**No, ISNetworld Is Not the Devil (But We Do Understand Your Pain)**

Working with contractors sometimes the mere mention of the word “ISNetworld” tenses spines, incites red-faced rants and at the very least brings on an eye roll. Exasperated workers tasked with ISNetworld compliance trade war stories when the subject is brought up. So what is this ISNetworld thing and what has everyone so shook up?

ISNetworld is a contractor safety prequalification program. ISNetworld is one among a crop of other programs like it, including Avetta (formerly PICS), PEC Safety, Veriforce, Safety Management Inc., and others.

Safety prequalification programs give companies a means to ensure contractors have good safety programs, appropriate insurance coverage, trained workers and a good safety culture. This helps limit the risks and liabilities contractor accidents, injuries and OSHA fines can cause to the host site. Each company chooses a set of standards they need their contractors to comply with, and ISNetworld assigns a grading factor to how well those standards are being met.

**Elements of the Grade**

*Questionnaire*

Contractors are required to answer over 100 questions about their safety practices and procedures. The questionnaire is very detailed, driving home the importance of having a safety culture where processes and procedures are in place.

*Safety and Training Programs*

In addition to the questionnaire, your company will be graded on its safety programs and safety training. You will need to develop and follow a number of written programs, and you’ll be required to train your workers on certain topics as well.

*Safety Record*

You are required to report your injuries and illnesses on a quarterly basis and those numbers annually are compared to industry standards. For some clients, you’ll need to keep track of site-specific hours and incidents for you and your own subcontractors on a monthly basis. This is actually a good practice to help your company better track any issues or trends and make changes accordingly, and it makes annual reporting all the easier.

*Other Trends*

More and more we’re seeing companies are requiring contractors to upload individual employee drug and alcohol testing clearances, background checks, qualifications and training. Some companies require your employees take site-specific online training through the system.

**Lessons Learned – There Is a Silver Lining, We Promise**

iSi has been a member for over 10 years because we’re a contractor as well. Joining ISNetworld made us rethink our own internal safety program. While it was at times painful and very time consuming, the process completely changed our culture. The setup process and work to “get good grades” showed us what we were missing in our own programs and caused us to rethink the way we do things. Because we offer so many different kinds of services, we had extra tasks to complete so it took us that much longer. However, in the end, it completely changed our safety stats for the better and helped build a foundation for our safety leadership and employee participation programs.

One other benefit of going through the process was that it made going through all the other similar programs so much easier. As a contractor, we’ve seen a significant increase in client safety prequalification requirements. Because we have all of the processes, programs, and information already stored in one central place, answering questionnaires and producing attachments for other clients doesn’t take as long.

A third benefit was that it helped us to develop our own process to prequalify our contractors. We want to make sure we are working with good contractors too. Our subcontractors will be held to the same standards as we are by our clients, so we need to make sure they are able to measure up. From a risk standpoint, it’s good business to ensure you’re on the same page with your subcontractors.

From a competition standpoint it helps ensure the contractors that you’re bidding against are not able to cut corners on their safety programs in order to keep their prices lower. Being required to be compliant helps level the playing field.

**The Time Commitment**

For most companies, getting setup, developing and implementing processes, then keeping monthly and quarterly records can be a very time consuming process. This is where the frustration sets in. With the safety staff tied up in day-to-day tasks, sometimes these items are passed on to administrative personnel. That’s fine for some of the routine tasks, but often the programs need someone involved that has knowledge of the regulations and knowledge of what a company should or shouldn’t initially commit itself to. If you say you’re going to do something, or that you do something a certain way, you’re expected to follow that. Sometimes how you answer certain questions or even how you list your services can drastically affect your grade.

**Setup and Management**

iSi has learned the ins and outs of these programs and is helping a number of companies manage ISNetworld (and other program) compliance. Are you or your staff like the exasperated workers we mentioned at the beginning? If so, give us a call and let us work together to figure out how iSi can help alleviate your pain.

Contractor/vendor prequalification is becoming more and more the norm. ISNetworld is an online contractor safety prequalification program and just one among a crop of other programs like it, including Avetta, PEC Safety, Browz, Veriforce, ComplyWorks, First Verify and others.

Contractor prequalification programs give companies a way to limit the liability risks that onsite contractors can bring.   If you want to work for clients who use these programs, you must pay the cost to be a member and then take the time and effort to enter your company information into the system.

The number of clients for whom we have been asked to complete prequalification paperwork or join these types of systems has exploded in the last couple of years.  Some of our clients used to have teams of people tracking this information from contractors (and some didn’t track this stuff at all.). These programs allow them to turn that responsibility over to someone else, and it puts a lot of the tracking responsibilities back onto the contractors themselves.  Sometimes this is seen as a way to narrow the field of potential contractors to just the serious ones who have good policies and performance.

Although there are lots of programs out there, we’re going to focus on ISNetworld because they are one of the leaders in this industry and they are one of the ones who ask for the most information. At first glance, ISNetworld setup can be a daunting task. To help get you prepared, we present the Top 10 items you’ll need to gather for ISNetworld compliance (and just about any other safety prequalification program).

**1.  General Company Information**

You will need to know basic information about your company such as date established, structure, addresses and contacts, special codes and numbers ([NAICS](https://www.census.gov/eos/www/naics/), Tax ID, [DUNS](https://fedgov.dnb.com/webform), etc.), number of employees, financial and project references and more.

**2.  Safety Policies and Procedures**

You will be asked a number of questions about your safety policies. How is your safety program set up, how is it built and who’s responsible? What’s the management structure and is company leadership involved? Are hourly employees involved and do you have full-time safety personnel? What training do supervisors get? Do you do audits, who does them and how often?

Also included are questions about safety meetings, training, documentation, observations, stop work policies, hazard reporting, policies for new hires, incident investigation and communication.

**3.  Written Safety Programs**

If you’re following [OSHA](https://www.osha.gov/) compliance, you should already have written safety programs for the hazards your employees can be exposed to. Depending on the services you say you provide, ISNetworld and your client will generate a list of the individual written safety programs that you need. There will be specific elements that you'll be required to incorporate into your written programs, so it’s likely you’ll need to update your programs. Be very mindful what your revised program commits your company to. If it’s written in your program that your company will do something, you need to do it. If not, you could expose yourself to fines from OSHA for not following your own plan.

