

Environmental Compliance & Transportation Information Bulletin



Edition 61.



December 2007

Editor's Corner

So, the big question.....naughty or nice? Well, it is beginning to look a lot like Christmas-- it is cold enough anyway. My kids, now 10 and 6 are just bouncing off the walls awaiting Santa's visit. At least this guarantees a few weeks of "goodness" out of them!

All is fine in Omaha as we prepare for the new year. I hope this newsletter finds all our coworkers and friends happy and healthy. Myself and the other regulatory folks here at the CX, wish you a very happy and safe holiday season and hope to hear from you all in 2008!

Sandi Claus



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 early 2008. 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.

Environmental and Munitions Center of Expertise (EM CX)

It is now official, the Hazardous, Toxic, and Radioactive Waste Center of Expertise (HTRW CX) has been realigned under the Huntsville Engineering and Support Center (HNC). We will not physically relocate to HNC, but will remain in Omaha. It is a virtual realignment.

We are now a directorate under the HNC Commander. The Military Munitions CX in HNC is now a division under the directorate. They will stay in Huntsville, AL.

There are four divisions within 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 P2 organization codes have changed. See our web site for new codes. <http://www.environmental.usace.army.mil/>

FY07 Regulatory Training – Two more course available:

CCN 398 Environmental Regulations – Practical Application This course is designed to further the student's understanding and ability to apply the technical requirements of various major federal environmental regulations. This course consists of a review of the technical application of selected environmental requirements pertinent to compliance issues. It will not consist of an exhaustive, detailed study of environmental statutes and regulations. This course is comprised of discussions and practical exercises pertaining to the technical application of various environmental regulations such as RCRA waste classification and generator standards, used oil management, NPDES wastewater and stormwater requirements, SPCC plans, PCB management, Clean Air Act regulations, USTs, SWDA requirements, spill reporting, pesticide management, hazardous materials transportation, and EPCRA requirements. The course also includes a brief introductory session on environmental management systems addressed in EO 13148. This course focuses on the practical application of these regulations during day-to-day compliance activities at DoD installations, Corps construction projects and Civil Works Projects and Facilities. <http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=398> The Course Control Number is 398.



CCN 356 CERCLA/RCRA Process Remediation Course This course trains personnel on the Comprehensive, Environmental Response, Compensation and Liability Act (CERCLA) hazardous substance response process and the Resource Conservation and Recovery Act (RCRA) corrective action process as it relates to the Department of Defense. It addresses the Defense Environmental Restoration Program which includes the Installation Restoration Program (IRP), the Base Realignment and Closure (BRAC) Program, and the Formerly Used Defense Sites (FUDS) Program. It also has applicability to cleanups conducted under the Formerly Used Sites Remedial Action Program (FUSRAP), the EPA Superfund program, and cleanups at Army Corps of Engineers Civil Works facilities. This is an ISEERB approved course. This course has been developed by in-house USACE staff and focuses on the regulatory requirements for cleaning up hazardous substances, pollutants, and contaminants under CERCLA and solid and/or hazardous wastes at RCRA sites. This course covers the CERCLA process as outlined by Subpart E of the National Contingency Plan and the RCRA corrective action process as implemented via EPA guidance, RCRA permit requirements, and consent orders. CERCLA topics addressed include preliminary assessments, site inspections, removal site evaluations, engineering evaluations/cost analyses, removal actions, remedial investigations, feasibility studies, proposed plans, records of decision (ROD), pre and post-ROD changes, remedial design and construction, and public participation requirements. RCRA topics include the initiation of the RCRA corrective action process via permit conditions and consent orders, the RCRA Facility Assessment, RCRA Facility Investigations, Interim Stabilization Measures, Corrective Measures Studies, and Corrective Measures Implementation.

<http://pdsc.usace.army.mil/CourseListDetail.aspx?CtrlNbr=356> The Course Control Number is 356.



If interested contact the Registrar at the Training Center at **256-895-7425 or 7421**.

