

Environmental Compliance & Transportation Information Bulletin



Edition 58.

March 2007

Editor's Corner

Well , as I write this newsletter, snow is falling. Yesterday we had the blizzard of the decade in Omaha. About 12 inches of snow, blowing snow and wind and whiteout conditions in some areas. I never did make it into the office. Today it is snowing again, but my thoughts turn to spring. Are we there yet?

Please read the newsletter for the information related to the FY08 PROSPECT training survey and upcoming recertification training opportunities. Remember, if you need us you know where to find us. We love to hear from all of you!



Sandi Zebrowski

Upcoming training sessions

Our surveyed manifest courses are just around the corner and are now full and almost underway. Thank you for supporting our surveyed sessions!



We have been contacted by several districts and will be conducting several onsite training courses this year at the requests of various districts. If you still need recertification training, or know someone who does, you should contact the district POC. Attendance and costs for onsite sessions are controlled by the requesting district. Below is a list of Onsite Recertification courses that have been requested thus far this FY. If you are in need of recertification, feel free to contact the POC, but remember attendance is up to the district.



<u>Requesting District</u>	<u>District POC</u>	<u>2007 Course Dates</u>	
Kansas City	John Lucido	April 4-5	(does not include Class 7)
St. Louis	Greg Rakers	April 15-17	(includes Class 7)
New York	Peter Destefano	June 26-28	(includes Class 7)
Jacksonville	Ed Currie	June 26-27	(does not include Class 7)
Sacramento	Monica Eichler	August 7-8	(does not include Class 7)

Baltimore District may be hosting the initial Class 7 DOT Certification course in June 2007. If interested in attending, please contact Hans Honerlah.

FY08 PROSPECT Survey to be out soon



Usually in April the USACE training survey comes out for the next FY. If you are a Corps employee or a federal employee from another agency, you can register for a PROSPECT course during this timeframe. We encourage you to sign up at the survey time. You do not have to pay yet, just register so that the course will not be cancelled. This year we had 12 folks sign up at survey time for our recertification course. Our class size for the recert course now stands at 38. You can register anytime, but at survey time really helps us out. If for some reason you cannot attend, when the registration notice is sent out, then you simply do not register, or pay.

When the FY08 PROSPECT Course manual, The Purple Book, becomes available, you will find it at: <http://pdsc.usace.army.mil/Default.aspx>

Remember, this training is open to ***all federal employees*** and everyone can and should register when FY08 registration opens!

Courses are listed in the manual as follows:

- HW Manifest/DOT Certification, Course 223. This is the Initial Hazardous Waste Manifesting and DOT Certification Course (36-hours). It is DOT and ISEERB approved.
- HW Recertification Course (16-hours), Course 429. This is the 2-day recertification course for hazardous waste.
- RW/DOT Certification, Course 441. This is the Initial Radioactive Waste Transportation course (24 hours).
- Rad Waste Transport/DOT Recert, Course 430. This is the Hazardous & Radioactive Waste Recertification Course (20 hours).

As always, to schedule an onsite for initial training or refresher training, or to obtain additional information, contact: Joe Pickett, (256) 895-7445, Sandi Zebrowski, (402) 697-2562, e-mail: Sandi.M.Zebrowski@usace.army.mil or Beverly VanCleaf at (402) 697-2559, e-mail: Beverly.D.Vancleaf@usace.army.mil.

Does DOT “waste” = RCRA “waste” ?

Did you ever wonder if the terms “waste” and “hazardous waste” are interchangeable when you see them in the DOT regulations in 49 CFR 171-180? Well, these terms are ***not*** interchangeable. They mean different things. Hazardous wastes are defined in 49 CFR 171.8, however the term “waste” is not defined in the DOT regulations. When the term “waste” is used in the hazmat regulations, DOT means all wastes. If the term “hazardous waste” is used, then the requirements only apply to hazardous wastes as defined by DOT (those hazardous wastes for which a hazardous waste manifest is required). DOT will be issuing written clarification on these two terms in the future.

Regulatory Update

Note that this update just provides registers of interest pertaining to the management and transportation of hazardous materials and hazardous wastes. See our web site for a more complete listing of EPA Federal Registers that impact all Corps environmental work:

<http://www.environmental.usace.army.mil/transdoc.htm>



The entire register can be assessed at <http://www.gpoaccess.gov/fr/index.html>

01/18/2007 p 2219- 2235 Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Amendment to Hazardous Waste Code F019

Action: Proposed rule

Summary: This proposes to amend the F019 waste code to exempt wastewater treatment sludges from zinc phosphating, when such phosphating is used in a motor vehicle manufacturing process and disposed in a landfill meeting certain liner design criteria. Conforming changes would also be made to the CERCLA list of hazardous substances.

Applicability: The proposed exclusion pertains to motor vehicle manufacturers and is not expected to have a significant impact on Army. However, development of this rule has been tracked because Army generates F019 waste.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070118c.html

01/04/2007 p 368 - p 398 Unregulated Contaminant Monitoring Regulation for Public Water Systems Revisions

Action: Final rule

Summary: This establishes a new set of monitoring requirements for "unregulated contaminants" under the Safe Drinking Water Act and is referred to as "UCMR 2". Periodically, EPA identifies unregulated contaminants likely to be found in drinking water and requires monitoring for those contaminants in order to collect data to evaluate the need for regulation. UCMR 2 consists of three lists of chemicals including 1,3-dinitrobenzene; TNT; and RDX. Perchlorate, which was originally proposed to be listed, was removed in the final version of the rule primarily because data has been collected previously.

