



MINUTES FOR THE FEBRUARY 15th, 2002 GENERAL MEETING

Due to the Bi-Laws, new officers have to be voted in at the first meeting of the year. The officers are as follows:

Officers:

President: Dave Matthews
Vice President: Joann Cortese
Secretary: Tanya Warsheski
Treasurer: Bob May

Committees:

Membership: Donna Switzer
Meetings: Craig Durand
Newsletter: Tanya Warsheski
Regulatory: Don Boeman
Webmaster: Todd Tereska

Officer Reports:

President:

- Proposed and approved the following by-law changes:
 1. Elections have to be held by the 1st meeting of the year. Notice can now be given 20-days prior to the 1st meeting of the year via e-mail.
 2. Notice of nominations for Officers is 30-days prior to the 1st meeting of the year. Notice can now be given 20-days prior to the 1st meeting of the year via e-mail.
- Held a vote for Officers of the Chapter.

Treasurer:

- Proposed the 2002 budget – Approved.
- Proposed that voting members must be a paid member – Approved.
- The immediate past President is to be an advisor to the Chapter – Approved.
- Administrative meetings may be held annually – Approved.

Membership: Develop and distribute a mailing pamphlet to recruit new members – Approved.

Officers:

*President – Dave Matthews
Treasurer – Bob May*

Vice President – Joann Cortese

*Secretary – Tanya Warsheski
Immediate Past President – Donna Switzer*

Discussions:

- Dave Matthews gave a regulatory update regarding USEPA's cross media electronic reporting (see below).
- Presentation given by UTRS, Inc. regarding the PT2/ET2 Grant Program made available by the PADEP. The program is to enable a facility to obtain an assessment of pollution prevention and energy efficiency opportunities. For more information on this topic, please contact Karen Stallone or Donna Switzer at 856-667-6770.
- If you proctor a CHMM exam, you get 1 credit towards your ACHMM annual certification renewal.

Summary of USEPA's Cross-Media Electronic Reporting & Recordkeeping Rule¹

- **Draft rule published in the August 2001 Federal Register.** Comment period has been extended until February 27, 2002.
- **The rule is a voluntary rule (at this point) for entities that submit reports to EPA electronically.** Currently, EPA's E-reporting policy is based on a 1996 document entitled, "*Notice of Agency's General Policy for Accepting Filing of Environmental Reports via Electronic Data Interchange (EDI)*". Under CROMERRR, EPA is attempting to consolidate all reporting into a specific format/system, called the Central Data Exchange (CDX), to allow for ease of use by the public, regulated community and agencies and also to ensure the reliability and security of the data. CDX will be the mechanism in which EPA and delegated states receive E-documents. Everything centers around CDX, which has not been fully developed at this time.
- **For existing records kept electronically at facilities, CROMERRR will require that the records meet certain criteria in order to satisfy CDX requirements. The criteria are set below:**
 - *Records must be kept in a manner which cannot be altered without detection;*
 - *Ensure that records are not altered throughout record retention period;*
 - *Produce accurate and complete copies of records if requested;*
 - *Ensure that any record bearing an electronic signature contains the name, date and time of signature;*
 - *Protect electronic signatures so that signatures that have been affixed to a record cannot be detached, copied or otherwise compromised;*

¹ Article submitted by Dave Matthews, Bristol Myers Squibb

- *Use secure, computer-generated, time stamped audit trails to automatically record time and date of operator entry into logs;*
- *Ensure that records are searchable and retrievable for reference and secondary uses, including inspections, audits, legal proceedings, etc.*
- Existing paper records are not subject to this rule and therefore, do not have to be converted to an E-format and do not have to conform to CROMERRR;
- CROMERRR will require that *receiving systems* at EPA and/or Delegated States, be modified to conform with the CDX requirements. The receiving systems must do the following:
 - *Certify that an electronic document was sent, when it was sent, by whom it was sent, and when it was received;*
 - *Ensure that the document was not altered from the time it was sent until the time it was received;*
- The reason why EPA is pursuing this rule is because in 1996, they did not envision that technology would have changed so rapidly. EPA currently uses PINs and EDI for E-reporting. EPA would like to update the use of signatures through a technology called “Public Key Infrastructure” or PKI;
- EPA states it has the statutory authority to require E-Reporting and CROMERRR under the Government Paperwork Elimination Act (GPEA) of 1998;
- All programs under 40 CFR would be subject to CROMERRR, with the exception of hazardous waste manifests;
- EPA’s Office of Environmental Information (OEI) is responsible for developing the specifications of CDX;
- Key Building Blocks for CDX will be:
 - *Digital signatures based on PKI;*
 - *A process for registering users and managing their access to the CDX;*
 - *A characteristic systems architecture;*
 - *Electronic data interchange (EDI) standards;*
 - *A characteristic environment in which electronic reporting transactions will be conducted*

