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Compliance Headliner

Interstate 20 Closed for Nearly Twenty Hours…

Chemical fire causes residents and businesses to evacuate

Bio-Lab, Inc. in Conyers, Georgia erupted in flames on Tuesday morning, May 25, 2004. The company manufactures pool and water treatment chemicals, including *calcium hypochlorite*. The fire apparently began from chemical reactions within the plant, involving 250,000 pounds of chlorine-based pellets. Chlorine is not combustible, but reacts violently with many organic solvents, petroleum products and flammable liquids. As long as there is a combustible solid or vapor available, chlorine will feed excessive amounts of oxygen to the fire, causing it to burn fiercely. Reportedly, the factory's automatic sprinkler system was not large enough to control the fire. The entire building was quickly engulfed by the fire…

The fire burned for almost two days, causing I-20 to be closed for almost 20 hours. Several thousand people were evacuated within a 1.5-mile radius of the facility, including almost 100 nursing home residents. The wind, with average speeds around 13 mph and gusts up to 20 mph, exacerbated problems in extinguishing the fire and reducing toxic vapors in the surrounding area. Injury reports from the 10 mile plume of smoke and vapors vary from none to as many as 40 people being treated at area hospitals for breathing problems.[1]

Inside this issue:

A Fire Chief at the scene stated that his crews worked through the night to extinguish the fire and significantly reduce the amount of chlorine-tainted smoke and watery runoff from the plant.[2] The temperature in Conyers on Tuesday and Wednesday was around 88°F with 50% humidity. About 30 firefighters were treated for heat exhaustion at the scene.

A local news investigator, Jerry Carnes, reported the EPA is investigating another recent fire and chemical release at the BioLab plant that occurred in April. The plant reported that a chlorine compound caught fire on that date and caused 50 pounds of the chemical to be released into the atmosphere.[3]

Sources:
[1] USA Today. Georgia warehouse fire slowly being extinguished. Posted 5/26/2004 11:34 AM. http://www.usatoday.com/news
[2] Rockdale Evacuation Still in Effect, Web Editor: Sean Rowe, Last Modified: 5/26/2004 11:58:04 AM. http://www.11alive.com/news/news
[3] http://www.wbir.com/News/news.asp?ID=18275. Knoxville, TN

Work-Related Death in Wake County, NC

A 1,000-pound wall collapsed, killing a North Carolina construction worker on May 26, 2004. Workers on the site reported a thick cloud of smoke that blocked their vision. A representative from Oaks Construction, the lead construction agency on the job site, said the company has never had a fatality on a construction site. Officials with the NC Labor Department and a representative from the construction site are sorting out the details of the incident.

Source: Wall Collapses On Construction Worker In Wake County. Posted: 10:52 am EDT May 26, 2004. http://www.wral.com/news. Reporter: Kelcey Carlson. Photographer: Don Ingle

OSHA Requests Comments on Proposed Hazard Communication Guidance Documents

OSHA is requesting comments on two new proposed guidance documents regarding the Hazard Communication Standard. This Standard establishes requirements for manufacturers of hazardous chemicals, as well as employers who use chemicals in the workplace. Although the Standard has been enforceable for over a decade, it is still the leading occupational health and safety violation. In general, OSHA requires:

- Chemical manufacturers to evaluate the hazards of the chemicals they produce or import, and prepare labels and material safety data sheets (MSDS) to convey the information to their customers.
- Likewise, all employers with hazardous chemicals in their workplaces must explain the labeling system and make MSDSs available for all exposed workers. Training on chemical handling and safety must also be completed.

One of the proposed documents is a **Guidance for Hazard Determination**. Only chemical manufacturers and importers are required to perform hazard determinations on the chemicals they produce or import. The hazard determination provides the basis for the hazard information that is provided in MSDSs, on labels, and during worker training.

The other proposed document is a **Model Training Program for Hazard Communication.** OSHA reportedly designed the document in an effort to assist employers in providing effective training that is tailored to specific chemicals and hazards in the workplace. However, the document is intended for any workplace, regardless of operations, types of chemicals, size or complexity. Therefore, it is very broad and does not provide specific information for chemicals, industries, applications, etc. The document does provide a brief overview of the Standard, an introduction to requirements for training, common problems encountered during training and general elements that can serve as a basis for training.

If you would like to submit comments on these documents, you must do so by June 16, 2004 via 1) **hard copy** to OSHA Docket Office, Docket No. H022J, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, DC 20210; 2) **fax** to (202) 693-1648, Docket No. H022J, or 3) **electronically** through the Internet at http://ecomments.osha.gov.

Source: http://www.osha.gov/as/opa/oshafacts.html

EPA Considering SPCC Exemptions for Small Businesses

Source: www.epa.gov

The EPA's Spill Prevention Control and Countermeasure (SPCC) rule subjects all oil storage facilities who meet three criteria to comply with written plan, professional engineer (PE) certification, documentation and employee training requirements. Those criteria include:

1. The facility must be non-transportation-related;
2. The facility must have an aggregate aboveground storage capacity greater than 1,320 gallons or a completely buried storage capacity greater than 42,000 gallons; and
3. There must be a reasonable expectation of a discharge into or upon navigable waters of the United States or adjoining shorelines.