Applicability: This rule is of particular interest to DoD because of the explosive constituents listed. The monitoring applies to public water systems except for transient non-community systems. The level of monitoring is contingent upon the size of the system. Small systems are only affected if selected and notified by the State or EPA. Large systems, those serving more than 10,000 people, must monitor for chemicals on List 1. They are only required to monitor for Lists 2 and 3 at the direction of the State or EPA.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070104c.html

12/29/2006 p 78595-78635 Hazardous Materials: Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions

Action: Final rule

Summary: This revises the Hazardous Materials Regulations to maintain alignment with international standards. These revisions will harmonize the Hazardous Materials Regulations with certain recent changes to the International Maritime Dangerous Goods Code, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the United Nations Recommendations on the Transport of Dangerous Goods. This rule is effective January 1, 2007.

Applicability: This applies to transportation of hazardous materials in commerce.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061229c.html

12/29/2006 p 78441- p 78442 Update to ATSDR Policy Guideline for Dioxins and Dioxin-Like Compounds in Residential Soil

Action: Request for public comments on the revised Policy Guideline document used by



health assessors to evaluate health hazards associated with exposure to dioxins and dioxin-like compounds in residential soil.

Summary: This seeks comment on revision to ASTDR's 1998 Policy Guideline for Dioxins and Dioxin-Like Compounds in Residential Soil. The 1998 policy established a screening level of 0.05 ppb and an action level of 1 ppb. ATSDR believes that action may be warranted in some circumstances when the 1 ppb level in soil is not exceeded. In response ATSDR has updated its Policy to delete the 1 ppb action level. Comments are requested by February 27, 2007.

Applicability: The policy pertains to dioxin and dioxin-like compounds in residential soil near or on hazardous waste sites.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061229c.html

12/26/2006 p 77357 - p 77360 Oil Pollution Prevention; Non-Transportation Related Onshore Facilities

Action: Proposed rule

Summary: EPA proposes to extend the dates by which facilities must prepare or amend SPCC Plans and implement those Plans. This action would allow EPA additional time to revise the July 17, 2002 SPCC rule.

Applicability: This applies to facilities required to have an SPCC plan.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061226c.html

12/26/2006 p 77266 - p 77293 Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Plan Requirements - Amendments

Action: Final rule

Summary: This amends SPCC Plan requirements. Changes include the following: (1) facilities storing less than 10,000 gallons of oil and which meet other qualifying criteria may self-certify their SPCC Plans in lieu of obtaining a Professional Engineer's certification. (2) For facilities with particular types of oil-filled equipment, an alternative is provided to the general secondary containment requirement without requiring a determination of impracticability. (3) It defines and exempts particular vehicle fuel tanks and other on-board bulk oil storage containers used for motive power. (4) It exempts mobile refuelers from the sized secondary containment requirements for bulk storage containers. (5) It removes requirements regarding animal fats and vegetable oils. (6) It extends the SPCC compliance dates for farms.

Applicability: This applies to facilities required to have an SPCC plan under the Clean Water Act.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061226c.html

12/21/2006 p 76851 - p 76888 Rail Transportation Security

Action: Notice of proposed rulemaking

Summary: This proposes security requirements for freight railroad carriers; intercity, commuter, and short-haul passenger train service providers; rail transit systems; and rail operations at certain, fixed-site facilities that ship or receive specified hazardous materials by rail. It would require regulated parties to designate rail security coordinators and report significant security concerns to the Department of Homeland Security. It proposes that freight rail carriers and certain facilities handling hazardous materials be equipped to report location and shipping information to TSA upon request and to implement chain-of-custody requirements. It would also codify TSA's existing inspection program regarding rail security.

Applicability: This applies to transportation of hazardous materials by rail.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061221c.html



12/21/2006 p 76833 - p 76850 Hazardous Materials: Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments

Action: Proposed rule

Summary: This proposes to revise Hazardous Materials Regulations. Proposed revisions include requiring rail carriers to compile annual data on specified shipments of hazardous materials, to use the data to analyze safety and security risks along rail transportation routes where those materials are transported, to assess alternative routing options, and to make routing decisions based on those assessments. This also

proposes clarifications to security plan requirements to address en route storage, delays in transit, delivery notification, and additional security inspection requirements for hazardous materials shipments.

Applicability: This applies to transportation of hazardous materials in commerce.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061221c.html

12/11/2006 p 73848 - p 73981 Semi-Annual Regulatory Agenda

Action: Semi-annual regulatory agenda

Summary: This provides EPA's agenda regarding regulations and major policies under development.

Applicability: This includes regulations under all of EPA's environmental programs including RCRA, TSCA, CAA, CWA, FIFRA, and CERCLA.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061211c.html

12/04/2006 p 70318 - p 70319 National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

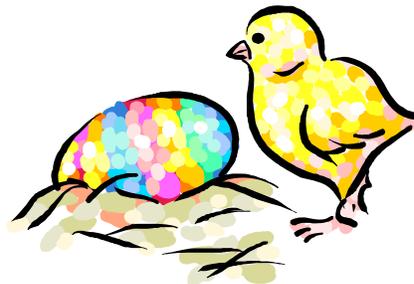
Action: Notice of partial deletion of the Ellsworth Air Force Base from the NPL

Summary: This provides notice of deletion from the NPL for surface soil, unsaturated subsurface soil, surface water, and sediments at Operable Units 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12 at Ellsworth AFB. The deletion does not include the ground water medium at these parcels.

Applicability: This notice may be of general interest because it pertains to a DoD installation.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a061204c.html

Do you have a regulatory question? Call us or e-mail us at
http://www.environmental.usace.army.mil/tech_reg.htm



Happy Spring!



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