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/info/technical/compliance_tools/comptools/comptools.html



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

November 2007

11/20/2007 p 65396 – 65435 Department of Homeland Security: Appendix to Chemical Facility Anti-Terrorism Standards

Action: Final rule

Summary: This final rule revises the list of chemicals of interest, or COI, which the Department of Homeland Security (DHS or the Department) included as Appendix A to the Chemical Facility Anti-Terrorism Standards Interim Final Rule. Appendix A lists chemicals of interest and screening threshold quantities, or STQs. Any facility that possesses (or later comes into possession of) the listed chemicals in quantities that meet or exceed the STQ for any applicable security issue must complete and submit a Top-Screen. This will assist the Department in determining whether a facility presents a high level of security risk.

Applicability: A review of the April 9, 2007 interim final rule indicates that DoD facilities are specifically exempt for the DHS rule. DHS discusses the Congressional exemptions found in the statute at 72 FR 17699 (April 9, 2007 FR). At this time, there does not appear to be any DoD guidance that would indicate DoD may adopt any of the DHS rules as a policy measure.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a070409c.html

October 2007

10/30/2007 p 61335 – 61355 Notice of Availability of Preliminary 2008 Effluent Guidelines Program Plan

Action: Notice of Availability

Summary: Under sections 301(d), 304(g) and 307(b) of the CWA EPA is required to conduct an annual review of effluent guidelines and pretreatment standards. This notice provides the results of EPA's 2007 review of existing effluent guidelines and pretreatment standards. It also presents EPA's evaluation of indirect dischargers without categorical pretreatment standards to identify potential new categories for pretreatment standards under CWA sections 304(g) and 307(b). This notice also presents the Preliminary 2008 Effluent Guidelines Program Plan ("preliminary 2008 Plan"), which, as required under CWA section 304(m), identifies any new or existing industrial categories selected for effluent guidelines rulemaking and provides a schedule for such rulemaking. EPA is soliciting comments and requesting data. The comment period ends 12/31/2007.

Applicability: Personnel involved with the NPDES permit program may be interested in this summary notice as EPA is presenting a summary of potential future rulemaking and a summary of request for comments for various existing and potentially new sectors of industry.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071030c.html



10/26/2007 p 60786–60787 National Oil and Hazardous Substances Contingency Plan Priorities List

Action: Notice of partial deletion of sites from the Otis Air National Guard Base/Camp Edwards Superfund Site from the National Priorities List.

Summary: This announces the deletion of 61 source area sites at the Otis Air National Guard Base/Camp Edwards Superfund Site, also known as the Massachusetts Military Reservation, from the NPL. A source area site is defined by: soil; structures, if present; and does not include any contaminated groundwater plume that may be below the site. In the northern half of the MMR, there are source area sites and groundwater plumes associated with an investigation and cleanup program known as the Impact Area Groundwater Study Program which is being conducted under the authority of Safe Drinking Water Act Administrative Orders. These sites and groundwater plumes are not the subject of this partial deletion. The United States Air Force is the lead agency at the MMR Superfund Site.

Applicability: This notice may be of general interest because this is a high visibility site at which USACE has been involved the ground water response action.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071026c.html

10/15/2007 p 58378 – 58445 Oil Pollution Prevention; Spill Prevention, Control, and Countermeasures Rule Requirements – Amendments

Action: Proposed rule

Summary: EPA is proposing to amend the SPCC rule to provide additional clarity, tailor requirements to particular industry sectors, and to streamline certain requirements for a facility owner or operator subject to the rule. EPA proposed specific exemptions for hot mix asphalt, pesticide application equipment and related mix containers used at farms and heating oil containers at single-family residences. EPA is proposing to amend the facility diagram requirement for flexibility at all facilities; they are amending the definition of "facility" and defining "loading/unloading rack" to clarify equipment subject to those provisions. EPA is proposing to provide a set of stream-lined requirements for a subset of qualified facilities (<10,000 g aggregate with no individual container > 5000 g) amend security requirements for all facilities and amend the integrity testing requirements to provide flexibility in the use of industry standards at all facilities.

Applicability: The scope of this proposal has potential impacts on MILCON/O&M and Civil Works activities in particular. Exemptions and definition clarifications are important to all staff involved with SPCC plan development and review. The Tier I qualified facility provision and proposed standardized template for SPCC plans may prove beneficial to smaller Civil Works facilities and for leasees/outgrants located on larger project lands.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071015c.html

10/12/2007 p 58084 - p 58084 Announcement of the National Enforcement and Compliance Assurance Priorities for Fiscal Years 2008, 2009 and 2010

Action: Notice.