ISNetworld will ask you every 3 years to revalidate these programs to ensure they are still current.

**4.  Training Programs**

For many of the written programs, you’ll be asked to upload corresponding training sign-ins and information from those classes, so you may need to conduct additional training on a variety of topics. Be prepared to answer questions related to what kind of training you provide to new hires and routine employees, how often and how they are documented.

**5.  Regulatory Data**

You will need to track OSHA injury and illness data on a quarterly basis. This information is required to be input both quarterly and annually. You’ll also need 3 years of historical data. In ISNetworld you are graded on your 3-year average safety numbers and how they compare to industry standards. Thus, if you have a bad year, your grades may suffer for 3 years.

If you have commercial vehicles, you may need to enter [DOT](https://www.transportation.gov/) numbers and annual stats for number of drivers, miles driven, number of units, owner operators and violations. You’ll also need to enter in information about your company vehicle/driver programs and policies.

**6.  Insurance**

Individual insurance certificates will need to be uploaded for each client, and each will have specific requirements.  Be mindful of what the insurance requirements are for each client and know ahead of time what policies you have and what that covers.  Sometimes clients will require specialized policies or varying levels of coverage for certain items that can end up costing thousands of dollars if you agree to that.  However, sometimes these things can be negotiated down, depending on what you're going to do onsite.  It just depends on the client and the situation.

Check with your insurance company to see if they’re a member of ISNetworld. If so, you can assign them to your account and they can upload certificates and deal with the nuances and negotiations for you. You will also need to enter 3 years of experience modification rate data and upload those documents as well.

**7.  Employee and Contractor Data**

Some clients will require you to track the number of hours that you and/or your subcontractors spent on the site each month.  These reports are required at the beginning of the month and are often required per site location.  Among the data you may need to report (depending on client requirements) will be hours spent onsite, number of employees onsite, number of miles driven, number of incidents (accidents, fires, spills), subcontractor hours, subcontractor numbers, subcontractor travel data, etc.  Some companies need to keep track of this information for PSM purposes and some like to keep track of contactor activities onsite.

**8.   Human Resources-Type Information**

You'll be asked to input your drug and alcohol policies and procedures.  Some owner clients will require you to have individual employees tested for drugs and alcohol through one of their approved vendors who shares the data directly with the program so that they can see if employees are in a green "OK" status or a red status.  They may also require background checks for each employee who will come onsite as well.   You may also need to provide employee personal information separately to your client to comply with Department of Homeland Security checks as well.  Pandemic preparedness programs are required from many clients, so what are your procedures and policies with that? Thus, you may need to pull in some of your HR department to help you accomplish some of these requirements and get some answers.

**9.  Other Procedures - Sustainability and Cyber Security**

Within the past year we've seen questions pop up in ISNetworld and throughout multiple programs about our corporate sustainability and social responsibility programs.  One program (not ISNetworld) required us to write a separate written policy statement against human trafficking and a written policy on our stance on child and forced labor.  ISNetworld has also started getting into cyber security policies. There is an extensive questionnaire regarding computer systems and cyber security measures.  Several owner clients required us to develop a written cyber security program.  So besides HR personnel, you may need to bring in your IT people and anyone responsible for sustainability programs.

**10.  Individual Training**

More and more clients are requiring individuals to do the facility-specific safety orientation training ahead of time before ever stepping onsite.  Thus, if you have a specific project that you're getting ready for, you may need to know exactly who is going to be involved in the project so that you can assign this training to them.  This would include subcontractor employees too.  Some clients will let you do the training all at once in a group, but more and more are requiring individuals to be given separate logins so that they can complete the training themselves.  So you may need to eventually gather email addresses for individuals who may not have a company email address and budget for time for those employees to take that training.

**A Plan for Management and Completion**

This isn’t a requirement, but certainly a best practice. You will need to identify a person(s) on your team who’s going to be responsible for managing sites such as ISNetworld. There can be a number of time-sensitive items which need to be managed. Not maintaining them will make your grades drop, hindering your ability to get further work with them, or even issue invoices.

The initial setup may require the assistance of a number of people in your company, or the help of an outside firm. You may need a combination of compliance personnel and administrative staff to handle the day-to-day management. Please note that if you do involve administrative staff, please keep in mind that policy questions and program creation are best completed by someone with a compliance background. You need to be very careful on how you answer the questions and what you commit yourself to. It could make all the difference between an “A” and an “F”.

**Other Considerations**

ISNetworld automatically uploads any OSHA citations for your clients to see, and these will likely affect your grade. You may also be required to have your own subcontractor management program, that is, a procedure for vetting your own subs.

We’ve found that ISNetworld is one of the most detailed prequalification sites. The silver lining is if you can get through ISNetworld, you have a good head start on some of the others.  However, every single site will ask for something new that one of the others didn’t, so don’t get too frustrated.  For example, some sites want you to upload your entire safety manual, some require specific procedures such as JSAs, and some will require much more if your employees perform specific tasks that require additional “operator qualifications” for each.

**Resources**

Make sure you keep your information stored in one central place so that it’s easy to access when you need it because it’s likely there will be information you’ll need to input a number of times.

iSi helps companies get setup in ISNetworld by providing policy and procedure guidance, written programs and training. We also manage ISNetworld day-to-day compliance for companies.

Our sister company [SafetyPlans.com](https://safetyplans.com) has a number of ISNetworld-related program templates that will help you get a good start on developing a new plan if needed.

What can we do to help make the process smoother for you? Contact us today!

EPA Broadens Definition of “Remote” Sites for Stationary Engine Air Compliance

A change in the definition of what a “remote” site is in EPA’s NESHAP Subpart ZZZZ air compliance regulations could bring good news for companies with stationary reciprocating internal combustion engines (RICE). Stationary RICE engines are typically used at natural gas compressor stations, for other uses in the oil and gas industry and for landfills.

