approximately two weeks.

# Session I Q & A



Question: Where can I find a copy of the EPA's inspections checklist?

Answer: This question may refer to "\$\$The Prosecutor's Hit List\$\$" and "The Inspector's Checklist" slides from Session I.

These lists were compiled by 3E based on information received during

- Presentations from Regulators (OSHA, DOT, EPA) and Legal Professionals (DAs, ADAs) delivered and industry-specific EH&S conferences
- Expert testimony and depositions provided by 3E on behalf of our clients
- Tracking and trending NOVs, fines and citations that involve hazardous chemical and hazardous waste management

**Enforcement & Compliance History Online (ECHO)**

[www.epa-echo.gov/echo/compliance\\_report.html](http://www.epa-echo.gov/echo/compliance_report.html)

# Session I Q & A

## \$\$ The Prosecutor's Hit List \$\$

- Previous violators
- Chronic violators
- Violators who cause significant adverse impact
- Willful and repeat violators
- Violators who cannot achieve compliance within restrictive deadlines
- Industry trends

# Session I Q & A



## The Inspector's Checklist List

- ✓ Hazardous waste storage areas
- ✓ Claims return areas
- ✓ Used spill absorbent material
- ✓ Grounds, maintenance and janitorial areas
- ✓ Universal waste
- ✓ Pharmaceutical waste
- ✓ E-waste
- ✓ Record keeping and documentation
- ✓ Oil management practices

# Session I Q & A



Question: Where can I obtain a good RFP format for a waste vendor?

Answer: Qualifying a hazardous waste vendor is not a quick and simple process. We are not aware of any standard RFP template that would aid your search for a qualified third party.

3E maintains a pre-qualified ER & Hazardous Waste Management vendor network that services 3E clients in multiple capacities. Our contractual qualification requirements include but are not limited to the following:

- Written company history and experience
- Statement of services and service areas
- Proof of financial stability
- Certification of required licenses, permits and registrations
- Organizational chart with contact information
- 24/7/365 contact numbers
- TSDf disclosure
- Customer references

# Session I Q & A



Question: Where can I obtain a good RFP format for a waste vendor?

Answer: Continued

In addition, 3E's pre-qualified vendors must submit to annual/bi-annual desk audits and on-site audits, as requested. KPI's may be applied, based on the individual or collective needs of 3E clients.

Any and all subcontracting is to be disclosed in writing. The compliance record of the vendor and all subs to include violations and fines are reviewed and scrutinized.

# Session I Q & A



Question: What does 3E recommend for vendor insurance requirements?

Answer: 3E Recommended Insurance Minimums

- Worker's Compensation - in an amount not less than that required by the Worker's Compensation laws in all of the states in which Contractor performs the Field Services.
- Employers Liability - with limits of not less than \$1,000,000 per employee per accident.
- Commercial General Liability - with a combined single limit of liability for personal injury and property damage of not less than \$5,000,000 per each occurrence and in the aggregate for injury or death for any number of persons, and of not less than \$3,000,000 per each occurrence and in the aggregate for property damage.
- Automobile Liability - \$5,000,000 combined single limit for bodily injury and property damage underwritten on the most recent edition of Insurance Services Office form CA 001, Code 1 (any auto) or its equivalent, with an MCS 90 endorsement and a CA 9948 endorsement or their equivalents attached if hazardous materials are to be transported.
- Contractor's Pollution Liability - with limits of not less than \$2,000,000 per claim and \$4,000,000 annual aggregate.
- Professional Errors and Omissions Liability - with limits of not less than \$5,000,000 per occurrence.

