

## **HAZARDOUS MATERIALS MANAGEMENT**

### **Philosophy:**

Hazardous materials can pose great health risks to those who use them, the general public, and the environment. It is essential that agencies involved with hazardous materials follow strict procedures in their proper acquisition, storage, use and disposal, in accordance with state and federal laws and regulations.

### **Policy:**

It is the policy of the Department to:

- 1) Keep to a minimum the hazardous materials involved in its activities.
- 2) Have the Hazardous Materials Management Division inspect all sites where hazardous waste is generated to determine their regulatory status (generator, conditionally exempt small quantity generator or non-generator).
- 3) Where hazardous materials are used, reduce the generation and accumulation of hazardous waste to the greatest extent possible and avoid generating at any one site a quantity exceeding the limits for a “Conditionally Exempt Small Generator (as listed in Section 7-203, pages 18 through 23 of the Hazardous Waste Management Regulations”).
- 4) Handle all hazardous waste according to the portions of the Hazardous Waste Management Regulations applicable to the site where the waste is generated (based on their regulatory status).
- 5) Collect and dispose of hazardous wastes as expeditiously as practical and in accordance with state and federal regulations.

### **Procedure for Implementation:**

The handling of and accountability for hazardous materials, especially wastes, are highly regulated and Department personnel must work strictly in accordance with federal Department of Transportation and state Agency of Natural Resources regulations.

There are two general considerations for Department activities:

- 1) To reduce the volume transported, stored, used, and/or subject to vandalism or loss, where possible and practical:
  - a. Use materials that do not contain hazardous chemicals or that may transform into hazardous materials;

- b. Purchase only the materials needed for a project and use what is purchased; and
  - c. Avoid storing materials beyond their useful life.
- 2) When hazardous wastes are produced, handle them in conformance with ANR's "Hazardous Waste Management Regulations" (pertinent sections in Attachment).

Specific procedures to be followed in the implementation of this policy are identified and outlined in the Attachment 1, entitled "Procedure for Implementation of FPR Policy on Hazardous Waste Management."

*Conrad M. Motyka, Commissioner*

Effective Date: March 11, 1993

Attachments (7)

## **HAZARDOUS MATERIALS MANAGEMENT**

### **Attachment 1**

#### **PROCEDURES FOR IMPLEMENTATION OF FPR POLICY ON HAZARDOUS MATERIALS MANAGEMENT**

##### **Introduction**

In spite of the Department's stated policy of avoiding generation and accumulation of hazardous waste, the operation, maintenance and management of state parks, state forests, private land, state tree nursery, parks maintenance shops, motor vehicle shop, and associated buildings, structures, equipment, and facilities will inevitably generate some hazardous waste. Normally, very small amounts of hazardous waste will be generated by any one facility or in any one area of the state. All sites that generate hazardous waste will be governed by the Agency of Natural Resources' "Hazardous Waste Management Regulations" (effective August 15, 1991). Sites that are designated as Conditionally Exempt Small Quantity Generators are exempt from some of the requirements of the "Hazardous Waste Management Regulations" as specified on pages 40 and 41 of those regulations.

##### **Responsibility**

Each level of the Department has a specific duty and responsibility to comply with these policies and procedures. The general duties and responsibilities to implement these policies and procedures are assigned as follows:

The Parks Maintenance Coordinator will coordinate the Department's Hazardous Waste Management Program including:

1. Training and information on all aspects of hazardous materials and waste transport, storage, cleanup, disposal.
2. Providing reports and notices [including notification of hazardous waste activity (Section 7-104) and annual reports (Section 7-802) to the Agency's "Hazardous Waste Management Regulations."
3. Obtaining the regulatory status (generator or Conditionally Exempt Small Quantity Generator) for all sites where hazardous waste is generated from the Hazardous Materials Management Division, Department of Environmental Conservation.

4. Compliance with the Agency's "Hazardous Waste Management Regulations" Section 7-309 in regard to use and management of containers.
5. Hazardous materials transportation to a storage facility or pickup for proper disposal by a licensed contractor including securing and managing necessary contracts and agreements.
6. Reviews and compliance audits of all activities, procedures, and documentation involved with hazardous materials and hazardous waste to verify that current laws, regulations, and policies and procedures are being adhered to.
7. Providing advice, recommendations, and interpretation of regulations to Department management and staff.
8. Coordinating clean up of hazardous material spills that occur on Department property.
9. Monitor and recommend updating of the policies and procedures as needed to implement the intent of the Department's philosophy on hazardous materials and hazardous waste to assure compliance with all pertinent state and federal regulations.