The modified definition, which went into effect January 30, 2016, makes a change to what is considered to be “remote.” If a company’s RICE is remote, the engine will be exempt from Subpart ZZZZ requirements for initial compliance testing.

According to the new rule, a remote engine is now considered to be:

* Engines located on a pipeline segment (e.g., compressor units, metering stations, valves and pipe )…
* In areas with 10 or fewer buildings intended for human occupancy and no buildings with 4 or more stories within 220 yards on either side of the centerline of a continuous 1 mile of pipeline, or,
* In areas not within 100 yards of a building or outside recreation or playground area that’s occupied by 20 or more persons at least 5 days per week, 10 weeks per year.
  + Engines NOT on pipeline segments…
* In any areas within 0.25 miles of 5 or fewer buildings intended for human occupancy.

It will still be a company’s responsibility to ensure the engine still meets the remote definition each year. However, if an engine is now considered remote, instead of reporting and testing requirements, companies will only need to follow certain work and management practices for that engine, including:

1. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions, and,

2. Developing or following your own maintenance plan which must provide, to the extent practicable, for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

EPA’s NESHAP, or National Emission Standards for Hazardous Air Pollutants, regulate emissions of hazardous air pollutants. These standards require companies follow extensive tracking and reporting. Previously, to be remote, a stationary RICE would’ve needed to be in Alaska and not on the federal aid highway system. By broadening the definition, many sources will become exempt from initial testing requirements, saving oil and gas companies thousands of dollars in emissions tracking, testing and reporting each year.

Where Can I Find Assistance?

If you need help in navigating through these air compliance issues, or need help with reporting, inspections, determinations, training, or anything else, please contact iSi at (888) 264-7050 or email us at feedback@isienvironmental.com for a price quote!

More On EPA’s Updated HazWaste Regulations

*The New Hazardous Waste Generator Improvements Rule*

In an effort to make the hazardous waste (HW) regulations easier to understand and more in line with today’s business operations, EPA has issued updates and changes to its Resource Conservation and Recovery Act (RCRA) HW regulations.

EPA has made over 60 changes which are geared to make technical corrections, clarify, increase flexibility and improve environmental protection. The changes will not go into effect until May 2017, then every state but Iowa and Alaska will have until mid-2018 to implement and adopt (or not adopt) the less stringent requirements. So the compliance date will depend on your state.

Among the most prominent of these changes are:

Consolidation of VSQG Waste at LQGs

EPA now allows very small quantity generators (VSQG, now the term for the former “conditionally exempt small quantity generator”) to consolidate waste at a large quantity generator (LQG) under the control of the same person. In some cases, organizations have satellite locations that qualify as a VSQG and could take advantage by consolidating together. VSQGs would need to mark and label their waste as “Hazardous Waste,” and indicate the hazards associated with the contents. LQGs would notify on the Site ID Form 30 days prior to receiving the waste that they are participating in this activity, who the VSQG is, maintain records for each shipment for 3 years, mark the accumulation units with the date the HW was received, manage consolidated waste as LQG waste and report in annual and biennial reports.

Emergency Planning and Preparedness

* LQGs must document they have made the required arrangements with emergency responders and the LEPC (local emergency planning committee).
* New LQGs submitting Contingency Plans must include an executive summary which has the most critical information for immediate response to an event including types and amount of HW, maps of site and surrounding areas, location of water supply, identification of the onsite notification system and emergency contacts. This is considered a quick reference guide for emergency responders.
* Contingency planning and emergency procedures only applies to areas where HW is accumulated and thus applies to both 90/180/270 day accumulation and satellite accumulation areas.
* Contingency plans may now also be sent to the LEPC. The next time you update your contingency plan, it must be sent to local emergency responders.
* Home information is no longer required.
* Contractors can clean-up releases.
* Updated equipment list in line with modern technology.

Labeling

* Container labels must indicate the content’s hazards using the applicable hazardous waste characteristic, DOT label or placard, OSHA hazard statement or pictogram or an NFPA label
* Tanks, drip pads and containment buildings can keep this information in logs or records kept near the accumulation site.
* Tanks and containment buildings must mark their containers with “Hazardous Waste” and an indication of the hazard(s) of the contents.
* SQG/LQG pre-transportation markings now need to include the EPA hazardous waste codes.
* Tags are acceptable for small containers as is hazardous waste in its original container with appropriate marking and labeling on it, such as an unused chemical product in its original container.

Reporting

* SQGs must re-notify every 4 yrs. starting in 2021 and the reporting period for this is September 1 of the year the re-notification is required. LQGs must re-notify by March 1 of each even-numbered year as part of their biennial report.
* LQGs must report all HW generated in a calendar year, throughout the calendar year, even when managed the next calendar or when they are an SQG.
* A facility which is an LQG even one month of an odd-numbered reporting year must submit a biennial report which identifies HW generated the entire year, not just the month(s) it was an LQG.
* Recycling facilities must report wastes that aren’t stored prior to recycling.

Satellite Accumulation Areas

* HW must not be mixed or placed in a container with other incompatible HW.
* Containers can remain open under limited circumstances, when necessary, for safe operations.
* 3 days means 3 consecutive calendar days.
* Provide maximum weight, in addition to volume for the acute HW limit.
* When maximum weight or volume is exceeded, HW must be moved to a central accumulation area or TSDF.

Episodic Generation

Allows generators to maintain their existing category provided they comply with certain requirements:

* Only allowed once per calendar year with the ability to petition for a second event (only if it’s unplanned).
* Notify EPA or State 30 days prior to initiating a planned episodic event (72 hours for unplanned), and have up to 60 days to complete and ship waste offsite.
* Records must be kept for 3 years.
* Planned and unplanned events are further defined in the new regulation as well.

HW Determinations

* Generator’s waste must be classified at its point of generation and at any time during the course of its management. Container markings and labels apply at the point of generation as well.
* Explains in more detail how generators can use generator knowledge and how a generator should evaluate its waste for hazardous characteristics.
* If HW is mixed with solid waste, the generator must make a determination for the resulting mixture.