# Part II Overview



## 3E Hazardous Waste Information & Management Solutions

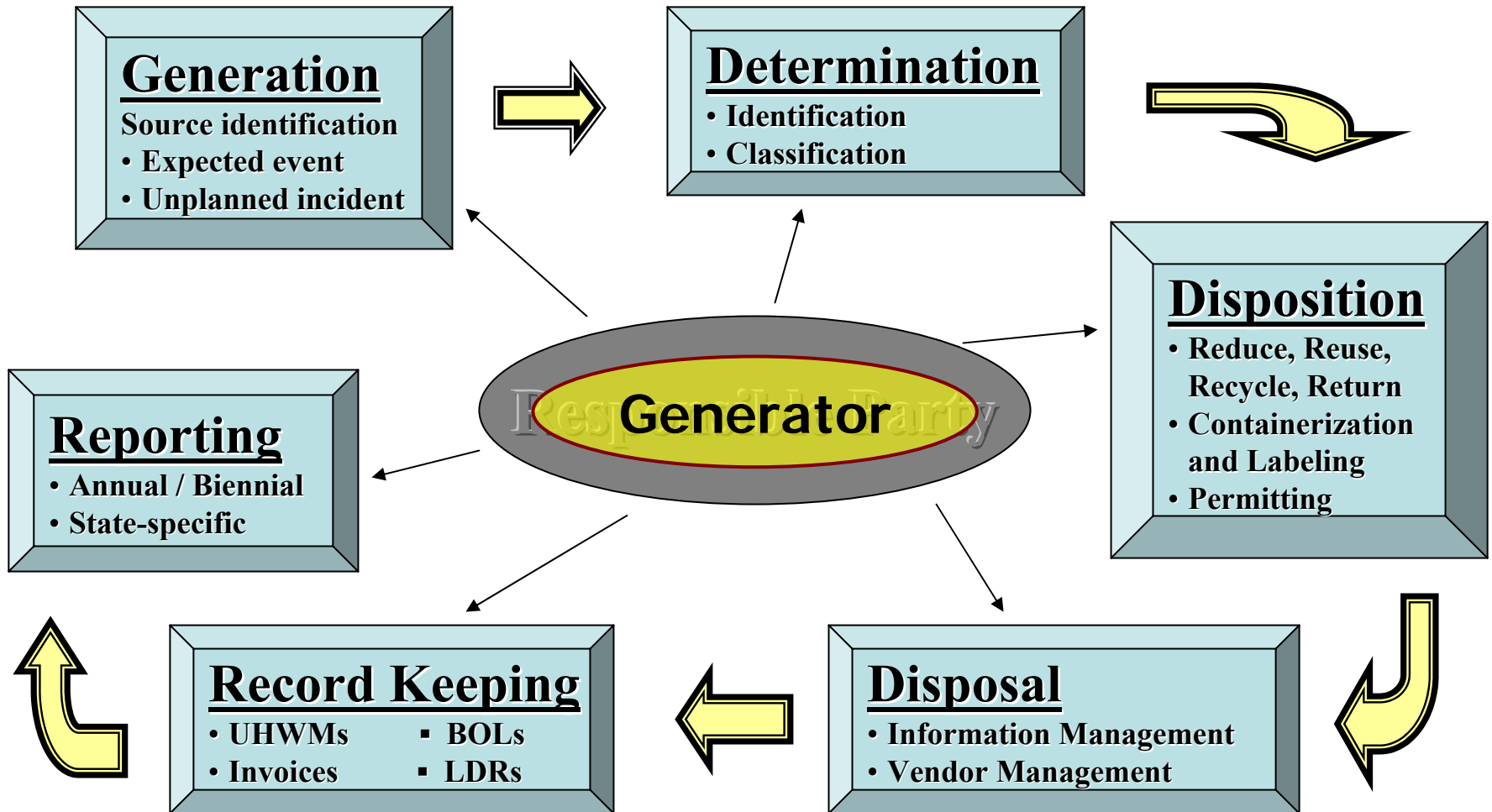
Generation	Incident Management Services
Determination	Waste Classification
Disposition	Waste Labeling
Disposal	Waste Management Services
Record Keeping	Waste Document Management
Reporting	Regulatory Services

# 3E Background



- Providing Waste Management Services since 1988
- Over 350 Employees
- 7,000 Customers with over 75,000 Customer Sites
- 24-7-365 EH&S Mission Control Center
- Strong Vendor and Agency Relationships
- Services that span the ENTIRE Waste Life Cycle

# Waste Lifecycle



## Generation

Source identification

- Expected event
- Unplanned incident

# Incident Management Services



## Spill & Waste Hotlines

- 24-7-365 OnCall access to hazardous materials specialists
- Guidance to ensure compliance with regulations
  - ➔ Federal, State and local notification for qualifying releases
- Maintain client-specific profile to identify critical customer information in order to provide:
  - ➔ Guidance integrated with client waste management program
  - ➔ Includes all calls associated with spills, damaged leaking or unlabeled products, labeling, storage, containment and disposal.

## Generation

Source identification

- Expected event
- Unplanned incident

# Incident Management Services



## Emergency Response Network

- 3E maintains a database of emergency responders in North America that can respond to any type of chemical emergency
- Provide clients and their employees with valuable resources in the event of an emergency situation involving a chemical release
- 3E manages the entire process from dispatch to agency and corporate notifications to clean up monitoring to documentation, disposal and invoice processing

## Determination

- Identification
- Classification

## Waste Classification

- Pre-determine Federal (RCRA) and State waste classification at a product level
- Provide regularly scheduled data feed
- Integrate with chemical inventory management system to identify regulated items, determine product dispensation routing and waste storage, labeling, and disposal protocols.