Directors will assure compliance with these procedures and all pertinent state and federal regulations.

Section Chiefs, Forestry District Managers, and Parks Regional Managers will provide instructions to all Department field personnel to assure that they are responsible for compliance with Director guidance and these procedures. They will be responsible for determining when a hazardous substance becomes a hazardous waste for the facilities and operations for which they have responsibility.

Parks Regional Storekeepers are designed as Hazardous Materials Coordinators for their Parks region and associated Forestry district. At the Essex Service Center and Nursery in District III, the Nursery Forester is designated as Hazardous Materials Coordinator for the Center and Nursery.

Hazardous Materials Coordinators are responsible for:

1. Coordinating with Park Maintenance Coordinator in regard to disposal and transportation of hazardous waste, including the selection of the licensed waste hauler.
2. Complying with these policies and procedures in association with appropriate supervisors.
3. Monitoring and documenting the hazardous waste generated and stored in the area(s) for which they have been assigned responsibility (this includes the inspection and record keeping duties listed under Storage Inspection, Record Keeping, and Manifests in these procedures).

All personnel handling, using, and storing hazardous materials and handling, storing, or assisting with disposal of hazardous waste are responsible for conducting the actions necessary to comply with these policies and procedures.

### **Containers**

Hazardous waste must be stored in approved containers. If more than five (5) gallons of hazardous waste are accumulated at one site, the waste should be stored in a larger approved container, such as a 55-gallon drum that has a cover with a seal.

An over-pac (salvage drum) should only be used in an emergency situation to contain a leaking container. Hazardous waste cannot be transported in over-pacs, except in emergencies.

Flammable liquids (e.g., gasoline) must be stored in vented containers and in areas suitable for storage of such liquids, either under cover outdoors or in vented areas indoors. Paint drums with bungs or oil drums can be used. Leave the bung loose, be sure to tighten before shipping. All containers must be kept closed except when adding or removing waste.

All previous labels or product identification on used barrels should be removed or covered. The Agency of Natural Resources' regulations on container management area in Attachment 4.

### **Labeling**

All containers used for storage of hazardous waste shall be clearly marked the first time they are used to accumulate or store waste. The Hazardous Materials Coordinator will insure that containers are labeled so as to comply with sections of the Agency of Natural Resources' "Hazardous Waste Management Regulations" pertinent to the generator classification for the respective facilities.

### **Storage**

In keeping with this policy, hazardous wastes should be stored as little, and for as short a period of time, as possible. Small, easily-moved containers should be used whenever possible.

Hazardous waste must be stored in a manner that will protect employees, public, and the environment, in strict compliance with ANR's "Hazardous Waste Management Regulations" and VOSHA requirements. Containers will be stored under cover, on containment pallets.

Fire prevention rules prohibit storing more than 25 gallons of flammable liquid (flash point less than 100°F, i.e. gasoline, toluol) in a work area unless it is stored in an approved room. The storage limit for combustible liquids (kerosene diesel fuel, oil-based paint) is 120 gallons.

If the waste is ignitable (flash point less than 140°F, i.e. most paints, gasoline, kerosene, diesel fuel), it must be stored at least 50 feet from a property line. Refer to Material Safety Data sheets for flash points. Call the Park Maintenance Coordinator when in doubt.

Contact the Park Maintenance Coordinator for advice before storing any unknown waste.

By January 1 of each year, the Hazardous Materials Coordinators shall submit a report to the Park Maintenance Coordinator listing all hazardous waste stored at their facility. The Park Maintenance Coordinator will coordinate disposal when quantities are sufficient to warrant. However, in no case shall any facility store more than the equivalent of three 55-gallon drums of hazardous waste. If a site exceeds the limits of hazardous waste for a Conditionally Exempt Small Generator, it will be necessary to comply with the storage requirements in the “Hazardous Waste Management Regulations” for generators.

### **Inspection and Record Keeping**

The Hazardous Materials Coordinator at each of the designated facilities will inspect the facilities storage areas for leaking containers, bulging barrels, and legible labels at least once a month. The time and date of inspection, the name of the inspector, and the conditions observed shall be clearly noted on the monthly hazardous waste container inspection form (a blank and sample copy attached – Attachment 7). This form shall be completed at the end of each month and filed in the Hazardous Waste loose leaf binder. All sites should avoid becoming a generator as this would require daily inspections of the storage area and maintenance of an inventory.