50-Foot Waiver for Fires

* Allows generators to approach the fire department to receive a waiver for ignitable and reactive wastes to be stored less than 50-ft from the facility’s property line if the fire department believes that the precautions taken by the facility make the waiver appropriate and safe.

Closures

* Requires closure as a landfill for when LQGs accumulating in containers fail to clean close.
* Requires LQGs to notify EPA or authorized state no later than 30 days prior to closing an accumulation area and within 90 days after a closure of a unit or facility.

Reorganization of Generator Requirements

Some of the citation numbers for provisions within the regulation will change:

* Generator Category Determination, Citations 261.5(c)-(e) will become 262.13.
* VSQG (CESQG) Provisions, Citations 261.5(a), (b), (f)-(g) will become 262.14.
* Satellite Accumulation Area Provisions, Citation 262.34(c) will become 262.15.
* SQG Provisions, Citations 262.34(d)-(f) will become 262.16.
* LQG Provisions, Citations 262.34(a), (b),(g)-(l), (m) will become 262.17

Other Clarifications

Additional clarifying guidance has been added for these situations.

* Determining generator category when generating acute and non-acute HW in the same month.
* Determining generator category when mixing solid waste and HW.
* Further explanation of the procedures for making HW determinations and counting HW.
* Identifying the requirements for SQGs who accumulate HW on drip pads and in containment buildings.
* Defining terms not currently defined.

Where Can I Find Assistance?

If you need help in navigating through these hazardous waste issues, or need help with reporting, inspections, training, or anything else, please contact iSi at (888) 264-7050 or email us at feedback@isienvironmental.com for a price quote!

The Importance of Professional Organizations and Conferences to Your EHS Compliance

By Tami Hadley, iSi

Fall is a busy time for iSi as there are a number of environmental, health and safety (EHS) conferences and professional organizations we're involved in.  At a recent conference, I was reminded how important getting out to these events can be to an EHS professional’s job.

Although EHS professional groups and conferences have one big difference, that being the frequency in which they are held, they are quite similar in their advantages.

Stay Current on Regulations

Although you may subscribe to the Federal Register, blogs and newsletters, how often do you read them? Are you looking at all of them all the time? Do your sources encompass all aspects of EHS compliance that your company is required to follow?

It’s super easy to miss something. Professional groups and conferences allow you direct access to new information and discussion about upcoming regulations. Often the regulators themselves will be the speakers and will give you some extra insight into new regulations, what has changed and why, what’s on the horizon, and what the compliance nuances are. The regulators are also there to answer your questions.

Meet People Who Have the Same Issues You Do

One of the most valuable things about conferences and meetings are the people you’ll meet. At your company you may be the only person responsible for EHS, and perhaps that’s a lonely feeling sometimes. However, you are not alone. There others in your area who are in the same boat as you are. They can help and give you advice. Besides commiserating with you, they can give you ideas on how to solve issues, can tell you what works for them, and who the good vendors are. I’ve seen people share templates and programs with each other, visit each other’s facilities, and share training classes with each other.

Connecting and Recruiting

Making connections can be very valuable. One of the best keys to making a connection is bringing value and sharing value because what you are able to give often comes back to you multiple times over. Goodwill begets goodwill. The people that you meet can introduce you to people they know who may be able to give you information or recommend a solution or a vendor.

Are you looking for good employees to help you at your facility? These events are great for determining potential candidates and seeing who the most respected and knowledgeable professionals in the area are. You may not need someone now, but having an idea of who is in the area and having them know you will save you a ton of time later. Conversely, it’s a chance for you to highlight your expertise as well.

Unplugging is a Good Thing

Besides the list of tasks we’re expected to accomplish each day, we are inundated by phone calls, emails, texts, persons coming by, fires to put out, etc. The day-to-day grind can really get in the way of continuing education. How many times have you been in a training class at your site and have gotten pulled out for some reason, or have been watching a webinar at your desk only to get interrupted by someone coming in your office or calling you?

Getting offsite for a day or two, or even for a lunch or a breakfast, sets aside a time for you to get your focus back onto learning something new. Even if the speaker doesn’t teach you something new, the time away to immerse yourself and focus on the topic may jolt some new ideas because you’ve had the time to unplug from the clutter and focus on the topic at hand.

It’s OK to Sit by a Vendor

Don’t discount the value of vendors and suppliers. Sure, it’s most likely they are there to make connections, but these people can be some of your biggest sources of information and intelligence in all things EHS. Vendors and suppliers will often have some of the latest and greatest in technologies, methods, best practices, products, apps, etc. You may not need them now, but having them there gives you an idea of who you can call when you have an issue.

Vendors can also tell you a lot about what other companies like you are doing, how problems have been solved by others and what is going on in the industry. It’s also their job to know who the EHS people are in your area and so they can also be great connectors for you. They go to a variety of events, so you may learn about other specialty groups and conferences and opportunities you didn’t already know about.

List of Organizations

I want to be a valuable connection for you, so below is a list of professional organizations which focus on EHS issues and may have chapters in your area. In addition to these organizations, look for other local groups in your area which are not affiliated with national chapters. There are a lot of them out there.

For conferences, I’ve seen that almost every state has a safety conference and an environmental conference. Sometimes they are combined or sometimes they are conducted within other conferences.

I can give you some specific ideas for groups and events in and around the areas in which iSi has offices: Kansas (state of Kansas and Kansas City area), Oklahoma, and Georgia. [Contact me](https://isienvironmental.com/index.php/contact-us/) and let me know which area(s) you’re interested in and I’ll get back with you with some ideas. In the meantime, here are some national organizations with chapters all across the U.S.:

[American Society of Safety Professionals (ASSP)](https://www.assp.org/)

[American Industrial Hygiene Association (AIHA)](https://www.aiha.org/Pages/default.aspx)

[Alliance of Hazardous Materials Professionals (AHMP)](https://www.ahmpnet.org/)

[National Safety Council (NSC)](https://www.nsc.org/)

[Air and Waste Management Association (AWMA)](https://www.awma.org/)

Which ones am I missing? [Let me know](https://isienvironmental.com/index.php/contact-us/) and I’ll add them to this article!