This summary is intended to provide an overview of the rule and does not cover all of the details. The impact to membership could be substantial if system upgrades are necessary to conform with CDX requirements.

The rule can be downloaded @ <http://www.epa.gov/cdx/cromerrr/propose/index.html>

OSHA/HAZMAT COMPLIANCE EFFORTS

Resources containing environmental and regulatory information are great tools when trying to keep up to date on what's changing, new technology and especially who's getting fined for what so you can ensure that you're company doesn't end up in the same situation. I was reading recent issues of Safety Compliance Alert, OSHA Compliance Advisor and IOMA's Safety Director's Report (SDR). What I came to find is that safety spending and training are on the decline and OSHA violations for training and accidents due to lack of training/maintenance are on the rise.

In the October 2001 issue of IOMA's SDR, there was an article referencing a survey conducted by the Safety Management and Salary Survey (SADR) in 2001 titled "More Companies Putting the Squeeze on the Safety Budget". In this article it indicated that "41% of all safety directors said that safety spending at their company is insufficient to administer a quality safety process" no matter the size. Some of the highest ranked issues resulting from these cut backs were having insufficient funds to conduct training, purchasing safety equipment and devices, safety awareness materials and promotional activities and safety department staffing. Though the safety directors surveyed did not say their vulnerability to OSHA or other regulatory agencies has been affected, what they did say is that it has prevented them from taking the necessary proactive steps to reduce workers' exposure and risk of injury.

Whether you are able to be proactive or not, OSHA is not always black and white. This is what can lead to hefty fines for non-compliance. In the October 2001 Issue No. 427, there are several OSHA guidance articles. The article on "Hearing Conservation" (29 CFR 1910.95) offers an outline of what the regulation requires. For instance, the noise exposure standard under 29 CFR 1910.95 requires that employers establish "a continuing effective hearing conservation program" if their facility generates high noise levels, that is, levels exceeding 85 decibels (dB) on an 8-hour time-weighted average. You may ask what a typical noise registering at or above this level is? The horn of an automobile registers at 120 dB and typical office noise volume registers at 70-75 dB. The article offers an outline for complying with the training program requirements, noise reduction strategies and the health risks related to excessive noise above 84 dB.

The “Permit-Required Confined Spaces (29 CFR 1910.146)” article discusses the basic definition of what qualifies as a permit-required confined space, the employer requirements (ie training, safety programs, record keeping, etc.), defines each participants role that is required to conduct a permit-required confined space and what employees can do for themselves relative to proactive safety measures.

Where does all this information come into play? Well, if you aren’t compliant and seek advice via a safety consultant for some assistance, you may have a surprise after the report has been submitted for your review. OSHA’s new guidance regarding the use of a consultant’s report (FR 10/26/00 p.64281) states that OSHA retains the right to request consultation report The report(s) can be used against you when the compliance officer independently determines that the employer failed to correct serious hazards identified during the consultation visit, or the employer creates the same hazard again.

In addition, the guidance makes it mandatory for employees to be involved in the safety consultation(s) whereas the old regulation let it up to the employer. The employer is required to inform employees when a visit will take place; allow them to participate in the audit, and update them on the results of the visit. And the final kicker is that OSHA hasn’t added any language to prevent employees from closing interviews with compliance officers.

In close, I hope this article effects change for those of you in companies who think a penny saved is a penny earned when it comes to worker safety. Below is an OSHA enforcement update on a company who failed to do even the basic safety requirements.

