

Environmental Compliance & Transportation Information Bulletin



Edition 67.

June 2009

Editor's Corner

Welcome to Edition 67. Please read the article on the **PROSPECT** survey at the top of page 2. It is time to register for FY10. Also, please pass this information on to any other folks you know that may need initial or recertification manifest/DOT training.

Summer has arrived in Omaha along with a lot of clouds and rain. It is quite cool for summer, I sure hope it warms up, especially before we head to the beach! (Ha, Ha, no, not in Omaha!)

All is fine at the EM CX. I hope you are all doing well. As always, we are just a phone call away, so if you need me or the CX, do not hesitate to call! You know where to find me!



Very sincerely,

Sandi Zebrowski

Upcoming training sessions

For the remainder of FY2009 we have three more refreshers scheduled. Beverly VanCleaf is teaching at the New England District 24-25 June. Rick Waples is teaching at Ft. Gordon, GA on August 5-6. Rick is also teaching Sacramento District on 16-17 September. If you need initial or recertification training, call Rick Waples or Beverly VanCleaf and they will let you know what is available or put your name on a "training needs" list.



The survey is out for FY10 and is due 12 June. Remember you can sign up anytime, but survey time is better! See next article.



FY10 PROSPECT survey is out!

The survey is out and registration closes **12 June**. And manifesting goes to**Orlando!**

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. 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.



The FY10 PROSPECT Course manual, The Purple Book, is at:
<http://pdsc.usace.army.mil/CrsScheduleNewFy.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 DOT and ISEERB approved. March 15-19, 2010. <http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=223>
- HW Recertification Course (16-hours), Course 429. This is the 2-day recertification course for hazardous waste. March 17-18, 2010. <http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=429>
- RW/DOT Certification, Course 441. This is the Initial Radioactive Waste Transportation course (24 hours). Call Rick Waples at 402-697-2560. Course in Omaha. <http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=441>
- Rad Waste Transport/DOT Recert, Course 430. This is the Hazardous & Radioactive Waste Recertification Course (20 hours). March 17-19, 2010. <http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=430>

The tuitions in the hard copy of the PROSPECT Purple Book were incorrect. The tuitions online should be accurate.

To Register, go to: <http://pdsc.usace.army.mil/HowToRegister.aspx>

As always, to schedule an onsite for initial training or refresher training, or to obtain additional information, contact: Joe Pickett, (256) 895-7445, Rich Waples, (402) 697-2560, e-mail: Richard.J.Waples@usace.army.mil or Beverly VanCleaf at (402) 697-2559, e-mail: Beverly.D.Vancleaf@usace.army.mil.

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>

6/02/09 p 26460 Hazardous Materials: Request for Comments on Issues or Problems Concerning International Atomic Energy Regulations for Safe Transport of Radioactive Material

Action: Notice; request for comments

Summary: PHMSA and the NRC are jointly seeking comments on issues or problems concerning requirements in the International Atomic Energy Agency (IAEA) Regulations for the Safe Transport of Radioactive (referred to as TS-R-1). The IAEA is considering revisions to the TS-R-1 regulations as part of its periodic two-year review cycle for a 2013 Edition. Comments are to be submitted by June 15, 2009.

Applicability: USACE would take advantage of this opportunity to make comments if there are any issues or problems with TS-R-1 regulations because typically these regulations are relied on when PHMSA and the NRC proposed harmonization rulemaking to standardize with the international regulations.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-12778.pdf>

5/29/09 p 25735 Biennial Determination of the Waste Isolation Pilot Plant's Compliance With Applicable Federal Environmental Laws for the Period 2006 to 2008

Action: Notice

Summary: EPA has determined that between 2006 and 2008, DOE has operated the Waste Isolation Pilot Plant (WIPP) in compliance with all Federal statutes, regulations and permit requirements. This determination was based on documentation supplied by DOE to EPA.

Applicability: Although USACE would not typically have a need to ship transuranics or low level radioactive waste to WIPP, this is provided for general information. A shipment of radioactive waste (LLRW) would generally be performed by the Joint Munitions Command who is the DoD executive agent for LLRW.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-12555.pdf>



05/27/2009 p 25200 - 25205 Definition of Solid Waste Public Meeting

Action: Notice of public meeting and request for comments

Summary: The Sierra Club has submitted a petition to EPA that requests repeal of the October 2008 revisions to the definition of solid waste and stay of the implementation of the rule. EPA is seeking input from stakeholders before responding to the petition. Issues for discussion include the definition of "contained" as it permits to hazardous secondary material; notification requirements for operating under an exclusion from the definition of solid waste; the definition of "legitimacy" and legitimacy factors, and the "transfer-based exclusion" for hazardous secondary materials shipped for reclamation by a third party, commercial facility, or another manufacturer.