In a [recent article](https://isienvironmental.com/index.php/hazmat-agency-blog/) we covered who regulates hazardous materials shipments. All methods of hazardous materials transportation have specific training requirements, but the one which often catches people by surprise is IMDG training.

If you ship hazardous materials by vessel or over water, you are required to follow the rules of the International Maritime Dangerous Goods (IMDG) code. This includes:

* **Loading shipping containers onsite;**
* **Having third parties load shipping containers onsite; and,**
* **Sending hazardous materials to freight forwarders or third parties to be loaded somewhere else.**

Shipping containers are used for overseas transport, but also keep in mind they are used to **transport products to U.S. states Hawaii and Alaska** as well as U.S. territories. For example, a client of ours was responsible for gathering together all the products needed for opening a new Wal-Mart. When there were new Wal-Marts in Alaska and Hawaii, those products needed to be loaded into shipping containers. Their employees then became subject to IMDG.

Keep in mind that even **small quantities can trigger requirements**. For example, we have clients who send vehicles and farm implements via vessel. Along with the vehicles are boxes of oils and lubricants for operation once unpacked. This triggers hazardous materials regulations. Even residual fluids left over from ensuring the vehicle is operating correctly before loading triggers hazardous materials regulations.

**Who Needs to Be Trained in IMDG?**

If IMDG applies to your operations, the following personnel need to have training upon employment or assignment to hazardous materials duties:

**Anyone who…**

* Classifies and/or identifies the proper shipping names of dangerous goods (hazardous materials);
* Packs dangerous goods;
* Marks, labels or placards dangerous goods;
* Load/unload dangerous goods;
* Prepare transportation documents;
* Offers or accepts dangerous goods for transport;
* Handles, loads or unloads dangerous goods into or from ships;
* Prepares dangerous goods loading/stowage plans;
* Carries dangerous goods in transport;
* Enforces, surveys or inspects dangerous goods for compliance; and is,
* Otherwise involved as determined by a competent authority.

**What are the Training Requirements?**

As with other hazardous materials training, students are required to have general awareness, safety, and function-specific training. Refreshers are required every 3 years.

Does this requirement apply to your company? iSi has [regularly scheduled IMDG courses](https://isienvironmental.com/index.php/safety-training/dot-training/) and can provide them onsite on your own schedule, at your own convenience. [Check here for our course schedule](https://isienvironmental.com/index.php/safety-training/dot-training/) or [contact us here for more information and pricing](https://isienvironmental.com/index.php/pricing/) for an onsite class at your facility!

**EPA Warns Incinerator Backlog Could Mean Compliance Issues for Hazardous Waste Generators**

Many of the nation’s commercial hazardous waste incinerator facilities are notifying customers they’ll no longer accept new waste for a while, says a new memo issued by EPA. This is because there are backlogs at the incinerator facilities, and they can’t handle any more product. EPA’s memo, dated August 10, 2021, was mailed to hazardous waste generators as an alert because this backlog is going to affect generator compliance with the regulations.

**The Backlog**

Incinerators cannot keep up with demand and cite several reasons. Like most companies, they’re seeing labor shortages both on the transportation end and on the incinerator facility end. Also, winter storms in the southern U.S. caused shutdowns and there have been additional shutdowns for scheduled and unscheduled maintenance. Then on top of that, increased manufacturing after the pandemic is creating even more waste and the incinerators can no longer keep up.

They estimate they won’t be able to resolve the backlog until the end of the first quarter of 2022. This may create a big problem for manufacturers who send containerized waste for incineration.

**The Compliance and Logistics Issues**

Some types of hazardous waste must be incinerated to meet land disposal restriction treatment standards.

Large quantity generators are only allowed to accumulate hazardous waste for a maximum of 90 days. Small quantity generators are allowed 180 days, or 270 days if the waste must be transported 200 miles or more.

If some of that waste stored onsite is hazardous waste that needs to be incinerated, it presents a problem because at the current backlog estimate, it’s likely it’ll need to stay onsite for longer than those numbers of days.

Besides going past your time window, this could become a storage issue for your facility. Where are you going to store those drums until they can be accepted?

Also, if you have a greater number of hazardous waste drums sitting around, how does that impact site safety and health? What is your increased potential for spills and emergencies? You may need to look into temporary secondary containment and alert your local emergency responders that you have more hazardous waste onsite than usual.

**EPA’s Guidance**

Generators are allowed to submit requests to their authorized implementing agencies (often your state environmental agency), asking for time limit extensions for a 30-day period. Extensions are issued for “unforeseen, temporary, and uncontrollable circumstances.” Then that agency has the power to accept or reject the extensions on a case-by-case basis.

EPA says the agency should determine what the criteria for extensions should be and require some type of proof that you cannot get your waste shipped. An example would be a letter from the incinerator saying they will not accept your waste due to the backlog in incinerating containerized hazardous waste. You may be asked to change or look into your practices to reduce the amount of hazardous waste being generated.

**TSDF Guidance**

EPA says that TSDFs can store waste for longer than 90 days if their permit allows this type of storage activity up to their permit’s container storage capacity limit. Once this is exceeded, TSDFs can either use temporary authorization procedures found in 40 CFR 270.42 or modify their permit in accordance with Class 2 or 3 modification procedures. Temporary authorizations are limited to 180 days and can be extended for another 180 days if they have requested permit modifications for the condition covered by the temporary authorization. Both options require approval by EPA or the authorized state. EPA recommends TSDF facilities notify their regulatory agency ASAP if they think they’ll need either option.

**Incinerator News**

Clean Harbors recently announced they are adding another 130,000 ton hazardous waste incinerator to their Nebraska facility. This is only the second new incinerator approved in the last 25 years. The other one was their El Dorado, AR incinerator that was approved in 2016. It won’t come online in time to help the backlog situation, however, it should be operational by 2024.

**Need Help? Have Questions?**

iSi can help you with all things hazardous waste. [Contact us here](https://isienvironmental.com/contact-us/) for more information or help with your hazardous waste issues.

