

# Toxic Substance Management for Environmental Compliance Officers



LAVAUGHN BERRY  
TOXIC SUBSTANCES PROGRAM MANAGER  
751-3838  
[lavaughn.berry@us.army.mil](mailto:lavaughn.berry@us.army.mil)

# Toxic Substance Management Program



Asbestos, the biggest of the 3 programs, but also the easiest to violate.



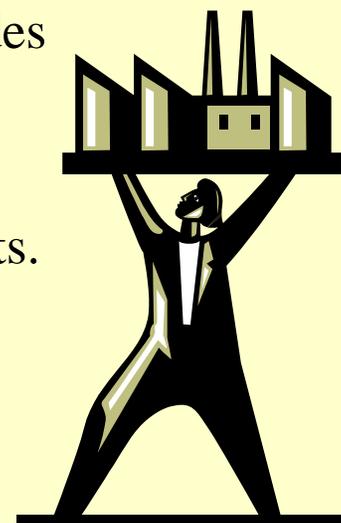
Lead-based paint is the forgotten material in self-help projects.



Polychlorinated biphenyls (PCBs) were added to cooling oils in high voltage equipment prior to 1978, but can also be found in smaller electrical light ballasts.

# FJ Toxic Substance Management Program

- ***Hazard Management Plan:*** Describes the program approach and identifies individual responsibilities for key personnel.
- ***Toxic Management Team:*** Provides compliance oversight. (DPW, Safety, SJA, AAFES, DFMWR, PM, DoDEA, NEC)
- ***NEPA Review Program:*** Performs environmental review for project planning and coordination.
- ***Asbestos/LBP Building Inspection & Survey Program:*** Provides material analysis and hazard assessment. (Asbestos - every 3 years, LBP & PCB - as needed)
- ***Environmental Compliance Officer (ECO) Program:*** Provides and maintains environmental oversight at the unit level.
- ***Awareness Training Program:*** Provides awareness training based upon individual and organizational training requirements.



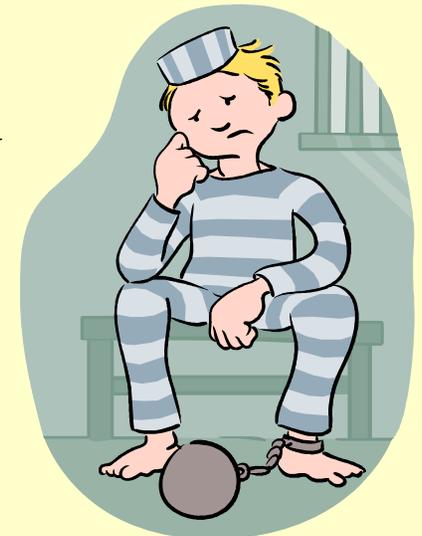


## PRISON AND FINES FOLLOWING ASBESTOS REMOVAL FRAUD

**Reasons for penalty:** Demolition and Salvage Co., Tenn. The company and the workers were all indicted on 11 counts of violating the Clean Air Act's asbestos handling rules at a demolition site within the Nashville area. The company

- Failed to remove ACM before demolition
- Failed to properly dispose of ACM debris
- Failed to provide proper documentation and lied to cover up the illegal act

**Penalty:** Each received **70 years** in prison and fined **\$250,000** for each count in the indictment.



# NOTICE OF VIOLATIONS ISSUED TO FORT JACKSON

## 2 NOVs issued in the past 10 years

(Each violation resulted in fines, disciplinary actions, and the issuance of a regulatory Consent Order.)



**\$20,000 fine (2004)**  
**Improper removal and disposal practices**



**\$12,000 fine (2008)**  
**Improper notification and demolition procedures**



# Regulatory Interpretation



## **FINES & PENALTIES CAN BE VERY COSTLY**

There is no umbrella clause – individuals can be fined!

Calculations depends mainly on the intent to disturb.

- How severe is the disturbance?
- How long did it take to perform corrective actions?
- What was the potential for harm?
- How much did we deviate from the regulations?