# Waste Classification



Field	Description
SKU or UPC	Provided by Client
Manufacturer	Provided by Client
Product	Provided by Client
Container Size	Provided by Client
Container Unit	Provided by Client
RCRA Waste Code	Alphanumeric Characteristic or Listed Waste Codes as defined in 40 CFR 261 Parts C and D
RCRA Waste Classification	Characteristic and Listed Waste Description
State Waste Code (Value Add Option)	Alphanumeric characteristic or listed waste codes as defined Required by the regulating State authority
State Waste Classification (Value Add Option)	Description of characteristic or listed waste
Client Custom Field	Applied value specific to Client waste management program (e.g. Black Container, Waste Streams/Profiles)

# Disposition



## Waste Label Hotline

- Accumulation Label for Container Management and Compliance
- Accessible via 3E OnCall Hotline
- Compliant with RCRA and State EPA labeling requirements
- Sent via fax or e-mail

## Hazardous Waste

**\*\*STATE & FEDERAL LAW PROHIBITS IMPROPER DISPOSAL\*\***

**IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY, OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE APPROPRIATE STATE AGENCY.**

### Generator Information

Company:	<i>Acme Corporation</i>
Facility ID:	<i>ACM0102</i>
EPA ID Number:	<i>CAL000123201</i>
Address:	<i>1905 South Main Street</i>
Contact Number:	<i>Carlsbad, California 92008</i> <i>(760) 555-1212</i>

### Material Information

Accumulation Start Date:	<i>10/05/05</i>
Material ID:	<i>025056010100</i>
Material Description:	<i>1 GAL FIBERED ROOF COATING</i>
Physical State:	<i>Liquid</i>

### Hazard Information

<b>Hazard:</b>	<b>Ignitable</b>
RCRA Waste Code(s):	<i>D001</i>
State Waste Code(s):	<i>281</i>

*ACM0102-080506-0001B*

# Disposal

## Disposal

- Information Management
- Vendor Management

## Waste Management Services

- Prescheduled or On Call pickups
- Turnkey service which includes:
  - Maintaining network of pre-screened contractors
  - Scheduling & monitoring waste disposal
  - Managing transporter / contractor performance
  - Data capture of key data from waste manifests for reporting and analysis
  - Managing transporter / contractor performance
  - Data capture of key data from waste manifests for reporting and analysis
  - Retention of waste manifest
  - Quality review of waste documents & invoices

# Disposal

## Record Keeping

- UHWMs
- Invoices
- BOLs
- LDRs

## Waste Document Management

### Online Waste Documents

- View the hazardous waste shipping documents
- View waste report, permits and disclosures
- Instant access to the management reports summarizing waste activities:
  - Schedule of pick-ups by division, store location and date
  - Waste Projects/Generation by State
  - Waste Projects/Generation by Division and Store



# Disposal



http://www.3eonline.com/ImageServer/NewPdf/218158A22DAD4662A680AB99B6C996FB.pdf - Microsoft Internet Explorer provided by 3E Co

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Refresh Print Mail Search Select Text 100%

Address http://www.3eonline.com/ImageServer/NewPdf/218158A22DAD4662A680AB99B6C996FB.pdf Go Links

Save a Copy Print Email Search Select Text 100% Create documents anyone can open

Please print or type. (Form designed for use on office (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

**UNIFORM HAZARDOUS WASTE MANIFEST**

1. Generator ID Number: [REDACTED] 2. Page 1 of 2 3. Emergency Response Phone: (800) 567-7455 4. Manifest Tracking Number: [REDACTED]

5. Generator's Name and Mailing Address: [REDACTED] C/O 3E COMPANY  
 1905 ASTON AVENUE #100  
 CARLSBAD CA 92008 (800) 451-8346  
 Generator's Site Address (if different than mailing address): [REDACTED]

6. Transporter 1 Company Name: RHO-CHEM U.S. EPA ID Number: [REDACTED]  
 7. Transporter 2 Company Name: [REDACTED] U.S. EPA ID Number: [REDACTED]

8. Designated Facility Name and Site Address: Rho-Chem Corporation  
 425 Isis Avenue  
 Inglewood, CA 90301 (323) 776-6233  
 Facility's Phone: [REDACTED] U.S. EPA ID Number: [REDACTED]

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
		No.	Type					
X	1. WASTE AEROSOLS, FLAMMABLE, N.O.S. (D001) 2.1 UN1950 LTD QTY RQ(D001=100) ERG(126)	1	DM DF	40	P	D001	331	D035
X	2. WASTE PAINT RELATED MATERIAL 3 UN1263 PGII (FLASHPOINT=20.00c) RQ(D001=100) ERG(128)	2	DM	280	P	D001	331	D035
X	3. WASTE GASOLINE 3 UN1203 PGII (FLASHPOINT=20.00c) MIXTURE - RQ(D001=10) ERG(128) <i>Gas</i>	0	DM	0	P	D001	313	D018
X	4. WASTE HYPOCHLORITE SOLUTIONS 8 UN1791 PGII ERG(154)	1	DM DF	10	P	D001	141	D002

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## Reporting

- Annual / Biennial
- State-specific

## Regulatory Services

### Waste Reporting, Permitting & EPA ID Numbers

- Research Federal, State & Local waste reporting requirements for each client location
- Complete and Submit:
  - Annual/Biennial Waste Reports
  - Waste Storage Permits or Disclosures
  - Federal and/or State EPA ID applications
- On-going Completion and submittal of required permits or disclosure on client's behalf to regulatory agencies
- Ongoing monitoring of generator status based on waste activities

# Outsource Solution Summary



- 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?

# For More Information



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# Questions?