

Environmental Compliance & Transportation Information Bulletin



Edition 60.

September 2007

Editor's Corner

Well, autumn is just around the corner. The pools are closing, the children are all going back to school and the days are getting shorter. Both my children have September birthdays, so it is a super busy time for me. (My daughter turns 10 and my son 6!) But in general, it is always a busy time of year as we closeout projects and start working on the new ones. Happy Fiscal New Year and remember, if you need us you know where to find us!



Sandi Z

Upcoming training sessions

Our surveyed sessions for the Initial and Recertification Hazardous Waste Manifesting/DOT courses are scheduled for March 10-14, 2008 in Atlanta Georgia. If you or some you know needs the initial or recertification course, there are still spaces, but do not wait too long, the courses are almost full.

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

The FY08 PROSPECT Course manual, The Purple Book, can be found at:

<http://pdsc.usace.army.mil/Default.aspx>

Remember, this training is open to **all federal employees** and everyone can and should register now!

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 DOD and ISEERB approved.
- HW Recertification Course (16-hours), Course 429. This is the 2-day recertification course for hazardous waste. It is DOD and ISEERB approved.
- 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.

HTRW CX EM CX?

Effective sometime this November, the Hazardous, Toxic, and Radioactive Waste Center of Expertise (HTRW CX) will be realigned under the Huntsville Engineering and Support Center (HNC). We will not physically relocate to HNC, we will remain in Omaha. It is a virtual realignment. We will become a directorate. Also, the Military Munitions CX currently in HNC will be merged into the HTRW CX and become a division under the new CX Director. Our new name will most likely be the “Environmental and Munitions Center of Expertise”. (Name not final yet.) There will be four divisions with the EM CX:

- Environmental Engineering & Geology Division
- Environmental Compliance & Management Division
- Environmental Sciences Division
- Military Munitions Division

Important: Since we will no longer be part of the Omaha District, our Organizational P2 Resource Codes will change. So, please call your CX point of contact if you plan to send funds or resource us in FY08.

Read PAO article at:

<http://www.hnd.usace.army.mil/Articles/HTRWRealignment%20from%20August%20Bulletin.pdf>

White House issues Federal Guidelines for the Proper Disposal of Prescription Drugs

Last February, the White House issued Federal guidelines on the proper disposal of prescription drugs to prevent misuse or abuse of the drugs and to minimize future environmental damages from the disposal of these drugs.



Federal Guidelines:

- Take unused, unneeded, or expired prescription drugs out of their original containers and throw them in the trash.
- Mixing prescription drugs with an undesirable substance, such as used coffee grounds or kitty litter, and putting them in impermeable, non-descript containers, such as empty cans or sealable bags, will further ensure the drugs are not diverted.
- Flush prescription drugs down the toilet *only* if the label or accompanying patient information specifically instructs doing so.

- Take advantage of community pharmaceutical take-back programs that allow the public to bring unused drugs to a central location for proper disposal. Some communities have pharmaceutical take-back programs or community solid-waste programs that allow the public to bring unused drugs to a central location for proper disposal. Where these exist, they are a good way to dispose of unused pharmaceuticals.

The FDA advises that the following drugs be flushed down the toilet instead of thrown in the trash:

Actiq (fentanyl citrate)
Daytrana Transdermal Patch (methylphenidate)
Duragesic Transdermal System (fentanyl)
OxyContin Tablets (oxycodone)
Avinza Capsules (morphine sulfate)
Baraclude Tablets (entecavir)
Reyataz Capsules (atazanavir sulfate)
Tequin Tablets (gatifloxacin)
Zerit for Oral Solution (stavudine)
Meperidine HCl Tablets
Percocet (Oxycodone and Acetaminophen)
Xyrem (Sodium Oxybate)
Fentora (fentanyl buccal tablet)

Note: Patients should always refer to printed material accompanying their medication for specific instructions.

The web site can be found at: http://www.whitehousedrugpolicy.gov/drugfact/factsht/proper_disposal.html

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>



08/09/2007 p 44930 - 44950 Hazardous Materials; Transportation of Lithium Batteries

Action: Final Rule

Summary: Lithium batteries are susceptible to overheating under certain conditions and once ignited can be difficult to extinguish. There have been several lithium battery related incidents which have prompted PHMSA in consultation with FAA to modify hazardous materials transportation regulations, particularly regarding transportation on passenger aircraft. Changes adopted by this rule include imposing a limited prohibition on shipment of primary (non-rechargeable) lithium batteries and cells as cargo on passenger aircraft, eliminates certain exceptions for medium-sized lithium batteries, requires testing of small lithium batteries, and revises an exception regarding lithium batteries in electronic devices and spare batteries carried on passenger aircraft.

