

## GATEKEEPER NEWSLETTER

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# EPA Analysis Shows Reduction in 2008 Toxic Chemical Releases:

**WASHINGTON** – The U.S. Environmental Protection Agency is releasing its annual national analysis of the Toxics Release Inventory (TRI). The TRI database contains information on chemical releases into the air, land and water, as well as waste management and pollution prevention activities. The analysis of the 2008 data, the most recent data set available, shows that 3.86 billion pounds of toxic chemicals were released into the environment, a 6 percent decrease from 2007.

This is the first time EPA has released its annual analysis in the same calendar year as the data were reported. In August, the agency released to the public the raw TRI data prior to EPA analysis for the first time. EPA has made the data available more quickly to increase transparency.

The analysis, which includes data on 650 chemicals from more than 21,000 facilities, found that total releases to air decreased 14 percent, while releases to surface water increased 3 percent. This increase is partially attributed to a coal ash spill at a Tennessee Valley Authority facility in Kingston, Tenn. Releases to land remain virtually unchanged from 2007, showing a 0.1 percent increase.

The report shows decreases in the releases of persistent, bioaccumulative, and toxic chemicals including lead, dioxin, and mercury. Total disposal or other releases of mercury decreased 11 percent. Dioxin releases or disposal decreased 77 percent, while lead releases decreased by 2 percent. Releases of polychlorinated biphenyls (PCBs) increased 121 percent. Because PCBs are no longer used in U.S. manufacturing, these releases represent the removal of PCBs from service for disposal at regulated hazardous waste facilities.

The analysis also shows a 5 percent decline in the number of facilities reporting to TRI from the previous year, continuing a trend from the past few years. Some of this decline may be attributed to the economic downturn; however, EPA plans to investigate why some facilities reported in 2007 but not 2008.

Earlier this year, EPA also restored the more comprehensive TRI reporting requirements that were in effect before Dec. 21, 2006. As a result, the 2008 analysis provides communities with a more complete picture of local environmental conditions. EPA has begun a review of its TRI program to identify areas for improvement.

Information from industry is submitted annually to EPA and states. The data are reported by multiple industry sectors including manufacturing, metal mining, electric utilities, and commercial hazardous waste facilities. Facilities report by July 1 of each year.

TRI tracks the chemicals and industrial sectors specified by the Emergency Planning and Community Right to Know Act of 1986 and its amendments. The Pollution Prevention Act of 1990 also mandates that TRI reports include data on toxic chemicals treated on site, recycled, and burned for energy recovery. Together, these laws require facilities in certain industries to report annually on releases, disposal and other waste management activities related to these chemicals.

More information on the 2008 TRI analysis: <http://www.epa.gov/tri>

## EPA CORNER

### Verizon Wireless Voluntarily Discloses Environmental Violations:

**WASHINGTON** – Verizon Wireless has agreed to pay a \$468,600 civil penalty to settle self-disclosed violations of federal environmental regulations discovered at 655 facilities in 42 states.

Verizon voluntarily entered into a corporate audit agreement with the U.S. Environmental Protection Agency and conducted environmental compliance audits at more than 25,000 facilities nation-wide. The Environmental Appeals Board at EPA has approved an administrative settlement resolving violations Verizon found through its compliance audits.

Verizon audited facilities that include cell towers, mobile switch centers, call centers, and administrative offices. As a result of its audit, the company reported violations of clean water, clean air, and emergency planning and preparedness regulations to EPA. Verizon promptly corrected the violations found during its audit, which included preparing and implementing spill prevention, control, and countermeasure plans, applying for appropriate air permits, and submitting reports to state and local emergency planning and response organizations informing them of the presence of hazardous substances.

EPA encourages companies with multiple facilities to conduct corporate-wide audits and develop corporate-wide compliance systems. A corporate audit agreement allows corporations, universities or other organizations with many facilities to plan corporate-wide or facility-wide audits with an advance understanding between the entity and EPA regarding schedules for conducting the audit and disclosing violations. EPA factors in the companies' cooperation and willingness to do the audit voluntarily, and the penalties are typically lower than if the same violations were discovered through enforcement.

Since 1998, nearly 5,400 telecom facilities have been brought into compliance through 35 settlements as part of EPA's enforcement effort to improve compliance in the telecom sector.

Verizon is required to pay the penalty within 30 days.

More information on Verizon settlement:

[http://yosemite.epa.gov/oa/EAB\\_Web\\_Docket.nsf/a32958a86c47d3d485256fc70049e837/6540198130b39d968525767900628994!OpenDocument](http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/a32958a86c47d3d485256fc70049e837/6540198130b39d968525767900628994!OpenDocument)

### MACTac to pay \$14,000 to settle EPA violations:

**MACTac to pay \$14,000 to settle EPA violations.** — Mike Lesko, *Stow Sentry*, MACTac has agreed to pay the Ohio Environmental Protection Agency more than \$14,000 to settle previous hazardous waste violations at its manufacturing facility at 4560 Darrow Road, according to the Ohio EPA. According to Ohio EPA officials, MACTac has addressed the violations and is now operating in compliance with Ohio's hazardous waste laws.

[Click Here](#)

# Largest Environmental Bankruptcy in U.S. History Will Result in Payment of \$1.79 Billion towards Environmental Cleanup & Restoration:

*Largest recovery of money for hazardous waste clean up ever*

**WASHINGTON**—As a result of the largest environmental bankruptcy in U.S. history, \$1.79 billion has been paid to fund environmental cleanup and restoration under a bankruptcy reorganization of American Smelting and Refining Company LLC (ASARCO), the Justice Department, U.S. Environmental Protection Agency, Department of the Interior and Department of Agriculture announced today.

ASARCO is a leading producer of copper and one of the largest nonferrous metal producers in the United States. It is based in Arizona and is responsible for sites around the country that are contaminated with hazardous waste.

The money from environmental settlements in the bankruptcy will be used to pay for past and future costs incurred by federal and state agencies at more than 80 sites contaminated by mining operations in 19 states. Those states are Arizona, Alabama, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Kansas, Missouri, Montana, Nebraska, New Jersey, New Mexico, Ohio, Oklahoma, Texas, Utah, and Washington.

“Today’s landmark enforcement settlement will provide almost one billion dollars to clean up polluted Superfund sites,” said Cynthia Giles, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. “This will mean cleaner land, water and air for communities across the country.”

“The effort to recover this money was a collaborative and coordinated response by the states and federal government. Our combined efforts have resulted in the largest recovery of funds to pay for past and future clean up of hazardous materials in the nation’s history. Today is a historic day for the environment and the people affected across the country,” said Associate Attorney General Tom Perrelli.