**A Case Study in OSHA’s Hexavalent Chromium Standard**

iSi works with a number of different companies, and when we see results of regulatory inspections, we like to use them as examples to perhaps help give other companies some insight into what to do with their own compliance. Quite a few companies are subject to OSHA’s Hexavalent Chromium Standard for either General Industry or Construction, so many that OSHA has had a National Emphasis Program for this for quite a few years.

The types of operations with hexavalent chromium exposures include:

* Manufacturing of Aircraft, Stainless Steel, Paint, Chemicals, or Pre-Cast Concrete
* Metal Finishing and Preparation
* Electroplating
* Painting or Sanding of Painted Parts
* Welding of Stainless Steel
* Iron and Steel Mills and Foundries
* Printing
* Construction
* Chemical Mixing
* Waste Handling
* Tanning Leather
* Handling Catalysts

**OSHA Inspection Case Study**

A metal finishing company that iSi works with has been working to comply with the hexavalent chromium standard, having iSi conduct their quarterly monitoring and issuing employee notices while the company handles the other elements of the program. After an employee complaint, OSHA arrived onsite to look at hexavalent chromium compliance. This is the type of company already on OSHA’s target list for the emphasis program. The result of the inspection was three violations of the standard.

The first violation was for not having required change rooms. The company did have a locker area for the employees to change at, and it was in a separate area behind their 3 paint booths. OSHA found fault with this because there was no demarcation between where the paint booths ended, and the clean room began. The contaminated portion wasn’t clearly marked. There also wasn’t separate storage for protective clothing vs. street clothes, only the lockers. A second violation was cited for this area because there was no sink in the immediate area for washing. OSHA decided the sink that was being used to clean up was too far causing potential contamination to areas outside the regulated area. These two items were cited together since they were part of the same portion of the standard, and the original fine was at a Serious level for $8,192.

The third item was a citation for finding hexavalent chromium in the break area. There are no set limits on the amount of hexavalent chromium that can be found on surfaces. Wipe samples indicated levels of 0.05 µg/m3, a very low level detected. However, it was still enough to be detected and the company was fined for a Serious violation at $5,461.

The total fine was $13,653, which is OSHA’s minimum fine amount for any Serious violation. With many violations, the company was given a chance to reduce the fine through an Expedited Informal Settlement Agreement, still leaving a violation of over $8,000.

So what are the hexavalent chromium standard’s rules for General Industry and Construction?

**The Rules – General Industry**

**29 CFR 1910.1026**

The permissible exposure limit (PEL) for hexavalent chromium is 5 micrograms per cubic meter (5 µg/m3) in an 8-hour time weighted average (TWA). There is also an Action Level that triggers parts of the standard that begins at 2.5 µg/m3.

**Make an Exposure Determination**

Companies are required to make an Initial Exposure Determination by conducting employee exposure sampling to determine your exposures, including enough breathing zone samples to characterize a full shift, do representative sampling for each shift the exposure can occur using the employee with the greatest potential exposure, or use other air monitoring, historical data and performance-oriented sampling. If the results are at or above the Action Level, periodic monitoring is required every 6 months, and if they’re above the PEL, monitoring is required quarterly. Notify your employees within 15 business days of the results of monitoring, and if you’re above the PEL, you need to include what corrective action is being taken.

You’re not allowed to rotate employees’ job assignments in order to not meet the PEL requirements.

**Establish Regulated Areas**

Formally establish the area where employee exposures can be expected above the PEL and then clearly demarcate and label that area from the rest of the workplace to alert employees of its boundaries. Limit access to this area to only authorized personnel. Regulated Areas can not be used for eating, drinking or smoking nor can any of these items be taken into a Regulated Area such as a pack of gum or cigarettes in an employee’s pocket.

**Engineering Controls and PPE**

Your first responsibility is to use engineering controls where possible, and if not feasible, reduce the levels as low as you can and then use personal protective equipment (PPE), such as respirators. The aircraft industry is required to use engineering/work practice controls to reduce exposures to at least 25 µg/m3. If employees are not exposed for more than 30 days/year, then this requirement does not apply.

**Protective Clothing and Equipment (PPE)**

Contaminated PPE and other waste and debris must be removed at the end of the shift or completion of tasks and placed into sealed, impermeable bags or containers. No PPE leaves the workplace and can be laundered as long as those who are laundering are alerted to the harmful effects of hexavalent chromium, that it cannot become airborne and requires minimal skin and eye contact. Remove contaminated PPE from the change rooms and ensure these bags and containers are properly labeled per Hazard Communication requirements. PPE cannot be shaken or blown down to remove the dust.

Also, for EPA purposes, all waste material needs to have a waste determination and any debris or waste may be considered hazardous due to the chromium levels. Make sure you have a determination for these materials.

**Hygiene Areas**

Provide changing rooms with separate storage for contaminated clothes and equipment and the employees’ street clothes. Provide washing facilities, with employees washing prior to eating, drinking, smoking, chewing tobacco/gum, applying makeup or using the restroom. Employees are not to do these activities within the marked off regulated area. Any eating or drinking areas need to be as free of hexavalent chromium as practicable, and employees are not to wear contaminated clothing/equipment in those areas.

**Housekeeping**

All surfaces need to be as free as possible of hexavalent chromium. Clean using wet methods or HEPA vacuums first, and only use dry shoveling/brushing/sweeping where the HEPA vacuum wasn’t effective. No compressed air can be used to blow the dust.

**Initial and Annual Medical Surveillance**

Employees who exceed the Action Level must be provided, at no cost to the employee, initial and annual medical surveillance for those with the following situations:

* Greater than 30 days of exposure (within 30 days for initial, then annually)
* Exposure in an emergency (within 30 days)
* Those exhibiting symptoms of exposure (within 30 days)
* Those terminated (if exposed within past 6 months)

**Hazard Communication (Hazcom) and Training Requirements**

Include hexavalent chromium in your Hazcom program, including container labeling, SDSs, and training. Training for hexavalent chromium needs to include all of the requirements of the standard as well as provisions for medical surveillance.