**Fines can range from \$250 to \$25,000 per day per count**

## **IMPORTANT TO REMEMBER!!!**

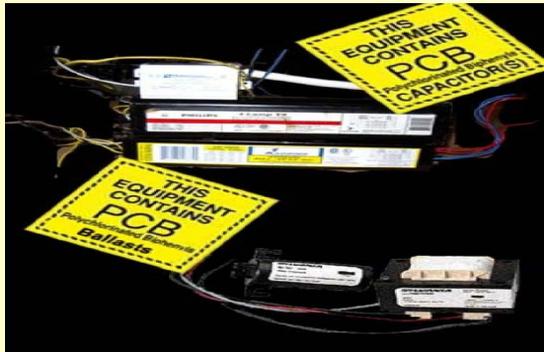
Knowingly disturbing asbestos can result in human health exposure and individual fines and penalties per Federal and State regulations.



# THE RIGHT WAY



- Provide notification prior to starting any renovation/demolition project.
- Submit a copy of current asbestos building survey or scope specific hazard assessment.
- Receive approval permits from SCDHEC.
- Use EPA certified, SCDHEC licensed workers.
- Use proper removal techniques – no emissions outside work area.
- No cutting, sanding, grinding or any method that will make the material friable.
- Use proper cleanup and disposal procedures i.e. HEPA vacuum, 6 mil poly bags, identification and labeling requirements.
- Use DOT approved containers.
- Transport material to a landfill that receives asbestos/LBP waste.



# MANAGEMENT OF TOXIC SUBSTANCES AT THE ORGANIZATIONAL LEVEL



# In-Place Management!!!



- Per Army Regulation 420-1; it is “Acceptable.”
  - ACM will not be abated solely for the purpose of removal.
- Facility must have a current (within 3 years) asbestos building survey or scope specific hazard analysis prior to renovation/demolition activities.
- Base abatement decisions on factors such as hazard assessments, long term cost, and useful life of the facilities.
- Manage IAW the installation Asbestos Management Plan
  - At a minimum, initiate a Work Order Request, DA Form 4283

# Loose or Broken Floor Tiles



- Pick-up loose or broken floor tile – Safety Hazard vs. Asbestos Exposure.
- **Only ECOs can pickup and dispose of loose floor tiles.**
- **DO NOT dispose of ACM in the regular garbage containers.**
- Collect all loose floor tiles in 6-mil poly bags
  - Call 751-3838 for bags and additional disposal information.

# Damaged Floor Tile Due to Water



- Do Not use excessive amount of water on vinyl flooring.
- Clean up water leaks immediately when found.
- Call Work Order desk if water leak can't be stopped in-house.
- Contact Toxic Manager if flooring starts to roll up on the ends or become loose due to water damage.

# UNSERVICABLE SAFE or SECURITY BOXES



- Do not rip apart a safe
  - Inner material may contain “friable” ACM
  - Diebold and McNalley Rand Safes (possible ACM)
- Safe are considered a controlled item
  - Must be turned in to DLA-DSJ (formally DRMO)

# EQUIPMENT ROOM USAGE



- Do not use equipment rooms as storage closets
- Area is restricted to DPW employees only
- May contain friable asbestos materials (i.e. thermal system insulation)

# RESTRICTED ASBESTOS PROJECT AREAS

- DO NOT allow unit personnel to enter posted “Asbestos/LBP Work Areas”
  - Prior to the start of the project, remove all personal and work related items.
  - Entrance by unauthorized personnel may create a regulatory violation and/or potential asbestos related health hazard.
  - Work area is reserve for “Only Authorized Personnel”
    - EPA certified, SCDHEC licensed Asbestos Worker, Supervisor, or Inspector
- Asbestos Awareness training does not qualify you for authorized entrance.
  - Minimum requirement is Asbestos Abatement Workers Training.



# LEAD-BASED PAINT

## The Major Concerns:

Lead dust from projects that require sanding, grinding, and scraping on surfaces that contain lead.