Summary: This announces EPA's national enforcement and compliance assurance priorities for FY 2008-2010.

Applicability: Priorities are listed for Clean Water Act, Clean Air Act, RCRA, and CERCLA programs. Emphasis will also be placed on Indian Country.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071012c.html



10/10/2007 p 57782 - p 57820 National Primary Drinking Water Regulations for Lead and Copper: Short-Term Regulatory Revisions and Clarifications

Action: Final rule

Summary: This modifies Safe Drinking Water Act regulations regarding lead and copper monitoring, treatment processes, public education, customer awareness, and lead service line replacement.

Applicability: This applies to community and non-transient non-community water systems regulated under the Safe Drinking Water Act.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071010c.html

10/09/2007 p 57235 - p 57241 Transfer of Polychlorinated Biphenyl Cleanup and Disposal Program from the Office of Prevention, Pesticides and Toxic Substances to the Office of Solid Waste and Emergency Response

Action: Final rule

Summary: EPA is transferring the management of the polychlorinated biphenyl (PCB) cleanup program and most of the PCB disposal program from the Office of Prevention, Pesticides and Toxic Substances (OPPTS) to the Office of Solid Waste and Emergency Response (OSWER). OSWER will oversee most issues pertaining to PCB cleanup and disposal under TSCA, RCRA, and CERCLA, as appropriate; OPPTS will continue to oversee other issues pertaining to PCBs (e.g., issues pertaining to PCB use) under TSCA. The transfer of the management of the PCB cleanup and disposal program from OPPTS to OSWER will consolidate administration of cleanup and disposal activities within one office. The transfer will not make any substantive changes to the regulatory requirements or standards for PCB cleanup and disposal under TSCA. Effective date of this rule is October 9, 2007.

Applicability: This applies to operating or closed facilities that use, contain, or dispose of PCBs or PCB wastes including, but not limited to Electric power generation, transmission, and distribution; repair or maintenance; Remediation and other waste management services.

Reference: http://www.access.gpo.gov/su_docs/fedreg/a071009c.html

10/01/2007 p 55678 – 55697 Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications

Action: Final rule

Summary: The Pipeline and Hazardous Materials Safety Administration (PHMSA) conducts an annual review of the Hazardous Materials Regulations to identify typographical and other errors and revises the regulations to reflect these changes through the rulemaking process. Since these amendments do not impose new requirements on the regulated community, public notice and comment procedures are not necessary. For a section by section review of the revisions the reader is directed to the link below.

Applicability: Personnel involved with the transportation of hazardous materials should review the editorial changes and corrections and make note as appropriate of any specific changes that may impact their hazmat employee responsibilities.

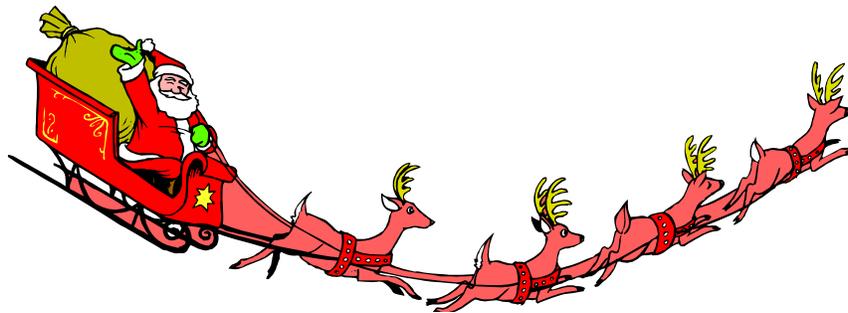
Reference: http://www.access.gpo.gov/su_docs/fedreg/a071001c.html

Do you have a “burning” regulatory question? Call us or e-mail us at

http://www.environmental.usace.army.mil/tech_reg.htm



Merry Christmas to all and to all a good night!



EC&T Information Bulletin

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& Radioactive Waste Center of Expertise) in Omaha, NE.

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