“This settlement exemplifies government at all levels working effectively for the American taxpayer to recover damages from polluters and restore and protect important national landscapes and significant wildlife resources that have been injured,” said Interior Assistant Secretary Tom Strickland. “In consultation and collaboration with our state and tribal co-trustees, this money will be used exclusively to restore, replace or acquire the equivalent of resources injured at more than a dozen sites where ASARCO operated and we have identified natural resource damage.”

“I would like to thank the Department of Justice, the Environmental Protection Agency and USDA Office of General Counsel for their diligence in reaching this comprehensive settlement that will so benefit restoration of public lands,” said Joel Holtrop, Deputy Chief for the National Forest System, U.S. Forest Service, Department of Agriculture. “This settlement provides significant resources to address land restoration from past mining activities on National Forest System lands in Arizona, California, Idaho, Montana and Washington.”

Under the terms of the plan, all allowed claims were paid in full along with interest. Funds were distributed as follows:

The United States received approximately \$776 million, which will be distributed in accordance with the underlying settlements to address 35 different sites;

The Coeur d’Alene Work Trust was paid \$436 million;

The three custodial trusts which address the owned but not operating properties of ASARCO and involve a total of 13 states and 24 sites were paid a cumulative total of approximately \$261 million; and

Payments totaling in excess of \$321 million were paid to 14 different states to fund environmental settlement obligations at 36 individual sites.

In total, the payment will address environmental cleanup and restoration at more than 80 sites around the country. Much of the money paid to the United States will be placed in special accounts in the Superfund to be used by EPA to pay for future cleanup work. It will also be placed into accounts at the Department of Interior and the Department of Agriculture to pay for natural resource restoration.

ASARCO filed for protection under Chapter 11 of the U.S. bankruptcy code on Aug. 9, 2005. American Smelting and Refining Company or ASARCO has operated for nearly 110 years—first as a holding company for diverse smelting, refining, and mining operations throughout the United States and now as the Arizona-based integrated copper-mining, smelting, and refining company.

By the time it filed for bankruptcy, ASARCO's core operating assets were limited to certain operations in the states of Arizona and Texas. However, it continued to own numerous non-operating properties that were highly contaminated and was subject to environmental claims at sites that were not owned by the company.

In August 2009, following lengthy litigation, the U.S. Bankruptcy Court for the Southern District of Texas held a two-week hearing on competing plans of reorganization for ASARCO that would allow the company to be purchased out of bankruptcy. During this hearing, two competing plans emerged that proposed to pay creditors in full with interest.

On Aug. 31, 2009, Judge Richard Schmidt of the U.S. Bankruptcy Court in Corpus Christi issued a recommendation to the U.S. District Court for the Southern District of Texas to confirm the plan proposed by ASARCO's parent company—a subsidiary of Grupo Mexico. U.S. District Judge Andrew Hanen in Brownsville accepted Judge Schmidt's recommendation and confirmed Grupo Mexico's plan on Nov. 13, 2009.

On Dec. 9, 2009, Grupo Mexico met its funding obligations and the plan was consummated. Additionally, the environmental payment and property transfer obligations outlined in the numerous settlement agreements, which had been approved by the bankruptcy court over the course of the litigation, were complied with.

The full payment of environmental claims, plus interest, will facilitate the cleanup of contamination and restoration of natural resources at numerous sites across the country. The reorganized company remains liable for environmental liabilities at the properties that it will continue to own and operate.

More information on ASARCO bankruptcy:

<http://www.epa.gov/compliance/resources/cases/cleanup/cercla/asarco/index.html>

Information on EPA cleanup enforcement: <http://www.epa.gov/compliance/cleanup>

## EPA Recognizes 2009 Environmental Justice Achievement Award Recipients:

**WASHINGTON** – The U.S. Environmental Protection Agency (EPA) is awarding five multi-stakeholder partnerships, representing a total of 60 organizations, for their efforts to address environmental justice concerns. The multi-stakeholder partnerships included at least one community organization and two or more representatives from: academic institutions; business and industry; non-governmental and environmental organizations; state and local governments; and tribal government and indigenous organizations.

The EPA Environmental Justice Achievement Awards recognize the distinguished accomplishments of partnerships that work collaboratively in communities disproportionately exposed to environmental and human health risks. Winning applications were reviewed and selected based on six criteria by an independent, non-EPA review panel:

- Partnerships and Collaboration
- Innovation
- Community, Equity, and Public Involvement
- Integration
- Leveraged Resources/Capacity Building/Sustainability
- Demonstrated Results/Effectiveness

The 2009 Environmental Justice Achievement Award winners:

- **Coalition to Prevent Lead Poisoning** for outstanding leadership in community-based efforts to prevent childhood lead poisoning in the City of Rochester, New York.
- **Fish Contamination Education Collaborative** for outstanding efforts to reduce the consumption of contaminated fish by the local Vietnamese, Chinese, and angler populations near the Palos Verdes Shelf Superfund site, Los Angeles, California.
- **Mitigation Agreement Commission and the Lowcountry Alliance for Model Communities** for outstanding efforts to work with the City of North Charleston and the South Carolina Ports Authority to foster environmental protection and economic revitalization in distressed neighborhoods.
- **ReGenesis Project** for outstanding leadership and efforts to address environmental protection and community revitalization issues in the Arkwright community of Spartanburg, South Carolina.
- **The Clean Trucks Program** for outstanding efforts to significantly reduce air pollution from big truck rigs around Long

Beach and Los Angeles, California port facilities.

For details on the winning projects of the 2009 Environmental Justice Achievement Awards visit:

<http://www.epa.gov/compliance/environmentaljustice/awards>

## New Online Forum Increases Public's Access to EPA:

**SAN FRANCISCO** – The U.S. Environmental Protection Agency has launched an online discussion forum designed to enhance communication between EPA and the public on contaminated sites, waste management, and recycling issues. The forum, which is a public comment board, is another important component in EPA's ongoing efforts to increase transparency and public engagement.

The first four discussion topics on the new forum pertain to community involvement, Superfund metrics, toxic material reduction, and land revitalization. Potential topics for future discussions include recycling, waste management, brownfields, leaking underground storage tanks, and emergency response.

The forum invites stakeholders, members of the public, EPA program managers, and EPA policy experts to engage in a dynamic discussion about EPA's work. The agency plans to post a new topic of discussion each month to generate discussion related to hazardous waste, recycling, and emergency response activities.