Under the SPCC regulations, oil is defined as "oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredged spoil and oily mixtures." This also includes non-petroleum oils, animal and vegetable oils.

The potential environmental risk for smaller in-shore businesses is significantly less than that of a crude oil tanker vessel and thus, EPA is considering certain exemptions from the SPCC rule.

When considering the storage capacity, all containers storing oil which are equal or greater than 55 gallons must be included. Also – it is the capacity of the containers, not the actual amount of product stored in the container that counts. Oil storage containers include, but are not limited to, tanks, containers, drums, transformers, and portable totes.

The EPA recently revised the SPCC rule and subsequently extended the compliance deadline. To date, the EPA is requiring compliance by all facilities who are subject to the rule no later than August 17, 2005. Implementation of SPCC plan elements, to include installation/upgrade of secondary containment, completion of tank inspections and training of oil-handling employees, must be completed no later than February 17, 2006.

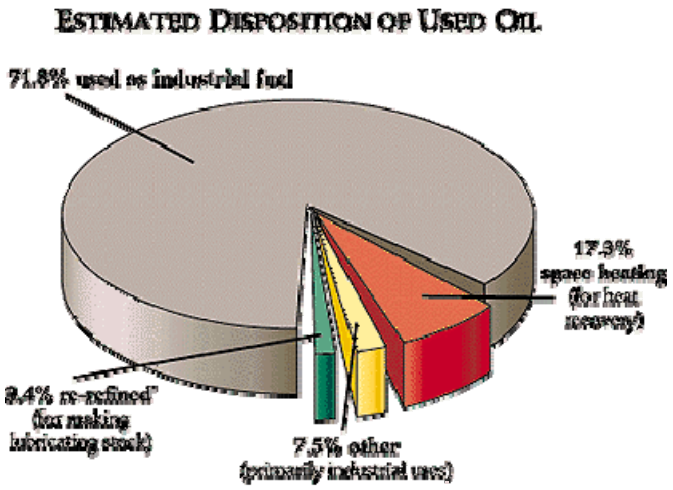
Obviously, every business who owns/operates oil storage tanks does not pose the same risk of expected discharge into navigable water(s). For example, an in-shore textile manufacturer may have several fuel tanks for their shipping department vehicles. The potential environmental risk is significantly less than that of crude oil tanker vessel, oil rig or other sensitively located facility. Therefore, to reflect reasonable potential impacts from small oil releases, the EPA is considering a tiered program that would allow certain exemptions from the current SPCC rule.

In the proposed scheme, EPA would eliminate the requirement of a written plan for facilities who store 1,321 gallons to 5,000 gallons of oil. However, these facilities must still meet all other requirements, including secondary containment, tank/system inspections and annual employee training. Facilities who store between 5,001 and 10,000 gallons of oil would be required to meet all requirements of the standard, including a written plan. But, a Professional Engineer (PE) would not be required to certify the plan. Storage of more than 10,000 gallons of oil would require full implementation of the rule, in accordance with the existing requirements set forth in 40 CFR, Part 112.

The Results of Your Recycling Efforts…

Purposes and destinations of used oil

Most used oils contain high levels of metal and other solid particles picked up in the engine that cause it to become sludgy. As a result, 35% of used oil sent through the recycling or re-refining process must be landfilled or otherwise disposed. Even considering this loss, recycling used oil is still more efficient than obtaining a base lube stock from crude oil. Refining operations are extremely complex; they consume loads of energy and generate a multitude of by-products during each phase. Energy production is of one of the easiest ways to measure the efficiency and benefit of recycling used oil. The API has found that two gallons of reprocessed used motor oil that is burned as fuel will generate enough electricity to power everything in your home for an entire day! The same amount could also provide enough power for all of the following activities… cook 48 meals in a microwave oven, blow dry your hair 216 times, vacuum your house for 15 months and watch television for 180 hours. Processed motor oil can also be mixed with asphalts for paving or blended for marine fuels. Used motor oil is also used in specially designed space heaters in automotive bays and municipal garages, reducing heating costs. Due to maintenance and repair costs required for proper upkeep of these systems, they have proven to be more beneficial for facilities in colder climates. For example, the system must be periodically inspected, to ensure contaminants do not leak into the workplace or the environment. Used motor oil can be re-refined into lubricating oils that meets the same API certification and specifications as new or virgin motor oil thus conserving energy resources for the future.



The uses of reprocessed, re-refined and recycled used oil in the U.S

Source: American Petroleum Institute (API) and the National Oil Recyclers Association (NORA)

OSHA's Budget for Fiscal Year 2004 $457 million

As stated on its web page, the Occupational Safety and Health Administration aims to ensure worker safety and health in the United States by working with employers and employees to create better working environments. Since its inception in 1971, OSHA has helped to cut (reported) workplace fatalities by more than 60 percent and occupational injury and illness rates by 40 percent. At the same time, U.S. employment has doubled from 56 million workers at 3.5 million worksites to more than 115 million workers at 7.1 million sites. Even with recent government budget reductions, OSHA has an authorized staff of 2,220, including 1,123 inspectors and an appropriation of $457.5 million for Fiscal Year 2004. *Source:http://www.osha.gov/as/opa/oshafacts.html*