A loose leaf binder marked Hazardous Waste should be located in a visible location in the office or a hazardous waste storage facility at each park maintenance shop and the mechanic shop of the Essex Service Center and Nursery in District III. All hazardous waste informational materials and inspection records shall be kept in this notebook including:

1. A diagram of the facility with the location of all hazardous waste.
2. A copy of these procedures for management of hazardous waste.
3. Pertinent memos and training literature.
4. The monthly hazardous waste accumulation forms (Attachment 6).
5. The monthly container inspection forms (Attachment 7).

A copy of the Agency of Natural Resources’ “Hazardous Waste Management Regulations” should also be kept with this notebook.

A copy of the Department’s monthly hazardous waste accumulation form is attached (Attachment 6). Attachment 5 is the instructions for filling out the monthly hazardous waste accumulation form. This form will have to be completed at the end of each month when there is any waste being stored or generated other than parts cleaning solvent being picked up by the distributor.

No records will be forwarded to the Park Maintenance Coordinator (with the exception of the annual report of hazardous waste being stored) unless requested.

## **Manifests**

Completed manifests for hazardous waste are required at the time the waste is picked up for disposal. All manifests will be signed and properly distributed by the Hazardous Materials Coordinator. If a site is classified as a generator, a copy of this manifest must be maintained on site.

## **Transportation**

The Park Maintenance Coordinator is the contact person for the transportation of hazardous waste and will arrange for transportation and disposal of all hazardous waste.

## **SPECIAL CONSIDERATIONS**

### **Parts Cleaning Solvent**

Parts cleaning solvent which is picked up by the distributor (presently Safety-Kleen) must normally be reported on the monthly report when it is exchanged. The Hazardous Waste Coordinators will maintain an annual accounting of its usage which will be part of the Department's annual report to the Agency of Natural Resources.

### **Spills**

All spills or accidents involving Department maintenance operations shall be immediately reported to the Hazardous Materials Management Division of the Department of Environmental Conservation. The Park Maintenance Coordinator shall also be notified whenever we are involved with a hazardous material spill or accident.

### **Mixing of Wastes**

Wastes that are not alike cannot be placed in the same container. Consult with the Park Maintenance Coordinator before any wastes are consolidated.

### **Exemptions**

Wastes that are exempted from the Agency of Natural Resources' "Hazardous Waste Management Regulations" (effective August 15, 1991) are listed on pages 18 through 22 of Section 7-203 of those regulations. The following exemptions are excerpts from those regulations. Refer to the regulations for a complete description of all of the exemptions.

- 1) Household refuse.
  
- 10) Containers and inner liners from containers of hazardous waste, provided that the containers and inner liners are empty. Containers and inner liners are empty under the following conditions:

- a. For those containers or inner liners which have held hazardous waste, when all material has been removed using the practices commonly employed to remove materials from that type of container, and
    - i. No more than one inch of residue remains on the bottom of the container or inner liner; or
    - ii. No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 110 gallons in size.
    - iii. No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 110 gallons in size.
  - c. For those containers or inner liners which have held acutely hazardous waste, pesticidal waste, or obsolete pesticide products:
    - i. When the container or inner liner has been triple rinsed with a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate;
    - ii. When the container or inner liner is cleaned by a method which the generator has demonstrated to achieve equivalent removal; or
- 14) a. In the case of a container, the inner liner that prevented contact of the commercial chemical product or manufacturing chemical intermediate with the container has been removed.
- b. Waste crankcase and motor vehicle oils provided such wastes:
    - i. Do not exhibit a characteristic as defined in Section 7-204 through 7-207 (concerning ignitability, corrosivity, reactivity, and toxicity).
    - ii. Are stored in a manner such that no dispersal occurs; and
    - iii. Are offered to a certified hazardous waste transporter for transport to a facility, marketer, or collector such that the waste oil is burned for energy recovery in accordance with Subchapter 6.
- 15) Waste oil filters from motor vehicles that do not exhibit a characteristic as specified in 7-204 through 7-207 (which are related to ignitability, corrosivity, reactivity, and toxicity) provided:
- a. The filters are drained for at least four hours, or crushed and drained, and
  - b. All drained oils are collected and managed subject to these regulations.

- 16) Petroleum contaminated soils and contaminated carbon filtration media destined for treatment or disposal in accordance with agency guidelines, provided that:
- a. In the case of soils contaminated with waste crankcase or automotive oils, the amount of contaminated soil landfarmed on any given site does not exceed 20 cubic yards in volume; and
  - b. The contaminated soil or filtration media does not exhibit a characteristic as defined in Sections 7-204 through 7-207.
  - c. The petroleum contaminated soil does not contain waste listed in 7-211 through 7-214 (this refers mainly to specified commercial chemical products, acutely hazardous wastes, and other hazardous waste from specific sources listed in Appendix I of regulations).