More information on the forum: <http://www.epa.gov/oswerforum>

If you are a member of the public interested in learning more about any local environmental issues please visit our web site at [www.epa.gov/region9](http://www.epa.gov/region9) or contact us at (866) EPA-WEST (372-9378).

## U.S. EPA Issues California Toxic Release Data, Lead and Ammonia Among Most Common:

*Latest report shows 44 million pounds of toxics released into environment, a decrease of nearly 12 million pounds*

**SAN FRANCISCO**—Toxic releases into the environment from facilities operating in California decreased 21 percent in 2008 when compared to 2007, according to the latest data available from the U.S. Environmental Protection Agency. The 12 million pound decline reflects reported decreases in air, water, and land releases and off-site transfers.

The data comes from the EPA's Toxics Release Inventory, commonly referred to as TRI. It's one of the EPA's largest publicly available databases, arming communities with valuable information on more than 650 toxic chemicals released by various industries. The chemical information in the inventory is calculated by industrial facilities and reported to the EPA, as required by law.

"We encourage people to use data from the Toxics Release Inventory in order to gain a better understanding of what is being released into their neighborhoods," said Laura Yoshii, acting EPA administrator for the Pacific Southwest region. "Industry and communities informed with accurate information can use the inventory as a starting point to find opportunities to reduce the amount of pollutants released into the air we breathe, the water we drink and the land we enjoy."

In California, 1,336 facilities reported a total of 44 million pounds of toxic chemical releases.

Total releases include toxic chemicals discharged by facilities to air, water, land, and underground, and the amount transferred off-site for disposal. Regulatory controls apply to many of the reported releases. Reporting facilities must comply with environmental standards set by local, state and federal agencies.

### **Data from 2008 in California show:**

- Total reported on-site and off -site releases decreased 21% due primarily to decreases across all media—air, water and land releases and off-site transfers with the exception of the increase in underground injection releases
- Air releases decreased by 18%, 2.9 million pounds
- Water releases decreased by 45%, 1.8 million pounds
- California reported an increase in underground injection releases of 50%, 34,885 pounds
- The top five released chemicals are lead, ammonia, asbestos, zinc compounds, and nitrate compounds
- Hazardous waste, petroleum refineries and gold ore mining account for 68% of total releases

In California, 8 million pounds of total releases of PBT chemicals were reported, a 19% decrease or 1.9 million pounds. Lead and lead compounds top the list

Annual Toxics Release Inventory reporting began in 1987 after the enactment of the Emergency Planning and Community

Right-to-Know Act (1996). The inventory provides information to the public on annual toxic chemical releases reported by certain industrial and federal facilities. The TRI does not include data on toxic emissions from cars and trucks, nor from the majority of non-industrial sources, such as agriculture. In 2000, TRI expanded to include persistent bioaccumulative and toxic chemicals, or PBTs, at ranges from 0.1 grams to 100 pounds. PBT pollutants are toxic chemicals that remain in the environment and food chain, posing risks to human health and ecosystems.

#### **TRI-Explorer**

*TRI Explorer* is a tool that you can use to see the Toxics Release Inventory (TRI) data. It allows you to look at data by state, county, or zip code; by chemical; or by industry. It provides maps that you can click on to find TRI facilities, chemicals and industries in a particular area.

#### **National TRI Findings:**

- There was a 6% decrease in total reported releases into the environment nationwide from 2007 to 2008
- The number of facilities reporting chemical releases decreased 5% nationally

Total PBT chemical releases decreased by 2% nation-wide

For more on the TRI program including additional city, county and facility information, please visit the EPA's Web sites:

<http://www.epa.gov/tri> , <http://www.epa.gov/triexplorer> and <http://www.epa.gov/enviro>

State fact sheets are available at: <http://www.epa.gov/region09/toxic/tri/> and <http://www.epa.gov/triexplorer/statefactsheet.htm>

For more information on the PBT Chemicals Program, please visit the EPA's Web site at <http://www.epa.gov/opptintr/pbt>

## **California Companies Lauded for Taking Innovative Measures to Reduce Pesticide Risk:**

### *U.S. EPA Recognizes Sustainable Winegrowing Practices*

**SAN FRANCISCO** – The U.S. Environmental Protection Agency has presented awards to five members of the Pesticide Environmental Stewardship Program (PESP) for their sustained excellence in integrated pest management (IPM).

“These awards demonstrate that innovative pest management practices really do work,” said Steve Owens, assistant administrator for the Office of Prevention, Pesticides, and Toxic Substances, “EPA is helping growers and other pesticide users make the transition to safer practices and thereby reduce pesticide risk to people and the environment.”

The awardees were:

- Central Coast Vineyard Team (Paso Robles, Calif.) for demonstrating continued progress in outreach and education for growers, and adopting a reduced-risk approach to vineyard management.
- Lodi-Woodbridge Winegrape Commission (Lodi, Calif.) for leading the development of a state-wide code of sustainable winegrowing practices in California.
- Glades Crop Care, Inc. (Jupiter, Fla.) for implementing IPM strategies that reduce pesticide use and risk, researching and testing lower risk pesticides, educating users on chemical safety, and providing outreach and education.
- IPM Institute of North America, Inc. (Madison, Wis.) for creating and marketing its innovative program for IPM certification for schools and pest control companies.
- U.S. Department of Defense Armed Forces Pest Management Board (Washington, D.C.) for its extraordinary level of commitment to IPM and outstanding efforts to prevent and manage disease vectors and pests.

The Pesticide Environmental Stewardship Program is a voluntary program that forms partnerships with pesticide users to reduce the potential health and environmental risks associated with pesticide use and implement pollution prevention strategies. The program fosters an EPA partnership for reducing risks posed by pesticide use to human health and the environment in both agricultural and urban settings. Established in 1994 with six charter members, PESP has grown to include almost 200 members.

More information about PESP: <http://www.epa.gov/opppbpd1/pep/pep-excellence.html>

## **Northern CA Emergency Responders Receive New Equipment Following U.S. EPA Enforcement Settlement**

*Nearly \$110,000 in equipment will assist the Solano County Interagency HAZMAT Team*

**SAN FRANCISCO** – The Solano County Office of Emergency Services has received \$109,062 in emergency response equipment as the result of a settlement reached by the U.S. Environmental Protection Agency with Super Store Industries.

The company donated equipment to the Solano County Interagency HAZMAT Team as part of a supplemental environmental project following a settlement with EPA.