Applicability: This issue is of interest to Army because modifications to the definition of solid waste affect hazardous waste classification.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-12283.pdf>.

05/20/2009 p 23712 - 23713 Notice of Availability of RCRA Closure and Post-Closure Care Cost Estimating Software

Action: Notice of Availability

Summary: EPA announces availability of a software package, referred to as CostPro, to estimate the costs of RCRA Closure and Post-Closure care.

Applicability: This may be of interest to persons involved in estimating costs for closing RCRA hazardous waste management units.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-11741.pdf>

05/15/2009 p 23099 - 23104 Executive Order 13508 - Chesapeake Bay Protection and Restoration

Action: Executive Order

Summary: This provides strategy for protecting and restoring the Chesapeake Bay.

Applicability: The Executive Order requires that federal agencies with land, facilities, or installation management responsibilities affecting ten or more acres within the watershed of the Chesapeake Bay shall, as expeditiously as practicable and to the extent permitted by law, implement land management practices to protect the Chesapeake Bay and its tributary waters.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-11547.pdf>

05/14/2009 p 22693 - 22696 Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation

Action: Final rule

Summary: In this final rule, EPA is delaying the effective date for the PSD and NSR aggregation rule finalized on 15 Jan 2009 for another 12 months. The new effective date is 18 May 2010.

Applicability: The delay in effective date will be of interest to those subject to the PSD and NSR aggregation requirements set forth in the 15 Jan 2009 ruling.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-11271.pdf>

05/07/2009 p 21363 - 21364 Small Drinking Water System Variances and Other Approaches for the Equitable Consideration of Small System Customers Stakeholder Meeting

Action: Notice

Summary: EPA is giving notice of a public meeting to discuss policies to assure equitable treatment of small drinking water system customers. These policies include small drinking water system variance methodologies and alternative strategies.

Applicability: Provided for general information only.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-10644.pdf>

05/01/2009 p 20235 - 20246 Physical Protection of Byproduct Material

Action: Availability of preliminary draft rule language for public comment.

Summary: The Nuclear Regulatory Commission (NRC) is making available preliminary draft propose rule language to amend its regulations to add a new part 37 to Title 10 of the regulations. The proposed rule (Part 37) would contain the security (physical protection) requirements that are designed to provide reasonable assurance of preventing the theft, sabotage, or diversion of category 1 and category 2 quantities of radioactive material. The NRC is requesting comments by 15 June 2009 on this proposed rule.

Applicability: USACE does not have any Category 1 or 2 radioactive material sources according to the USACE Radiation Safety Officer, and will not be impacted by this proposed rule.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-10041.pdf>

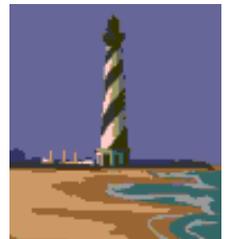
04/01/2009 p 14736 - 14738 Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasure Rule – Final Amendments

Action: Final rule; delay of effective date.

Summary: EPA is delaying the effective date of the December 5, 2008 final rule that amends the Spill Prevention Control, and Countermeasure (SPCC) regulations (Tier I facilities and other amendments). The amendments will become effective on January 14, 2010.

Applicability: The delay in the final rule has a direct impact on all facility owners and operators considering taking advantage of regulatory relief provided by these amendments. By delaying the effective date, the amendments are delayed and can not be taken advantage of until the 1/14/2010 date.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-7301.pdf>



02/03/2009 p 5900 - 5903 Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasures Rule-Final Amendments

Action: Final Rule: Delay of effective date and request for comment.

Summary: The Environmental Protection Agency (EPA) is delaying by sixty days the effective date of the final rule that amends the Spill Prevention, Control, and Countermeasure (SPCC) regulations published in the Federal Register on December 5, 2008. Thus, the amendments will become effective on April 4, 2009. EPA additionally is requesting public comment on the extension of the effective date and its duration,

and on the regulatory amendments contained in the final rule.

Applicability: The extension is applicable to all facilities required to develop and maintain a SPCC Plan.

Reference: <http://edocket.access.gpo.gov/2009/pdf/E9-2335.pdf>

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

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



EC&T Information Bulletin

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**The Information Bulletin is distributed quarterly by the
Hazardous, Toxic & Radioactive Waste Center of Expertise in Omaha, NE.**

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