

Practical Solutions

Environmental Advantage, Inc.
& Hazard Evaluations, Inc.

Winter 2021
Quarterly Newsletter

Training Grant Update—NYS Hazard Abatement Board



For the past 15 years, HEI has offered to work as partners with clients to apply for the opportunity to receive significant training grant support from the New York State Hazard Abatement Board (NYSHAB). The NYSHAB awards grants for employers to provide OSHA training programs which train and educate workers, supervisors, and management personnel. The grants also promote workplace accident and injury prevention by offering millions in annual funding, throughout New York State.

Looking at the past year in review, and looking forward to the upcoming year in 2021, there have been many significant challenges for employers on so many different levels. New York State has also faced difficulties and budgetary challenges. As such, the NYSHAB had provided employers with very little information regarding the status of the funding associated with the grants previously submitted for the August 2020 - July 2021 period. Recently, the NYSHAB announced that a quick public forum meeting was being held remotely and awarded funding and provided several updates. In summary, the funding available for training was cut in half, and the NYSHAB announced that there are no plans in the near future to offer funds for training.

Many employers are trying to find alternative solutions to train their workforce as OSHA regulations still apply and training programs need to be implemented. When is the last time that you have reviewed the training content provided to your employees? Is the training site-specific based on your facility and the hazards employees are potentially exposed to, or is it generic and not specific to your process? HEI provides affordable safety training focused on site-specific compliance and focusing on employee safety, as well as assessments of the training content that you are currently providing. Please contact Erik Hanna, Director of H&S Services at (716) 667-3130 or at ehanna@hazardevaluations.com for further information.

6 NYCRR Part 226 Extension of the Compliance Deadline



The New York State Department of Environmental Conservation (NYSDEC) has extended the deadline to comply with the revised 6 NYCRR Part 226 regulations. These regulations pertain to solvent cleaning and the use of industrial cleaning solvents. The revisions initially stated a compliance deadline of December 1, 2020; however, that deadline has been extended to **December 1, 2021**. Specifically, owners and operators conducting solvent cleaning using cold cleaning degreasing when the internal volume of the machine is greater than 2 gallons may continue using a cleaning solution with a vapor pressure of 1.0 mm Hg or less at 20°C until December 1, 2021. If your facility currently operates a parts washer, contact EA and we'll help you determine what actions your facility needs to take to maintain compliance.

Chemical Data Reporting 2020 Deadline Extended

The Chemical Data Reporting (CDR), required under Toxic Substances Control Act (TSCA) recently extended the submission deadline for the second time to January 29, 2021. The USEPA has announced that this is the final extension for the 2020 submission period.

NYSDEC to Prohibit Certain Uses of Trichloroethylene



The New York State Department of Environmental Conservation (NYSDEC) is amending the Environmental Conservation Law by adding a new section that prohibits certain uses of trichloroethylene (TCE). Beginning on **December 1, 2021** TCE can no longer be used as a vapor degreaser, an intermediate chemical to produce other chemicals, a refrigerant, an extraction solvent, or in any other manufacturing or industrial cleaning process or use. TCE can enter the body through water, air, the consumption of contaminated food, and soil and it easily evaporates into the atmosphere and enters groundwater. TCE is a highly toxic chemical that's been linked to cancer and developmental disorders.

Important Compliance Dates & Deadlines for 2021:

Quarter 4
TP-550 HW
Assessment
& Fees
January 20

Annual
Stormwater
Compliance
Report
January 28

Annual & Semi-
Annual Air
Compliance
Report
January 30

EPCRA 312
(Tier II)
March 1

Annual
Hazardous Waste
Report
March 1

VISIT US
ONLINE AT:

envadvantage.com

hazardevaluations.com

OR CALL:

(716) 667-3130

Revisions to 6 NYCRR Subpart 202-2 – Annual Emission Statements



Subpart 202-2 applies to any owner or operator of a facility which is determined to be a major source for all or any part of a calendar year, and a facility located in an ozone non-attainment area which emits 25 tons or greater NO_x or VOCs during a calendar year. The revisions to this Subpart establish the requirements for annual emission statements filed by facilities subject to Title V permits. The New York State Department of Environmental Conservation (NYSDEC) proposed revisions to require electronic submittal of annual emission statements. Electronic submittal of emission statements will become mandatory and will be included as an enforceable condition in new or renewed Title V permits issued after January 1, 2021. All emission statements will be subject to the electronic submittal requirement beginning in reporting year 2025.

Once a facility is required to submit annual emission statements electronically, they must be submitted to the NYSDEC per the following schedule:

- March 15th of each year for facilities with three or fewer processes;
- March 31st for facilities with four to six processes;
- April 15th for facilities with seven to twelve processes; and
- April 30th for facilities with thirteen or more processes.

The NYSDEC has also determined that there may be some instances in which emission statements can be submitted via courier instead of electronically including: when data cannot be labeled as confidential business information using the electronic interface; or when a facility receives permission from the NYSDEC after demonstrating a need to submit via courier due to a failure of the electronic reporting interface.

Important Compliance Dates & Deadlines for 2021:

**Solid Waste Reports for Material Recovery / Handling Facilities
March 1**

**Annual Water Withdrawal Report
March 31**

**Air Title V Emission Statement
April 15**

Cold Stress Awareness



Cold stress occurs by driving down the skin temperature, and eventually the internal body temperature. Winter weather and near freezing temperatures are factors for cold stress. Increased wind speeds cause the air temperature to feel colder and increases the risk of cold stress to exposed employees by causing heat to leave the body more rapidly. Wetness or dampness (even from sweat) also causes heat loss from the body. Anyone working in the cold may be at risk of cold stress, which includes workers outdoors and in freezers. Common types of cold stress occur when the body is unable to warm itself, and include:

- Hypothermia – when the normal body temperature drops to 95°F or less;
- Frostbite – when body tissues freeze (e.g., hands and feet), which could result in amputation; and
- Trench Foot (also known as Immersion Foot) – non-freezing injury to the foot caused by lengthy exposure to a wet and cold environment.

Employers and employees should be aware of the risk factors for cold stress and the ways in which it can be prevented. Although OSHA does not have a specific standard that covers working in cold environments, employers have a duty to protect their employees from recognized hazards, which include cold stress hazards. Risk factors to be aware of include dressing improperly, wet clothing or skin, and exhaustion.

In order to prevent cold stress, employers should train workers on how to recognize the environmental and workplace conditions that can lead to cold stress, the symptoms of cold stress, what to do to help someone affected, and how to properly select clothing for cold, wet, and windy conditions. Employers should also ensure they monitor employees' physical health condition, schedule breaks in dry warm areas to allow the body to warm up, try to schedule work during the warmest part of the day, week, or year, ensure that employees who are exposed to cold weather hazards are monitored, and if possible, provide radiant heaters.

Re-Notification Requirement for Small Quantity Generators



The 2016 Hazardous Waste Generator Improvements Rule finalized a requirement for Small Quantity Generators (SQGs) of hazardous waste to re-notify the EPA of their activities every four years. The purpose is to improve the SQG data and to maintain more accurate data into the future for outreach, compliance assistance, and oversight activities.

The first re-notification is due by **September 1, 2021**, and then every four years thereafter. SQGs must complete and submit the Site Identification Form in full and the EPA strongly encourages facilities to use MyRCRAID to submit the form online. The EPA considers SQG submittal of the Site ID Form anytime within the four years before the deadline to meet this requirement.

3636 N. BUFFALO ROAD.

ORCHARD PARK, NEW YORK 14127

envadvantage.com

hazardevaluations.com



EA & HEI
Main Office