In September 2009, the EPA settled with Super Store Industries following alleged violations of the Emergency Planning and Community Right-to-Know Act at a facility that processes dairy products in Fairfield, Calif.

For reporting years 2004, 2005, 2006, and 2007 the facility was required to submit toxic chemical release inventory reporting forms for nitric acid otherwise used and nitrate compounds manufactured at the location. An EPA inspection discovered that the facility failed to submit the required information by the reporting deadlines.

Under the terms of the settlement, Super Store Industries has agreed to pay a cash penalty of \$30,117 and complete a supplemental environmental project. Many federal actions against businesses for failure to comply with the environmental laws are resolved through settlement agreements. As part of a settlement, an alleged violator may voluntarily agree to undertake an environmentally beneficial project related to the violation in exchange for mitigation of the penalty to be paid. Super Store Industries has donated a RAE System and 42 Radiation Pagers that will benefit the community. The RAE system is designed to be used during an atmospheric release of gas, in order to monitor the plume. Radiation Pagers will allow first responders to immediately detect the presence of radiation in an area. The pagers also enable first responders to determine a safe distance from the source and establish perimeters to keep communities safe.

Federal emergency planning laws require facilities processing more than 25,000 pounds of the chemicals at issue in this case to report releases of the chemicals on an annual basis to the EPA and the state.

Each year the EPA compiles information submitted from the previous year regarding toxic chemical releases and produces a national Toxics Release Inventory database for public availability. This database estimates the amounts of each toxic chemical released to the environment, treated or recycled on-site, or transferred off-site for waste management, and also provides a trend analysis of toxic chemical releases.

For more information on the TRI program, please visit: <http://www.epa.gov/tri>. The U.S. EPA's environmental databases, including the TRI program data, can be accessed at: <http://www.epa.gov/enviro>.

## **U.S. EPA Issues 2008 American Samoa Toxic Release Data Latest report shows territory releases least amount of toxic chemicals in the nation:**

HONOLULU – One facility in American Samoa reported a total of 5.66 pounds of toxic chemicals released into the air in 2008, according to new data released today by the U.S. Environmental Protection Agency. Overall, American Samoa ranks the lowest in total chemical releases – out of 56 states and territories.

In relation to 2007 data, total releases are solely from air releases that increased by 18%, one pound.

The data comes from the EPA's Toxics Release Inventory, commonly referred to as TRI. It's one of EPA's largest publicly available databases, arming communities with valuable information on more than 650 toxic chemicals released by various industries. The chemical information in the inventory is calculated by industrial facilities and reported to the EPA, as required by law.

"We encourage people to use data from the Toxics Release Inventory in order to gain a better understanding of what is being released into their neighborhoods," said Laura Yoshii, acting EPA administrator for the Pacific Southwest region. "Industry and communities informed with accurate information can use TRI as an opportunity to reduce the amount of pollutants released into the air we breathe, the water we drink and the land we enjoy."

Total releases include toxic chemicals discharged by facilities to air, water, land, and underground, and the amount transferred off-site for disposal. Regulatory controls apply to many of the reported releases. Reporting facilities must comply with environmental standards set by local, state and federal agencies.

The only facility reporting in American Samoa is Star-Kist Samoa. The lone facility reported nearly six pounds of air releases of polycyclic aromatic compounds.

Annual Toxics Release Inventory reporting began in 1987 after the enactment of the Emergency Planning and Community Right-to-Know Act (1996). The inventory provides information to the public on annual toxic chemical releases reported by certain industrial and federal facilities. The TRI does not include data on toxic emissions from cars and trucks, nor from the majority of non-industrial sources, such as agriculture. In 2000, TRI expanded to include persistent bioaccumulative and toxic chemicals, or PBTs, at ranges from 0.1 grams to 100 pounds. PBT pollutants are toxic chemicals that remain in the environment and food chain, posing risks to human health and ecosystems.

National TRI Findings:

\* There was a 6% decrease in total reported releases into the environment nationwide from 2007 to 2008

\* The number of facilities reporting chemical releases decreased 5% nationally

\* Total PBT chemical releases decreased by 2% nation-wide

For more on the TRI program including additional city, county and facility information, please visit the EPA's Web sites: <http://www.epa.gov/tri>, <http://www.epa.gov/triexplorer> and <http://www.epa.gov/enviro>.

State fact sheets are available at: <http://www.epa.gov/region09/toxic/tri/> and <http://www.epa.gov/triexplorer/statefactsheet.htm>.

For more information on the PBT Chemicals Program, please visit the EPA's Web site at <http://www.epa.gov/opptintr/pbt>

## **U.S. EPA Issues Arizona Toxic Release Data, Copper and Zinc Among Most Common: *Latest report shows 95 million pounds of toxics released into environment, increase of more than 6 million pounds***

**SAN FRANCISCO** –Toxic releases into the environment from facilities operating in Arizona increased seven percent in 2008 when compared to 2007, according to the latest data available from the U.S. Environmental Protection Agency. The 6.6 million pound increase is primarily due to an increase in on-site land releases from mining facilities.

The data comes from the EPA's Toxics Release Inventory, commonly referred to as TRI. It's one of EPA's largest publicly available databases, arming communities with valuable information on more than 650 toxic chemicals released by various industries. The chemical information in the inventory is calculated by industrial facilities and reported to the EPA, as required by law.

"We encourage people to use data from the Toxics Release Inventory in order to gain a better understanding of what is being released into their neighborhoods," said Laura Yoshii, acting EPA administrator for the Pacific Southwest region. "Industry and communities informed with accurate information can use the inventory as a starting point to find opportunities to reduce the amount of pollutants released into the air we breathe, the water we drink and the land we enjoy."

Total releases include toxic chemicals discharged by facilities to air, water, land, and underground, and the amount transferred off-site for disposal. Regulatory controls apply to many of the reported releases. Reporting facilities must comply with environmental standards set by local, state and federal agencies.

### **Data from 2008 in Arizona show:**

- Overall toxic releases increased by 7% mostly due to an increase in on-site land releases from mining facilities
- 274 facilities in Arizona reported 95.2 million pounds of toxic chemical releases
- Air releases decreased 14%, 601 thousand pounds
- Water releases increased 1,250%, 55 thousand pounds
- 87% of Arizona's on and off-site releases can be attributed to mining or primary metal facilities
- The top five released chemicals are copper, zinc (fume or dust), lead, barium, and manganese
- 17.5 million pounds of on and off-site releases of PBT chemicals were reported, a decrease of 1.6 million pounds, or 8% since 2007
- Arizona ranks #6 in the United States for reported mercury releases

Annual Toxics Release Inventory reporting began in 1987 after the enactment of the Emergency Planning and Community Right-to-Know Act (1996). The inventory provides information to the public on annual toxic chemical releases reported by certain industrial and federal facilities. The TRI does not include data on toxic emissions from cars and trucks, nor from the majority of non-industrial sources, such as agriculture. In 2000, TRI expanded to include persistent bioaccumulative and toxic chemicals, or PBTs, at ranges from 0.1 grams to 100 pounds. PBT pollutants are toxic chemicals that remain in the environment and food chain, posing risks to human health and ecosystems.