## HAZARDOUS MATERIALS MANAGEMENT

### Attachment 2

#### DEFINITIONS

**Partial Definitions** from Agency of Natural Resources' "Hazardous Waste Management Regulations" (effective August 15, 1991).

*NOTE: For further details, refer to page(s) in regulations as indicated below.*

"Hazardous material" means all petroleum and corrosive or other chemicals and related sludge included in any of the following:

1. Any substance defined in Section 101(14) of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980;
2. Petroleum, including crude oil or any fraction thereof; or
3. Hazardous waste, as determined under subsection (18) of this section (pages 3 and 4).

"Hazardous material" does not include herbicides and pesticides when applied consistent with good practice conducted in conformity with federal, state, and local laws and regulations and according to manufacturers' instructions. Nothing in this subdivision shall affect the authority granted and the limitations imposed by 10 V.S.A., §6608a. (page 4)

"Hazardous waste" means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form, including but not limited to those which are toxic, corrosive, ignitable, reactive, strong sensitizers, or which generate pressure through decomposition, heat or other means, which in the judgment of the Secretary may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an usually destructive effect on water quality if discharged to ground or surface waters of the state. All special nuclear, source, or by-product material, as defined by the Atomic Energy Act of 1954 and amendments thereto, codified in 42 USC Section 2014, is specifically excluded from this definition. (page 4)

"Hazardous waste management" means the systematic and comprehensive management of the generation, storage, transport, treatment, including recycling and recovery, or disposal of hazardous waste materials. (page 4)

“Generator of hazardous waste”. A generator is a person, by site, whose act or process produces hazardous waste or whose act first causes hazardous waste to become subject to regulation... This includes any operator of a treatment, storage or disposal facility who initiates a shipment of hazardous waste from such facility. (page 39)

“Facility” means all contiguous land, structure, other appurtenances, and improvements on the land, used for treating, storing, or disposing of waste. A facility may consist of several treatment, storage, or disposal operational units. (page 3)

“Container” means any portable device in which a material is stored, transported, treated, disposed of or otherwise handled. (page 2)

“Household refuse” means any garbage, trash, or rubbish derived from households including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day use recreation areas. (page 4)

“Waste Oil” means any oil that has been refined from crude oil, used, and, as a result of such use is contaminated by physical or chemical impurities. For the purposes of these regulations, this definition of waste oil does not include petroleum naphtha solvents. (page 9)

“Small Quantity Generator” means a small quantity generator as defined in Section 7-303. Section 7-303 describes “Conditionally Exempt Small Quantity Generators” as follows:

“Conditionally Exempt Small Quantity Generators” (page 39)

- 1) A generator is a conditionally exempt small quantity generator for the calendar year if that person generates less than:
  - a. 220 pounds (110 kilograms) of hazardous waste in each and every month of the year; and
  - b. 2.2 pounds (1 kilogram) of acutely hazardous waste in each and every month of the year; and
  - c. 220 pounds (100 kilograms) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acutely hazardous waste in each and every month of the year; and has accumulated less than 2200 pounds (100 kilograms) of hazardous waste, 2.2 pounds (1 kilogram) of acutely hazardous waste, or, 220 pounds (100 kilograms) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acutely hazardous waste at any time.
- 2) As an alternative to the determination method described in subsection (1) above, the Secretary may allow a generator upon written request to be considered a conditionally exempt small quantity generator for the month(s) that he/she generates less than the amounts listed in a, b, and c above.

## HAZARDOUS MATERIALS MANAGEMENT

### Attachment 3

#### HAZARDOUS MATERIALS COMMONLY USED BY DEPARTMENT OF FORESTS, PARKS & RECREATION WHICH MAY BE HAZARDOUS WASTES WHEN DISCARDED

- I. Paint, Stains, and Other Surface Treatments
  - Oil-based paints
  - Floor and deck enamel
  - House and trim paint
  - Sign paint
  - Rust inhibitive paint
  - Tree marking paint
  - Automotive paints
  - Concrete sealers
  - Tree marking ink
  - Solvents
  - Lacquer thinner
  - Mineral spirits
  - Epoxy surface treatments
  - Primers
  - Latex paints
  - Polyurethane
  - Oil-based stains
  
- II. Automotive/Equipment Products
  - Motor oil
  - Antifreeze
  - Hydraulic fluids
    - Power steering fluids
    - Brake fluids
    - Transmission fluids
  - Penetrating oils
  - Grease
  - Gasoline
  - Battery fluids
  - Rust proofing compounds
  - Windshield washer fluid
  - Bar & chain oil
  - Body filler putty
  