**Recordkeeping**

You must keep records of your air monitoring data (who – names and job positions, when, where, method used, results, PPE used, other data used) as well as medical surveillance records and training records.

**Most Hexavalent Chromium Exposures – General Industry**

**Electroplating** – Hard chrome plating, decorative chrome plating, anodized chrome plating when placing and removing products into and from the bath, rinsing with water, and replenishing bath with chromate solution or powder.

**Welding** – Welding stainless steel, welding in confined spaces on stainless and carbon steel, indoor welding without engineering controls. Exposures come from welding fumes generated from the base metal and applied coatings, electrode coatings, high-chromium nickel alloy electrodes and chromium-containing filler metals.

**Painting** – Spray painting, abrasive blasting for the removal of chrome containing paint/primer, sanding or grinding on chrome-covered materials. Hexavalent chromium found in paint include strontium chromate and zinc chromate, and even the blasting grit will contain paint waste-containing chrome.

**Foundries, Steel Mills, Molten Metal Operations** -- Furnace and crane operations, molten metal pouring and transfer, tapping, surface conditioning, hot rolling, torch cutting and gouging, and welding.

**The Rules – Construction**

**29 CFR 1926.1126**

The hexavalent chromium rules for the construction industry are pretty much the same as those in general industry, with the following exceptions:

* Employee notices of monitoring must be provided to employees within 5 days rather than 15
* The sections on Regulated Areas and Housekeeping are not included in the construction standard.

**Most Hexavalent Chromium Exposures – Construction**

Painting and Surface Operations – Removal of chromate-containing paint and primer for surface preparation of existing steel (bridges, water towers, and industrial buildings), abrasive blasting and equipment maintenance for site cleanup following

abrasive blasting.

Welding and Thermal Cutting – Welding stainless steel and welding in confined spaces or indoor conditions, for both stainless steel and carbon (mild) steel (industrial piping and vessels; architectural facades; constructional structures; boilers; indoor architecture; petrochemical structures; shipbuilding; and turbine blades.), brazing, thermal cutting and boilermaker work.

Concrete Operations – Certain mixes, such as Portland Cement, are know to contain hexavalent chromium and operations such as mixing, pouring or cutting dry cement may release the chromium to the air and become a breathing hazard.

What does your hexavalent chromium area look like? Are you following the regulation requirements and monitoring your employees? iSi works with many companies who are required to comply with this standard, so we’re well versed in how to help. Contact us today!

**New House Bill Would Require OSHA to Develop Heat Standard – Let the Debate Begin**

A new bill introduced in the U.S. House of Representatives would require OSHA to establish heat exposure rules for both indoor and outdoor workplaces.

Called the Asuncion Valdivia Heat Illness and Fatality Prevention Act, it would require OSHA to issue a formal heat protection standard. The bill was introduced on July 10 by U.S. House Representatives Judy Chu and Raul Grijalva, with 27 co-sponsors. The Act is named for a farm worker who died from heat exposure. Representative Chu was a leader to create a California state law regarding heat protections, one of the first of its kind.

**The Proposed Bill**

The current bill would require a federal standard as strict as any state law. As a result, requirements would include:

* Set exposure limits and limitations on how long workers can be exposed to heat.
* Written heat-illness prevention programs including:
  + Engineering controls such as local exhaust ventilation, shielding from radiant surfaces, insulation of hot surface, evaporative coolers, fans and mist coolers, updating air conditioning systems, natural ventilation;
  + Administrative controls such rotating work schedules, scheduling work earlier or lateri in the day, and work rest schedules;
  + PPE such as water-cooled garments, air cooled garments, reflective clothing, cooling vests; and,
  + Emergency response plans.
* Workers would have paid breaks in cool spaces and access to water.
* Employees would be allowed to acclimatize to the heat.
* Employers would be required to train workers in heat-stress symptoms and responding to them.

If passed, OSHA would be required to have a new standard in place within 2 years, and if the for some reason the standard wasn’t finalized by then, an interim standard would need to be created for finalization in another 2 years.

**How Does OSHA Handle Heat Now?**

Currently heat-related injuries and illnesses are cited under the General Duty Clause. In June, a Georgia company was cited $21,311 for a worker who was hospitalized with heat exhaustion, and in January it cited the U.S. Postal Service $149,664 for a worker who died from a heat-related episode. Many states and OSHA state-plan states have also developed their own rules.

**House Committee Testimony – Let the Debate Begin**

The bill has been introduced the House Committee on Education and Labor. In a hearing of that committee on July 11, in addition to the testimony of Representatives Chu and Grijalva, other supporters ranging from an occupational health and safety professor, an organizer with a warehouse advocacy center, an occupational medical doctor, and a representative of the United Farm Workers of America gave testimony in support of the bill. However, a labor representative from California Farm Bureau federation, a safety and health representative of Associated General Contractors and other House committee members had some questions about the standard.

Congressman Ben Cline said that while it’s certainly a serious and important issue, he questioned if the bill was taking a one size fits all solution. He questioned if it would be overly burdensome to apply a federal standard to all areas of the country when there are different levels of heat and different levels of heat-related illness between states. He said that a one-size fits all approach becomes much more complicated when it’s applied to different industries where the workplace may change from one place to another, such as in truck driving. He also pointed out that in 2012, OSHA had considered a heat illness standard. However, the effort was cancelled due because OSHA found having one overall standard for this issue had many complications and opportunities for ineffectiveness.

Congressman Bradley Byrne questioned if it was possible to make a federal regulation flexible enough to both be effective and fit different workplaces, workers, and scenarios. He said that anything developed needs to have many stakeholders involved, from the OSHA to employers to employees themselves. If the regulations are too onerous, employees may not want to do what they need to do to comply with the regulations. To get everyone involved, it will take time to develop, and the 2-year timeline for a federal regulation is incredibly short compared to the 15 years it took the state of California to develop a regulation that did bring together all interested parties for a state regulation. Byrne pointed out that OSHA already has a mechanism to enforce heat standards, and cited the 2012 OSHA decision to cancel heat regulations in favor of enforcement and education. He said he’d like to hear from OSHA as they’re the ones who will be forced to implement such a standard in only 2 years, considering they had tried before and then had decided against it. Byrne said Congress needs to be very careful when passing laws like this because of all of the unintended consequences that can come out of it.