**The top facilities in Arizona for total on-site and off-site releases of all chemicals (reported in pounds) are: TRI Explorer**

TRI Explorer is a tool that you can use to see the Toxics Release Inventory (TRI) data. It allows you to look at data by state, county, or zip code; by chemical; or by industry. It provides maps that you can click on to find TRI facilities, chemicals and industries in a particular area.

### **National TRI Findings:**

- There was a 6% decrease in total reported releases into the environment nationwide from 2007 to 2008
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State fact sheets are available at: <http://www.epa.gov/region09/toxic/tri/> and

<http://www.epa.gov/triexplorer/statefactsheet.htm>

For more information on the PBT Chemicals Program, please visit the EPA's Web site at <http://www.epa.gov/opptintr/pbt>

## **U.S. EPA Releases Annual Enforcement Results and Mapping Tool:**

**WASHINGTON** – The U.S. Environmental Protection Agency (EPA) has released enforcement results for fiscal year 2009, and has developed a new Web-based tool and interactive map that allows the public to get detailed information by location about the enforcement actions taken at approximately 4,600 facilities.

In FY2009, EPA concluded enforcement actions requiring polluters to invest more than \$5 billion on pollution controls, cleanup, and environmental projects. Civil and criminal defendants committed to install controls and take other measures to reduce pollution by approximately 580 million pounds annually once all required controls are fully implemented.

The new mapping tool allows the public to view the locations of facilities that were the subject of those enforcement actions on interactive maps of the U.S. and territories. The maps show facilities where civil enforcement actions were taken for environmental laws for air, water, and land pollution, and a separate map shows criminal enforcement actions.

Viewers can click on specific facilities to find historical information about specific enforcement actions, such as violations and monetary penalties. In addition, viewers can use the zoom function to find out which facilities are located near water bodies that are listed as "impaired" because they do not meet federal water quality standards.

EPA mapped the locations of more than 90 percent of the facilities that were the subject of enforcement actions last year. EPA did not map the locations of drinking water treatment plants due to potential security concerns.

For the past 10 years, EPA has described annual enforcement results by focusing primarily on two measures, the estimated pounds of pollutants reduced and estimated cost of commitments made by defendants to control or reduce pollution. These measures vary significantly from year to year and are dependent upon the number of large cases that settle in a given year.

While these large cases are a vital part of our work to protect public health and improve compliance, they do not reflect the totality of the annual environmental enforcement activities, and do not capture the number and variety of enforcement actions taken to help clean up local communities. The new mapping tool will help increase transparency, improve access to data, and provide the public with the bigger picture of enforcement activity occurring in communities around the country.

More information: <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/index.html>

## **EPA Notifies Industry Group on Status of Ethanol Waiver Request:**

**WASHINGTON** – The U.S. Environmental Protection Agency (EPA) today announced that it expects to make a final determination in mid-2010 regarding whether to increase the allowable ethanol content in fuel.

In a letter sent today to Growth Energy – a bio fuels industry association that had asked EPA to grant a waiver that would allow for the use of up to 15 percent of ethanol in gasoline – the agency said that while not all tests have been completed, the results of two tests indicate that engines in newer cars likely can handle an ethanol blend higher than the current 10-percent limit. The agency will decide whether to raise the blending limit when more testing data is available. EPA also announced that it has begun the process to craft the labeling requirements that will be necessary if the blending limit is raised.

In March 2009, Growth Energy requested a waiver to allow for the use of up to 15 percent ethanol in gasoline, an increase of five percent points. Under the Clean Air Act, EPA was required to respond to the waiver request by December 1, 2009. EPA has been evaluating the group's request and has received a broad range of public comments as part of the administrative rulemaking process. EPA and the Department of Energy also undertook a number of studies to determine whether cars could handle higher ethanol blends. Testing has been proceeding as quickly as possible given the available testing facilities.

Full text of the letter: <http://www.epa.gov/otaq/additive.htm>

## LEPC CORNER

### **Rail car loaded with acid derails in central SC:**

Macon Sun – (South Carolina) Rail car loaded with acid derails in central SC. Officials say eight railroad cars, one loaded with thousands of gallons of sulfuric acid, derailed in a sparsely populated rural area west of Columbia. Officials tell The State newspaper that no injuries have been reported and that residents of two nearby houses have gone to stay with relatives. The derailment Sunday morning was near Gilbert, about 30 miles from the capital city. Officials say no immediate danger exists because the tank car containing the acid had not leaked. Sulfuric acid gives off harmful fumes that can burn the skin and eyes. About 50 emergency workers on the scene had gas masks ready. A spokesman for Norfolk Southern says the train had 10 cars in all, including two locomotives. The spokesman says the train was traveling from Linwood, North Carolina to Savannah, Georgia. Source: <http://www.macon.com/220/story/927044.html>

### **Hazmat spill drill helps firefighters prepare:**

ROSEBURG, Ore. -- The Roseburg Fire Department had a busy day of hazmat drills on Wednesday, designed to keep them safe and prepared in case they have to deal with a chemical spill.

The hazmat crew did two different drills, including a staged chlorine spill and an unknown substance spill in the old Safeway parking lot.

They used colored water to simulate the substance. Crews prepared for what may happen if they have to stop a spill, and what steps they would take to deal with hazardous situations.

Roseburg Fire Chief Jack Cooley said, "We have small spills, but full hazmat team spills, which is a state team response. We don't go on very many of those fortunately, but when we do we're prepared."

The Roseburg team is the hazmat specialist for almost all of the Douglas County area.

Because people on the team are normally on a regular fire engine, it helps get certain situations under control faster while making them better all around firefighters.

Cooley says their main focus is to get any emergency spill under control before it contaminates nearby areas.

"Our most frequent spill is gasoline and diesel. That's the most common. Everybody has it in their vehicles, and fortunately we don't have to wear the suits for those types of spills, but we still need to dispose of those chemicals before they make it to the waterway."

