Crandall Corporation
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Compliance Headliner

Does Your Site Comply with Current DOT Standards?

Many automotive repair facilities are subject to and must comply with U.S. Department of Transportation (DOT) regulations for the proper shipment of hazardous materials. All shippers, generators, carriers, transporters, consigners, receivers, and treatment, storage, and disposal facilities are required to comply with DOT regulations. Hazardous materials that an automotive repair facility may have on site include batteries, waste paint, touch-up paint, air bags, and seatbelt pretensioners.

Any employee who loads or unloads hazardous material packages, prepares a hazardous material for transportation, is responsible for safety, or operates a vehicle that transports a hazardous material is required by the DOT to receive Hazardous Material Shipping and Receiving training. At most facilities, at least one member of the parts department must be certified to ship and receive hazardous materials. This person is responsible for all packaging and paperwork related to shipping any hazardous material. Additionally, anyone who signs a waste manifest and any one who drives a parts delivery truck that may contain a hazardous material is required to receive the training.

DOT Hazardous Materials Shipping and Receiving Training is valid for three years. The training includes general awareness training of DOT rules and regulations, job-specific training for the situations and hazardous materials likely to be encountered in an automotive repair facility, safety training, and security awareness. A record of the employee's training must be kept on site by the employer.

As with other regulatory agencies, penalties for violating DOT shipping regulations can be sizable. Each violation can result in a fine of up to $32,500. Failing to follow proper hazardous materials shipping and receiving rules can also result in injury and even death. Several plane and train crashes have been attributed to the improper shipment of hazardous materials.

Crandall Corporation offers several DOT Hazardous Materials Shipping and Receiving training classes each quarter. Watch for our flyer, or call with inquiries of the next class to be held in your region. Remember, no one should ship, package for shipment, or sign a manifest for a Hazardous Material unless they have received DOT Hazardous Material Shipping and Receiving Training within the previous three years.

OSHA's Hexavalent Chromium Ruling to be Followed by November 27, 2006

BEST BET- CHROMIUM FREE PRODUCTS

Chromium is a naturally occurring heavy metal. Compounds containing the metallic element Chromium are commonly used in the automotive industry in dyes, paints, and anti-corrosive coatings. The most prevalent of the compounds is Hexavalent Chromium (CrVI). NIOSH considers CrVI to be a potential carcinogen when exposed, inhaled or ingested. OSHA lists the compounds in TABLE Z-1 "Limits for Air Contaminants" as a toxic and hazardous substance.

Some CrVI compounds are relatively insoluble in water, presenting the dilemma of dust particles & fumes from being inhaled or settling on surfaces in the immediate vicinity of the process, along with a possible air quality issue.

Lung cancer is the most prevalent disease caused by the inhalation of the particles during painting, coating, and removal of these coatings during sanding/grinding or blasting, and welding/cutting processes. Although, ingesting and direct contact with particles can cause dermal irritation, skin ulceration, sinus/nasal cancer, eye irritation, kidney and liver damage. There is currently no physical exam to determine the amount of CrVI exposure an employee may have incurred. Only urine testing can determine the most recent exposure, not the prolonged accumulation of Chromium that may exist in the body or its possible adverse effects. Air quality testing is one of the only methods to measure immediate exposure rates.

Concerning the automotive industry, the most common exposure is from the application or removal of anti-corrosive coatings, primers or paints which commonly contain Zinc Chromate or Lead Chromate applied to metal surfaces with a high pressure spray gun. These procedures have been shown to have 20 times the legal exposure limit due to the inhalation of particles, fumes or mist created during spray or removal processes.

Also, welding and cutting procedures specifically welding/cutting on stainless steel, some chrome coated materials, and nonferrous chromium alloys are of concern. Again, these procedures can create particles, dust, and fumes containing CrVI which presents an inhalation exposure opportunity along with the aforementioned air quality issues.

The Permissible Exposure Limit (PEL) for water-soluble and certain water-insoluble Hexavalant Chromium compounds is presently 0.05 micrograms/cubic meter of air (.05mg/m3) for an 8-hour time weighted average. This was lowered by OSHA from the previous PEL of 52 micrograms/m3. **The new PEL does not prevent lung cancer. Any exposure to CrVI may cause lung cancer and should be avoided whenever possible.**

The good news is there are Chromium-free materials on the market. Ask your company's paint representative for Chromium-free alternatives. Changing out any CrVI containing products currently being used for anti-corrosive coatings, primes or paints and welding operations would be the simplest solution to prevent exposure. The following is a link to alternative CrVI- free products.

http://www.thomasnet.com/products/coatings-chromium-free-96126610-1.html

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OSHA's Hexavalent Chromium Ruling to be Followed by November 27, 2006 (Continued)

If substitution is not feasible, engineering controls must be in place. Possibilities include mechanically powered, local exhaust ventilation hoods surrounding the immediate spray area or conducting spray operations in an approved, mechanically ventilated spray booth with an airline respirator rather than an air-purifying respirator. (All spray booth and respirator regulations apply). As a "last resort" an air-purifying respirator can be used, but this method is least effective because of its complexity of the combination of respirator cartridges and should only be used to prevent overexposure.

Additionally, protective clothing and equipment, hazard communication and annual medical surveillance, air monitoring and record keeping for employees exposed to Chromium compounds have been mandated.