Watch the house committee meeting and debate below:

<https://www.youtube.com/watch?v=cQa3ng55mx8>

More On EPA’s Updated HazWaste Regulations

*The Hazardous Waste Generator Improvements Rule*

In an effort to make the hazardous waste (HW) regulations easier to understand and more in line with today’s business operations, EPA has issued updates and changes to its Resource Conservation and Recovery Act (RCRA) HW regulations.

EPA has made over 60 changes which are geared to make technical corrections, clarify, increase flexibility and improve environmental protection. The changes will not go into effect until May 2017, then every state but Iowa and Alaska will have until mid-2018 to implement and adopt (or not adopt) the less stringent requirements. Among the most prominent of these changes are:

Consolidation of VSQG Waste at LQGs

EPA now allows very small quantity generators (VSQG, now the term for the former “conditionally exempt small quantity generator”) to consolidate waste at a large quantity generator (LQG) under the control of the same person. In some cases, organizations have satellite locations that qualify as a VSQG and could take advantage by consolidating together. VSQGs would need to mark and label their waste as “Hazardous Waste,” and indicate the hazards associated with the contents. LQGs would notify on the Site ID Form 30 days prior to receiving the waste that they are participating in this activity, who the VSQG is, maintain records for each shipment for 3 years, mark the accumulation units with the date the HW was received, manage consolidated waste as LQG waste and report in annual and biennial reports.

Emergency Planning and Preparedness

* LQGs must document they have made the required arrangements with emergency responders and the LEPC (local emergency planning committee).
* New LQGs submitting Contingency Plans must include an executive summary which has the most critical information for immediate response to an event including types and amount of HW, maps of site and surrounding areas, location of water supply, identification of the onsite notification system and emergency contacts. This is considered a quick reference guide for emergency responders.
* Contingency planning and emergency procedures only applies to areas where HW is accumulated and thus applies to both 90/180/270 day accumulation and satellite accumulation areas.
* Contingency plans may now also be sent to the LEPC. The next time you update your contingency plan, it must be sent to local emergency responders.
* Home information is no longer required.
* Contractors can clean-up releases.
* Updated equipment list in line with modern technology.

Labeling

* Container labels must indicate the content’s hazards using the applicable hazardous waste characteristic, DOT label or placard, OSHA hazard statement or pictogram or an NFPA label
* Tanks, drip pads and containment buildings can keep this information in logs or records kept near the accumulation site.
* Tanks and containment buildings must mark their containers with “Hazardous Waste” and an indication of the hazard(s) of the contents.
* SQG/LQG pre-transportation markings now need to include the EPA hazardous waste codes.
* Tags are acceptable for small containers as is hazardous waste in its original container with appropriate marking and labeling on it, such as an unused chemical product in its original container.

Reporting

* SQGs must re-notify every 4 yrs. starting in 2021 and the reporting period for this is September 1 of the year the re-notification is required. LQGs must re-notify by March 1 of each even-numbered year as part of their biennial report.
* LQGs must report all HW generated in a calendar year, throughout the calendar year, even when managed the next calendar or when they are an SQG.
* A facility which is an LQG even one month of an odd-numbered reporting year must submit a biennial report which identifies HW generated the entire year, not just the month(s) it was an LQG.
* Recycling facilities must report wastes that aren’t stored prior to recycling.

Satellite Accumulation Areas

* HW must not be mixed or placed in a container with other incompatible HW.
* Containers can remain open under limited circumstances, when necessary, for safe operations.
* 3 days means 3 consecutive calendar days.
* Provide maximum weight, in addition to volume for the acute HW limit.
* When maximum weight or volume is exceeded, HW must be moved to a central accumulation area or TSDF.

Episodic Generation

Allows generators to maintain their existing category provided they comply with certain requirements:

* Only allowed once per calendar year with the ability to petition for a second event (only if it’s unplanned).
* Notify EPA or State 30 days prior to initiating a planned episodic event (72 hours for unplanned), and have up to 60 days to complete and ship waste offsite.
* Records must be kept for 3 years.
* Planned and unplanned events are further defined in the new regulation as well.

HW Determinations

* Generator’s waste must be classified at its point of generation and at any time during the course of its management. Container markings and labels apply at the point of generation as well.
* Explains in more detail how generators can use generator knowledge and how a generator should evaluate its waste for hazardous characteristics.
* If HW is mixed with solid waste, the generator must make a determination for the resulting mixture.

50-Foot Waiver for Fires

* Allows generators to approach the fire department to receive a waiver for ignitable and reactive wastes to be stored less than 50-ft from the facility’s property line if the fire department believes that the precautions taken by the facility make the waiver appropriate and safe.

Closures

* Requires closure as a landfill for when LQGs accumulating in containers fail to clean close.
* Requires LQGs to notify EPA or authorized state no later than 30 days prior to closing an accumulation area and within 90 days after a closure of a unit or facility.

Reorganization of Generator Requirements

Some of the citation numbers for provisions within the regulation will change:

* Generator Category Determination, Citations 261.5(c)-(e) will become 262.13.
* VSQG (CESQG) Provisions, Citations 261.5(a), (b), (f)-(g) will become 262.14.
* Satellite Accumulation Area Provisions, Citation 262.34(c) will become 262.15.
* SQG Provisions, Citations 262.34(d)-(f) will become 262.16.
* LQG Provisions, Citations 262.34(a), (b),(g)-(l), (m) will become 262.17

Other Clarifications

Additional clarifying guidance has been added for these situations.

* Determining generator category when generating acute and non-acute HW in the same month.
* Determining generator category when mixing solid waste and HW.
* Further explanation of the procedures for making HW determinations and counting HW.
* Identifying the requirements for SQGs who accumulate HW on drip pads and in containment buildings.
* Defining terms not currently defined.

If you need help in navigating through these hazardous waste issues, or need help with reporting, inspections, training, or anything else, please contact Tammy Gonzales at (888) 264-7050 for a price quote.