Wednesday's exercise was graded by an expert in the field, who said there is no better training than live drills because they allow people to go through the motions at a spill sight.

After it was all over, the firefighters received feedback on what they did wrong and what they can do better as a team to get better in the future.

### **Hazmat Called for Chemical Concern:**

A mix-up in chemicals forced the evacuation of a Topeka business Wednesday afternoon.

The fire department was called out to Ameripride just after 1 about a possible chemical spill.

Crews arrived and found no spill, rather, two different chemicals that shouldn't have been mixed together had been and that caused a chemical reaction.

3 or 4 people were taken to the hospital with respiratory problems but have since been treated and released.

The building was evacuated, so crews could get the problem taken care of.

## Cleanup plans underway at biodiesel plant:

Grays Harbor Daily World – (Washington) Cleanup plans underway at biodiesel plant. Imperium Grays Harbor officials continue to assess the damage from Wednesday's explosion as clean-up crews sift through powdered glycerin and debris scattered by the blast. Workers in bright green coats hustled in and out of the Hoquiam plant Friday morning as a large tanker truck sat parked near the damaged tanks. A large piece of metal tank that crashed into a chain-link security fence had been removed and the fence temporarily rebuilt. A spokeswoman with the Department of Ecology said environmental officials monitored the site as private contractors worked Thursday to clear a layer of glycerin from the biodiesel plant grounds. The harmless material coated much of the refinery when a 10,000-gallon tank containing a mix of glycerin and sulfuric acid over-pressurized on Wednesday and exploded, rattling windows creating a boom heard miles away. The blast completely destroyed the mixing tank and ruptured a nearby 3,000-gallon tank of sulfuric acid, which leaked about 500 gallons of the corrosive chemical into safety basins around the tank. Officials say none of the acid leaked out of the containment basins and the spill does not pose any threat to nearby air or water. Environmental officials said air quality tests detected no traces of sulfuric acid at neighboring homes or businesses. An Imperium spokesman wrote in a news release the company was working closely with safety and environmental officials. He said environmental officials have turned over safety supervision and air quality monitoring to the private clean-up contractors. The spokesman said about two or three days of site cleaning and hazardous chemical work remain. Crews must finish removing the glycerin, some of which is solid or semi-solid, before they can clear the acid. Source: [http://www.thedailyworld.com/articles/2009/12/04/local\\_news/doc4b195d643d7e9855445593.txt](http://www.thedailyworld.com/articles/2009/12/04/local_news/doc4b195d643d7e9855445593.txt)

## Gas storage worries some in Whitman County:

Spokane Spokesman-Review – (Washington; International) Gas storage worries some in Whitman County. A Canadian company's proposal to store chlorine behind a \$250,000 security fence at a remote rail siding in Whitman County, Washington has alarmed Belmont residents and raised questions about which government agencies are responsible for oversight. Canexus Chemical wants to stockpile chlorine gas for delivery to U.S. customers at the site while its rail yard in Vancouver, B.C. is torn up during a plant expansion, said the company's manager of logistics. The storage could begin early next year and would last about six months. The 2010 Winter Olympics are also a consideration. The company's manager said nothing at this point indicates that Canexus will have difficulty moving chlorine through Vancouver after the games begin on February 12. However, such shipments were halted in Salt Lake City during the 2002 Winter Olympics. "They want a place to store cars if there's a temporary shutdown in rail shipments due to security," said the president of the Washington Idaho Railway, which would lease the storage space to Canexus. He said the railway also transports anhydrous ammonia. Sometimes, those cars sit on the tracks for several weeks, waiting to be unloaded. A federal railroad inspector said federal rail law overrides state and local laws only when the hazardous materials are shipped to their final destination with layovers of 48 hours or less. State officials are looking into whether the 48-hour rule prohibits storing chlorine at Belmont. A Federal Railroad Administration spokesman said the 48-hour rule would not forbid chlorine storage because Canexus is working with other federal agencies that regulate long-term storage of hazardous materials, including Homeland Security, the Transportation Security Administration and the Environmental Protection Agency. However, "this is not all settled," he added. Source: <http://www.spokesman.com/stories/2009/dec/04/gas-storage-worries-some/>

## Cleanup under way at old water treatment plant:

By Jill Harmacinski [jharmacinski@eagletribune.com](mailto:jharmacinski@eagletribune.com)

LAWRENCE — The large, brick building is shuttered and marked with large X's warning firefighters to stay out should a blaze erupt. But a work crew was inside the former water treatment plant at 391 Water St. yesterday, starting a chemical cleanup that will cost taxpayers \$18,000.

Various chemicals, some hazardous, were found in the building during emergency inspections last spring. The building was decommissioned in the spring of 2007 after a new treatment plant was built and opened on April 3 that year.

Yesterday, a four-man crew from Veolia Environmental Services loaded chemicals into large totes to be hauled away and disposed of at a licensed transfer station. Veolia will "dispose and transport various chemical wastes (hazardous and non-hazardous)," according to a copy of the contract signed by David Camasso, city comptroller, and Carolyn Traficanti, purchasing agent.

A barrel of hazardous waste found inside the old plant in the spring was immediately removed. A subsequent inspection revealed jars, bottles and ripped bags of chemicals that were left behind.

The inspections were triggered by the discovery of hazardous waste from a December 2005 mercury spill that was left in a pumping station on the other side of the city in the Mount Vernon neighborhood. Two sealed, 55-gallon drums, one marked both "hazardous waste" and "mercury," were found in the pumping station on South Street, off Route 28 near the Andover line.

A barrel of contaminated materials, believed to be connected with the mercury spill, also was being stored in the old water treatment plant, officials said.

The mercury was immediately removed from the buildings and to date, it remains unclear why it was stored on city property for so long. The city paid another \$4,600 for that disposal.

Before it closed in 2007, the water treatment plant was the subject of scrutiny by state and federal regulators for several years. Construction of the new plant was prompted by a federal consent order to meet water quality standards.

Future use of the building is unclear.

In March 1999, a federal grand jury indicted the city's former water chief, William J. McCarthy, on charges he faked the results of tests of the city's water quality. McCarthy pleaded guilty to 18 counts of filing false test results last year and received two years of probation.