Sharp Corporation in Conshohocken, PA is a packaging facility that had an inspection because an employee complained that workers weren’t informed about the chemicals they were handling or the hazards associated with those chemicals. OSHA issued a fine for \$225,000.00. Some of the citations included failure to: provide eye or face protection to guard against chemical exposure; have appropriate respirators for employees exposed to chemicals above established limits; train employees on hazard communication; protect employees from exposure to hormones in excess of industry-established limits and conduct a hazard assessment.

If you want any more information on these articles, here’s how to access these resources:
Safety Compliance Alert: 800-220-8600; OSHA Compliance Alert: www.blr.com or 800-727-5257; IOMA’s Safety Director’s Report: www.ioma.com.

SECOND GENERAL MEETING OF 2002

The Second Philadelphia Chapter Meeting will be on *March 20th, 2002*. The meeting will be held at JEVIC Transportation, Inc. JEVIC is located at 600 Creek Road – Delanco, NJ 08075. The meeting will start at 6 p.m. The meeting will encompass Chapter/Member issues, a guest speaker on the DOT rules/regulations and a tour of JEVIC’s national trucking/freight handling operations.

If you plan to attend, please be sure to register by March 12th. Please e-mail your attendance to warsheskit@jevic.com or fax it to 856-764-6758 to the attention of Tanya Warsheski. There will be a buffet dinner with your choice of Romano Chicken with fresh tomato sauce or White Vegetable Lasagna. **The cost for the dinner is \$15.00/person.**

DIRECTIONS TO – JEVIC (800-257-0427 x0):

From the New York (approximately 20 minutes from Turnpike Exit):

Take NJ Turnpike South to Exit 5 (Mt. Holly). Turn Left at the light after the toll booth onto Rt. 541 West. Follow Rt. 541 West about 6 miles to Rt.130 South. Turn Left onto Rt. 130 South. Follow Rt. 130 South about 6 miles and take the Creek Road Exit on your Right just after the Willingboro Chrysler dealer. Go Right at the stop sign and make an immediate Left onto Creek Road. JEVIC is _ mile down on your Right. Pull into visitor parking at the 1st building and enter the front doors.

From Rt. 295 North/South (approximately 10 minutes):

Take Willingboro Exit 45B (which puts you on Beverly/Rancocas Rd.). Follow Beverly/Rancocas Rd. approximately 5 miles to Rt. 130. Turn Left onto Rt. 130 South. Take the Creek Road Exit on your Right just after the Willingboro Chrysler dealer. Go Right at the stop sign and make an immediate Left onto Creek Road. JEVIC is _ mile down on your Right. Pull into visitor parking at the 1st building and enter the front doors.

From Philadelphia International Airport (approximately 30 minutes to Willingboro Exit):

Take I-95 North to Walt Whitman Bridge to New Jersey. Follow signs to 295 North. Take 295 North (far 2 right hand lanes). Follow directions for Rt. 295 North/South directions above.

Meeting Dates for 2002:

March 20 May 16 September 18 November 12

Officers:
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Treasurer – Bob May

Vice President – Joann Cortese
Secretary – Tanya Warsheski
Immediate Past President – Donna Switzer

INTERNET INFORMATION

www.epa.gov: Environmental Protection Agency information/regulations
www.access.gpo.gov/nara/cfr/cfr-table-search.html: Code of Federal Regulations
www.state.nj.us/dep/: NJ regulations
www.pacode.com: PA regulations
www.siri.uvm.edu/msds/: MSDS archive (free)
www.hazmat.dot.gov/: DOT Hazardous Materials
www.solidwaste.com: Current issues and regulations regarding solid waste with links to numerous other waste and environmental sites.

Use this form to RSVP for the **March 20th, 2002** General Meeting. *Please complete the form and either send it to PO Box 5157 – Delanco, NJ 08075, E-mail it to warsheskit@jevic.com OR fax it to Tanya Warsheski – Fax 856-764-6758 **no later than Tuesday, March 12th, 2002.***

NAME: _____

SECTION 1	MEETING REGISTRATION
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9 I am interested in attending the March 20th, 2002 meeting.

9 I am NOT interested in attending the March 20th, 2002 meeting.

SECTION 2	CHAPTER DUES
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Enclosed is a check made payable to the Philadelphia Chapter - ACHMM for my 2002 Chapter Dues.

9\$30 Voting Member (CHMMs Only)

9\$40 Associate Member (non-CHMMs)

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