Applicability: This applies to the transportation of primary (non-rechargeable) and secondary (rechargeable) lithium batteries such as batteries used in laptops, cell phone, camcorders, etc.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070809c.html

08/8/2007 p 44523-p 44528 Operator Training Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005

Action: Notice of availability

Summary: EPA is notifying the public via this notice that the operator training grant guidelines are available as of August 8, 2007. EPA developed the operator training grant guidelines as required by



Section 9010 of Subtitle I of the Solid Waste Disposal Act, as amended by Section 1524 of the Energy Policy Act of 2005. In addition to publishing the operator training grant Guidelines, EPA will post the operator training grant guidelines on the Web site at:

http://www.epa.gov/oust/fedlaws/epact_05.htm#Final.

Applicability: Federal and State UST Programs. States receiving funds from EPA for their UST programs must comply with the UST provisions of the Energy Policy Act and will be subject to action by EPA under 40 CFR 31.43 if they fail to comply with the guidelines.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070808c.html



08/01/2007 p 41976 - p 42001 National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List; Partial Deletion of Sites From the Otis Air National Guard Base/Camp Edwards Superfund Site

Action: Notice

Summary: This provides a notice of intent to delete 61 areas of Otis/Camp Edwards, also referred to as the Massachusetts Military Reservation (MMR), from the National Priorities List.

Applicability: This may be of general interest because MMR is a high visibility DoD site. This notice pertains to sites addressed under CERCLA, however, there are separate remediation activities occurring under Safe Drinking Water Act regarding at this location which are explained in this notice as well.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070801c.html

07/19/2007 p 39587 Expansion of RCRA Comparable Fuel Exclusion

Action: Extension of comment period

Summary: This extends the comment period for the June 15, 2007 proposed rule, 72 FR 33284, from August 14, 2007 to September 14, 2007.

Applicability: The Comparable Fuel Exclusion would apply to hazardous wastes with heating value of over 5,000 BTU/lbs which have emissions similar to fuel oil when burned in industrial burners.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070719c.html

07/18/2007 p 39326 Criteria for the Safe and Environmentally Protective Use of Granular Mine Tailings Known as "Chat"

Action: Final rule

Summary: EPA establishes criteria for waste material known as "chat" used in Federally funded transportation projects such as asphalt or concrete used in road construction. Under this rule, lead and cadmium leachate from chat can not exceed National Primary Drinking Water Standards and zinc can not exceed fresh water chronic National Recommended Water Quality Criterion. Recordkeeping requirements are also established.

Applicability: This applies to chat in the Tri-State Mining District of Southwest Missouri, Southeast Kansas and Northeast Oklahoma. However, there is an exception for State or Federal response actions undertaken in accordance with Federal or State environmental laws.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070718c.html

07/02/2007 p 35961 - p 35966 Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers

Action: Notice of Proposed Rulemaking

Summary: Hazardous materials regulations require emergency response telephone numbers to accompany shipments of hazardous materials. An increasing number of shippers are meeting this requirement via contracts with emergency response providers. To enable service providers to better identify shippers in the event of an incident, PHMSA proposes to require the shipping paper to list the offeror by name or contract number.

Applicability: This would apply to hazardous material subject to shipping paper requirements.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070702c.html



06/29/2007 p 35666 Standards for Universal Waste Management

Action: Correction

Summary: This reinstates the definition of "on-site" within universal waste regulations in 40 CFR 273.

Applicability: This applies to universal waste.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070629c.html



06/27/2007 p 35211-p 25312 Security Requirements for Motor Carriers Transporting Hazardous Materials

Action: Advance notice of proposed rulemaking (ANPRM) withdrawal

Summary: Because the Transportation Security Administration has assumed the lead role from the Pipeline and Hazardous Materials Safety Administration (PHMSA) for motor carrier security of hazardous materials, this notice announces PHMSA's withdrawal of a July 16, 2002 ANPRM. This closes PHMSA's docket with respect to this rule.

Applicability: The ANPRM pertained to enhanced security measures for transportation of hazardous materials by motor carriers.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070627c.html

06/15/2007 p 33284 - p 33334 Expansion of RCRA Comparable Fuel Exclusion

Action: Proposed rule

Summary: This proposes to expand the comparable fuel exclusion under RCRA to include fuels produced from hazardous waste that have air emissions comparable to burning of fuel oil in industrial boilers. To qualify for the conditional exclusion, emission-comparable fuel (ECF) would have to meet the same specification currently applicable to "comparable fuels", except that the specifications for certain hydrocarbons and oxygenates would not apply. The ECF conditional exclusion includes requirements to ensure proper storage and combustion. As proposed, storage is limited to tanks, tank cars, and tank trucks and could not utilize portable devices such as drums.

Applicability: This would apply to hazardous wastes with heating value of over 5,000 BTU/lbs which have emissions similar to fuel oil when burned in industrial burners.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070615c.html

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



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