## **Second trucker dies in Rosemount ammonia leak:**

KARE 11 Twin Cities - (Minnesota) Second trucker dies in Rosemount ammonia leak. A second person has died following an anhydrous ammonia leak last month in Rosemount. The man was exposed to the anhydrous ammonia leak on November 16 at CF Industries in Rosemount. That leak also killed another truck driver from Oklahoma. A plant manager at CF Industries told KARE 11 a loading arm may have disconnected, causing the incident. Source:

[http://www.kare11.com/news/news\\_article.aspx?storyid=829825&catid=391](http://www.kare11.com/news/news_article.aspx?storyid=829825&catid=391)

## **Spill causes scare at local H1N1 clinic:**

### **Gym evacuated after mercury spills onto floor**

WEST WARWICK, R.I. (WPRI) - A chemical spill causes a hazmat scare at a local H1N1 clinic.

A thermometer accidentally broke Friday afternoon spilling mercury onto the floor of the gym at the Greenbush School in West Warwick.

The gym had to be evacuated.

It took crews hours to clean up that spill.

## **Copper thieves leave \$10,000 in damage at Midway Stadium:**

Minnesota Public Radio – (Minnesota) Copper thieves leave \$10,000 in damage at Midway Stadium. Thieves who forced open eight breaker boxes to steal copper along the outfield wall at the St. Paul Saints baseball stadium left about \$10,000 in damage, officials said Wednesday. Police were called Monday about the theft at Midway Stadium, which is believed to have taken place Sunday night or early Monday, a St. Paul Police spokeswoman said. Wires inside the breaker boxes were pulled or cut, and copper was missing. The boxes themselves were also damaged. She said the thieves did not leave much that would help police solve the crime. Thieves made away with copper from the same place almost two years ago, so stadium officials are looking for ways to improve security, said a spokesman for the St. Paul Parks and Recreation Department. The city owns the stadium, which is rented by the St. Paul Saints. There are currently no security cameras that would have recorded the incident, and the parks department is working with police to find ways to improve surveillance, he said. Right

now, one method is having police officers with dogs stop by the stadium complex at night to walk them, he said. “Our resources are already stretched pretty thin,” he said, adding that it would be difficult to having security personnel stationed at the stadium each night. City officials are now trying to figure out how much insurance will pay for the damage and whether to replace the wiring now or wait until the weather improves, he said. Source:

<http://minnesota.publicradio.org/display/web/2009/12/02/copper-thieves-hitmidway-stadium/>

## **‘Suspicious’ chemicals found inside storage unit:**

Arizona Republic – (Arizona) ‘Suspicious’ chemicals found inside storage unit. The area around a Phoenix storage unit was evacuated Tuesday after a new owner found “suspicious” chemicals inside. Although authorities are stopping short of calling the unknown substance methamphetamine, the chemicals “appear to be the chemicals involved in illicit trades,” said the captain of the Phoenix Fire Department. The building was evacuated and officials established quarantine around the area, the captain said. No nearby homes were evacuated. The investigation has been turned over to Phoenix police. Source:

<http://www.azcentral.com/news/articles/2009/12/01/20091201abrkmaterialspill.html>

## **Chemical spill shuts down road in North Haven:**

NBC Connecticut – (Connecticut) Chemical spill shuts down road in North Haven. A chemical spill has shut down Thompson Street from Arrowdale Road to Birrelli Road in North Haven Saturday. A truck was traveling down Thompson Street around 8 p.m. when it lost two of the oil containers it was carrying because they were not properly secured, said police. One of the oil containers did leak onto the roadway, according to a spokesperson for the Department of Environmental Protection (DEP). The driver of the truck did not stop and police believe that the driver did not know he had lost his load. No one was hurt and no one was evacuated, according to police. The DEP and North Haven fire department handled cleanup.

Source: <http://www.nbcconnecticut.com/news/local-beat/Chemical-Spill-Shuts-Down-Road-in-North-Haven-79146402.html>

## **Secretary Napolitano Announces New Study To Protect Against Chemical Attacks and Bolster Emergency Planning Efforts: *Study is part of Department’s focus on protecting the nation’s critical infrastructure***

WASHINGTON—Department of Homeland Security (DHS) Secretary Janet Napolitano and the Massachusetts Bay Transportation Authority (MBTA) today announced a new DHS Science & Technology Directorate-led study that will examine the behavior of airborne contaminants if they were to be released into the subway—reflecting Secretary Napolitano’s emphasis on preparedness and the shared responsibility of protecting the nation’s critical infrastructure.

“Proactively studying and preparing for possible threats is one of our most effective strategies for fortifying our critical infrastructure,” said Secretary Napolitano. “This study is one of many efforts the Department is undertaking across the country to inform our emergency response planning in preparation for chemical or biological terrorist attacks.”

“This project—combining the resources and expertise of scientists from around the world—will refine best practices for responding to the release of toxic gas or chemicals in public transportation systems,” said Under Secretary for Science & Technology Dr. Tara O’Toole.

“We appreciate the opportunity to work with DHS on this initiative,” said MBTA Transit Police Chief Paul MacMillan. “This study will help the MBTA make informed decisions regarding the safety and security of its passengers.”

The study will involve the release of common, harmless tracer gases used for indoor and outdoor air testing; an inert particle tracer tagged with a biologically inert, non-toxic organic dye used in medical imaging applications; and a common optical

brightener often used in laundry detergents and paper manufacturing. The study will help scientists understand the airflow characteristics for smoke or unintentional spills of chemicals or fuels—providing data that will help guide the design of next generation detection systems and enable transportation systems to strengthen evacuation, ventilation and other incident response strategies.

Particle and gas concentrations will be sampled in more than 20 stations and in subway cars in the underground portion of the MBTA subway system from Dec. 5-11. Although commuters may notice the presence of equipment and researchers, the study will not disrupt normal activities or inconvenience the public.

The research team will include scientists from Argonne National Laboratory (ANL) of Argonne, Ill.; Lawrence Berkeley National Laboratory (LBNL) of Berkeley, Calif.; ICx Technologies of Arlington, Va.; Defence Science and Technology Laboratory of the United Kingdom; and Chemistry Centre of Australia.

Critical infrastructure and key resources (CIKR) include physical and digital assets, systems and networks that play significant roles in America's safety, economy and public health. Their incapacitation or destruction could debilitate the overall stability of the United States and threaten national security.

CIKR is comprised of 18 unique sectors. The sectors represent key areas such as transportation and communications systems, food and water, manufacturing, energy, and emergency services. DHS coordinates security efforts with the full range of CIKR partners—state, local, tribal, territorial, and private sector—via a network of Government and Sector Coordinating Councils.

For more information, visit [www.dhs.gov](http://www.dhs.gov).