## Considerations for Painting Projects

- Get a lead hazard evaluation prior to starting any repainting project. Call 751-3838 to schedule hazard evaluation.
- Always use wet methods when removing paint.
  - Hand sanding using wet methods is the safest.
  - Broom brushing of flaking or peeling paint is allowed, but debris disposal is regulated if it contains lead.
- Pregnant women must be notified and removed from areas where lead abatement activities are being conducted.
- For disposal of lead-based paint, call the Hazardous Substance Program Manager at 751-4231.

# RENOVATION, REPAIR & PAINTING (RRP) RULE

- Established in 2010
- Extended regulatory compliance to Federal commercial and industrial facilities.
- It requires mandatory training for anyone who performs modifications, restorations, repairs and repainting on surfaces that contain lead.
- Training must be performed by an EPA certified Lead Abatement training instructor and certification is good for 5 years.



# POLYCHLORINATED BIPHENYLS (PCBs)

## Considerations for PCBs

- Banned for commercial use in 1978.
- Typically a hazard concern for those who work on high voltage electrical and power generating equipment.
- Used as an oil based additive to cool high voltage transformers, industrial generators, electrical ballasts, and capacitors.
- Call the Toxic Substance Manager, 751-3838, for disposal guidance.



# Self-Help Renovation Projects

**ALL SUSPECT ASBESTOS BUILDING MATERIALS ARE POSITIVE  
UNTIL LABORATORY ANALYSIS SAYS OTHERWISE!!!**

## Getting started:



- Decide on the scope of work for your project.
  - Be specific on what you plan to do.
  - Identify all materials to be disturbed.
  - Is it ACM or not? Contact ENV, 751-3838, for asbestos determination.
- Initiate a Work Order Request , DA Form 4283. Must be approved by DPW.
- Complete Record of Environmental Consideration (REC) Form
  - <http://www.jackson.army.mil/sites/garrison/docs/790>
- Be patient!
  - The length of the REC review process is dependent upon current asbestos building survey or scope specific laboratory analysis.

# Self-Help Renovation Project (Behind the Scene)

## REC Review for Toxic Substances:

- Work Order Review Board (WORB) must approve project
- Toxics Program Manager will perform hazard assessment determination
  - Asbestos building survey (within 3 years)
  - Site specific asbestos/LBP hazard assessment (includes evaluation of hidden asbestos hazards)
  - Asbestos/LBP sampling and laboratory analysis
- Hazard assessment results will be documented in the REC response
- If there is no toxic hazard, self-help will be approved.
- If there is a toxic hazard (Asbestos/LBP), then work must be done by a licensed contractor. Project will be coordinated through the Business Operation and Integration Division (BOID).

# Hidden Asbestos Hazards (Self-Help Projects)



- Floors – multiple layers of tile, carpet, linoleum, plywood, mastic
- Ceilings – acoustic tiles, fire proofing, pipe insulation
- Walls – joint compound, skim coating, wall board, pipe runs

**Note: Consider asbestos disturbance in all renovation (Self –Help) projects**

# Fort Jackson's Asbestos Management Policy on Flooring Replacement Projects



Per Garrison Commander



**All Self-Help flooring replacement projects  
are “PROHIBITED.”**

- Projects may disturb asbestos flooring materials previously identified
- Projects may violate established EPA & OSHA regulation for:
  - Not providing written notification to DHEC prior to renovation
  - Not identifying materials that may contain asbestos
  - Using uncertified personnel to remove material that contains asbestos

# Ceiling Tile Replacement Program

Self-Help Ceiling Tile Replacement Projects are

**AUTHORIZED**

(with special provisions)

Call 7684/7685 - Ms Debra Alexander, DPW Work Order Coordinator

All requests will be reviewed by the Toxics Substance Program Manager

## Approved Request

- Ceiling tiles will be released to requestor by DPW
- Work can be accomplished through the self-help program

## Disapproved Request

- Requestor will be contacted by NEPA Coordinator
- Request will be discussed in the Work Order Review Board (WORB).
- If approved, work will be contracted through DPW.

# VICTORY STARTS HERE



ANY QUESTIONS

[LAVAUGHN BERRY](#)

[lavaughn.berry@us.army.mil](mailto:lavaughn.berry@us.army.mil)

751-3838