Medical examinations should be provided to employees 30 days prior to exposure related tasks, to any employee with possible exposure proximity, employees exposed 30 or more days a year and annually thereafter, and finally at termination of employment. Rotation of employees exposed to CrVI is not an option to achieve compliance with the set PEL.

Furthermore, adopt good housekeeping and hygiene procedures to prevent exposure. Protective clothing, equipment and surfaces should not be shaken or blown off. These items should be cleaned by a HEPA-filter vacuuming system or by other controlled measures that eliminate the possibility of creating further airborne CrVI. These items should be stored separately and handled by an authorized and informed party. Any waste, scrap, or debris used during processing should be placed into a sealed container and consigned for disposal or labeled in accordance with the requirements of the Hazard Communication Standard. Change and showering areas should be accessible for exposed employees and equipped with separate storage areas for exposed personal protective clothing and equipment. Contaminated clothing should be removed each shift or at the end of CrVI involving tasks, which ever comes first. There should be no eating, drinking, smoking, or application of cosmetics in the exposed areas.

OSHA made its final ruling on February 28, 2006 for requirements of proper safety measures to reduce exposure to Hexavalent Chromium in the workplace. The requirements are listed in 29 CFR, 1910.1026 of the Code of Federal Regulations.

The ruling requires employers to make certain feasible engineering and work practices to ensure that the PEL be at or below the above mentioned 5 micrograms/m3. It also requires the employer to supply respiratory protection while proper engineering controls are being installed.

Although employers have until May 31, 2010 to implement proper engineering controls the respiratory protection must be in place on the following schedule.

- November 27, 2006 for employers with 20 or more employees
- May 30, 2007 for employers with less than 19 employees

What Types of Compliance Inspections Might a Dealership Expect?

Automotive repair and service facilities may be subject to a number of compliance inspections from various agencies and companies. The inspections generally fall into one of two groups: those from regulatory agencies and those from private companies.

There are four regulatory agencies that are likely to conduct an inspection: the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Department of Transportation (DOT), and the local Fire Marshall. In many states, the agencies may be represented by a state agency that has been given authority from the federal agency to manage the regulations and conduct inspections. For example, South Carolina and North Carolina each have a Department of Labor that administers OSHA regulations within their respective states. EPA regulations are administered in Georgia by the Environmental Protection Division (EPD), in South Carolina by the Department of Health and Environmental Control (DHEC), and in North Carolina by the Department of Natural Resources (DNR). The Fire Marshalls usually have jurisdiction by county or municipality. Non-regulatory companies such as insurance providers, financial institutions, and consultants may conduct periodic inspections using a variety of inspection criteria.

During a DOT inspection, regulators will want to view bills of lading, shipping papers, or waste manifests for packages that have been shipped to or from the facility. They may also request evidence of updated Hazardous Material Shipping and Receiving Training for any employee who has packaged, shipped, or signed a document in the shipping process for a Hazardous Material.

OSHA inspectors look for potential health or safety violations regarding employee safety. Most occupational hazards will be associated with written plans and equipment and chemicals used throughout the facility. Inspectors may request certain records, including records of annual health and safety training for employees, the OSHA 300 Injury and Illness log, and records of regular inspections of safety equipment such as fire extinguishers and emergency lights.

EPA inspectors may conduct a physical inspection of the facility, concentrating on waste handling and storage and the conditions outside of the building, such as waste storage tanks, battery storage, and tire storage location. They may inspect all areas, including the detail department and any oil/water separator present on site. Environmental agencies usually conduct a records review, including training records for employees, waste manifests, and licenses and permits of waste haulers.

You may see your local Fire Marshal more often than you see state or federal regulators. The Fire Marshal will inspect such items as the fire extinguishers, exit signs, emergency lights, and routes of egress. While some conditions may not be noted by a Fire Marshal, they may be cited by another agency or inspector due to these differences in regulations.

Health, Safety, and Environmental Consultants, such as Crandall Corporation, often conduct inspections at the request of the company being inspected. Crandall Corporation uses a variety of resources to conduct compliance inspections and make recommendations. The primary objective is to identify and eliminate or minimize potential risk factors. We can use inspections as a learning experience. They are an opportunity to learn more about rules and regulations and your company, and how you may be able to reduce risks and improve working conditions, not only for employee safety and satisfaction, but for customer satisfaction as well.

Financial institutions may conduct an inspection of the facility if a property is bought or sold, if an application for a loan has been made, or if a loan is already held by the institution. The inspections may include investigation of compliance with both OSHA and EPA regulations. Inspections may focus on the environmental impact of a facility, the petroleum product storage at a facility, or both the environmental and health and safety compliance of a facility. Each of the inspections usually includes a review of records kept at the facility, and an in-depth historical data search.

Finally, many insurance companies conduct periodic inspections of dealerships. The primary objective of the insurance risk manager is to minimize risk to the insurance provider. In conducting the inspections, the risk manager may not consider compliance issues with other regulatory agencies and may suggest recommendations or make requirements that contradict the other agency regulations.

With all of the agencies and companies that may show up at your door to conduct an inspection, it can be difficult to determine the purpose of each inspection. Remember, you can always call an inspector's office to ensure that they are in fact legitimate and have a right to be inspecting your site. Crandall Corporation can be available during any inspection process, and we are usually in your area or just a telephone call away.