- III. Cleaning and Disinfecting Agents
  - Toilet bowl cleaners (acid)
  - Disinfectant cleaners
  - Detergents
  - Window cleaners
  - Degreasing agents
  - Deodorant agents
  - Urinal blocks
  - Formaldehyde-based liquid deodorizer (liquid gold)
  - Bleaching agents (scouring powder)
  - Chlorine (super shock)
  - Hand cleaners
  
- IV. Agricultural/Landscaping Materials
  - Fertilizers
  - Herbicides
  - Pesticides
  
- V. Other
  - Insect repellents

## HAZARDOUS MATERIALS MANAGEMENT

### Attachment 4

#### HAZARDOUS WASTE MANAGEMENT REGULATIONS

(From pages 51 and 52 of the Agency of Natural Resources' "Hazardous Waste Management Regulations" of August 15, 1991)

#### 5) Use and Management of Containers

##### a. Condition of containers

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this section.

##### b. Compatibility of waste with container

The owner or operator must use a container made of or lined with materials which will not react with and are otherwise compatible with the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

##### c. Management of containers

- 1) A container holding hazardous waste must always be closed during storage except when necessary to add or remove waste;
- 2) A container holding hazardous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak;
- 3) Containers holding ignitable or reactive waste must be located at least fifty (50) feet from the property line; and

#### 4) Incompatible wastes

- a. Incompatible wastes, or incompatible wastes and materials must not be placed in the same container. Examples of incompatible wastes are provided in Appendix VII of regulations.
- b. Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material; and

- c. A storage container holding a hazardous waste incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

## HAZARDOUS MATERIALS MANAGEMENT

### Attachment 5

#### INSTRUCTIONS FOR MONTHLY HAZARDOUS WASTE ACCUMULATIVE FORM

This form must be filled out at the end of each month if there is any hazardous waste generated other than parts cleaning solvent being picked up by the distributor or any hazardous waste stored at the facility. A listing of the hazardous materials most commonly used in the Department can be found in Attachment 3.

The Waste Description should be clear and concise. Weight will have to be an approximation. Total Accumulated From Previous Month should include weight of waste and containers.

The COMMENTS can be used to explain deviations in the Waste Description and Weight areas. Shipments and inspections should be noted in this section.

#### Waste Oil

Only waste oil which is not exempt as specified in Section 7-203 of the "Hazardous Waste Management Regulations" counts toward the monthly generation or accumulation. Most types of waste oil (crankcase, gear oil, lubricating oil) will be exempt by the "Hazardous Waste Management Regulations" contingent upon proper transport and management.

#### Parts Cleaning Solvent

Parts cleaning solvent which is picked up by the distributor (presently Safety-Kleen) must be reported on the monthly report when it is exchanged and it will count toward the monthly waste generated. If no other waste is generated in the calendar month and when no waste is being stored at the facility, it will not be necessary to fill out a Hazardous Waste Accumulation Form for Small Quantity Generators.

#### Hazardous Waste Found on Forests, Parks and Recreation Property

Remember that household hazardous waste, regardless of its hazards, left by the public on Forests, Parks and Recreation property is exempt. Any other hazardous waste found on Forests, Parks and Recreation property would have to be handled as a hazardous waste and should immediately be reported to the Hazardous Materials Management Division through the Park Maintenance Coordinator. If non-exempt hazardous waste is removed and shipped for proper management, it is generation and must be manifested (if the site is a generator). The Hazardous Materials Management Division will determine who will remove and ship this material as well as who is responsible for the record keeping. The Hazardous Materials Management Division may take the responsibility as the generator as well as for keeping records and proper disposal.

**FPR POLICY #19**

**HAZARDOUS MATERIALS MANAGEMENT**

**Attachment 6**

MONTHLY HAZARDOUS WASTE ACCUMULATION FORM FOR SMALL  
QUANTITY GENERATOR

STATE OF VERMONT  
AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF FORESTS, PARKS AND RECREATION

MONTH:	REGION:
DISTRICT:	FACILITY:

WASTE DESCRIPTION:	GALLON	WEIGHT
1.		
2.		
3.		
4.		
5.		
6.		
REPORTABLE GENERATION		
TOTAL ACCUMULATED FROM PREVIOUS YEAR (+)		
LESS HAZARDOUS WASTE REMOVED FROM SITE (-)		
TOTAL ACCUMULATION (=)		
COMMENTS:		

\_\_\_\_\_  
Hazardous Materials Coordinator  
or  
Assistant Hazardous Materials Coordinator

\_\_\_\_\_  
Date