## Hackers declare war on international forensics tool:

The Register – (International) Hackers declare war on international forensics tool. Hackers have released software they say sabotages a suite of forensics utilities Microsoft provides for free to hundreds of law enforcement agencies across the globe. Decaf is a light-weight application that monitors Windows systems for the presence of COFEE, a bundle of some 150 point-and-click tools used by police to collect digital evidence at crime scenes. When a USB stick containing the Microsoft software is attached to a protected PC, Decaf automatically executes a variety of countermeasures. “We want to promote a healthy unrestricted free flow of internet traffic and show why law enforcement should not solely rely on Microsoft to automate their intelligent evidence finding,” one of the two hackers behind Decaf told The Register in explaining the objective of the project. Microsoft has been providing COFEE to law enforcement officers since at least mid 2007. Short for Computer Online Forensic Evidence Extractor, it packages forensics tools onto an easy-to-use USB stick that allows investigators to collect browsing history, temporary files and other sensitive data from most Windows-based machines. COFEE is distributed through Interpol. Source: [http://www.theregister.co.uk/2009/12/14/microsoft\\_coffee\\_vs\\_decaf/](http://www.theregister.co.uk/2009/12/14/microsoft_coffee_vs_decaf/)

## Train derailment shuts down US 51 near Carbondale:

KFVS 12 Cape Girardeau – (Illinois) Train derailment shuts down US 51 near Carbondale. Traffic is back to normal after a train derailment in Southern Illinois. According to the Carbondale Police Department, temporary detours put into place following the derailment on the north side of Carbondale have been discontinued. The area is under the control of the Canadian National Railroad. Sources said a bad wheel on one of the cars caused a chain reaction. Carbondale Public Safety and Public Works crews have cleared the scene as there is no remaining threat to public health and safety. Seven cars were involved in the derailment. One car was a tanker carrying ethyl alcohol, but the Carbondale Fire Department detected no chemical spills and no hazardous risks. Both passenger and freight train schedules, including Amtrak, will resume as normal. Source: <http://www.kfvs12.com/Global/story.asp?S=11670060>

## Valve failure thought to be cause of Wood River ethanol spill:

*Grand Island Independent* – (Nebraska) **Valve failure thought to be cause of Wood River ethanol spill.** An ethanol spill at the Pioneer Trail plant in Wood River is believed to have been caused by a failed valve on a railcar tank. The Wood River

fire chief said the 18,000-gallon spill was reported just after 9 p.m. on December 11, and it was cleaned up by 3:45 a.m. on December 12, when the department left the plant. He said the plant is continuing its investigation into the spill's cause. According to the fire chief, plant employees and several hazmat teams cleaned up the ethanol by putting distiller's grains on it to absorb it. The spill did not leave the plant's property, and no one was injured. The spill occurred at the rail loading area on the plant's west side. Rail traffic within a mile of the plant was shut down, and traffic on Highway 30 was detoured for four hours. He said the cleanup effort was aided by low temperatures, which kept the ethanol from vaporizing into its more flammable gaseous state. The state Department of Environmental Quality assisted on the scene with air quality monitoring. The plant, which opened in June 2008, is owned by BioFuel Energy Corp. of Denver and produces about 115 million gallons of ethanol per year. Source:

<http://www.theindependent.com/articles/2009/12/12/news/local/doc4b247ac66866c493223847.txt>

## **PHMSA guidance on hazmat training for transporters and shippers:**

[“What You Should Know: A Guide to Developing a Hazardous Materials Training Program”](#) (PDF, 578.5 Kb) published by the U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration. Increased hazardous transports place an additional burden on communities, particularly firefighters and other first responders. For this reason and others, the Guide explains the training requirements of employees performing functions related to handling, packaging, storing, moving, loading and unloading hazardous materials, and responding to emergency situations while such materials are in transportation.

According to the DOT, human error is a contributing cause for most hazmat movement incidents. The Guide states: “Hazmat incidents caused by human error can be reduced through the implementation of an effective training program.” ESS departments and agencies can consult this document to understand the training requirements in the Hazardous Materials Regulations, and appreciate how to work together with hazmat transportation employees when necessitated by a major hazmat transportation disaster.

Thanks to Tim Gablehouse

## **Truck slams into overpass on SR 167 near Sumner:**

KOMO 4 Seattle – (Washington) Truck slams into overpass on SR 167 near Sumner. One person was injured in a crash involving a semi truck on State Route 167 on Tuesday night. Troopers said trouble began when the truck traveling north veered off the road and slid onto a roadside embankment at a high rate of speed. The truck flew forward and smashed into an overpass around 6:30 p.m. The impact sheared off the top of the vehicle's cab and ripped off the tank, releasing the chemical stored inside. Troopers initially identified the spilled chemical as liquid nitrogen and took extreme caution, but later redefined it as carbon dioxide used to carbonate sodas. “We didn't even go in and get the driver,” said a trooper of the initial response. “We didn't know what we had. We did a worst-case scenario (response), evacuated about a quarter mile in every direction.” The truck driver, a 46-year-old Auburn man, was taken to Harborview Medical Center, where he is listed in critical condition. It is not known what caused him to veer off the road. The overpass bridge at 24th appears to be significantly damaged, but it is still safe to drive under it, a spokesman said. The bridge, which sustained a foot and a half-long indentation from the crash, will remain shut down until the Department of Transportation can assess its safety. Source:

<http://www.komonews.com/news/local/79370642.html>

## **Dixie Highway reopens after acid spill:**

WKRC 12 Cincinnati – (Ohio) Dixie Highway reopens after acid spill. The ramp from 71/75 Southbound to Dixie Highway in Fort Mitchell has reopened after a chemical spill. A tractor trailer hauling four 3,200-pound containers of hydrofluosilicic acid and a 26,880 pound cylinder of chlorine began leaking just after 8 a.m. The driver noticed a container had spilled and the substance was leaking onto the roadway. Fort Mitchell Fire and Kenton County Emergency Management were on the scene with teams from Boone County, Campbell County and Greater Cincinnati Hazmat, keeping a thousand foot perimeter from the leaking truck. Crews determined that roughly 30 gallons of hydrofluosilicic acid spilled. Nearby Central Trust Bank was evacuated as a precaution. Source: [http://www.local12.com/mostpopular/story/Dixie-Highway-Reopens-After-Acid-Spill/1-Jl6BqzJEmaY\\_eIXJe-hQ.csp](http://www.local12.com/mostpopular/story/Dixie-Highway-Reopens-After-Acid-Spill/1-Jl6BqzJEmaY_eIXJe-hQ.csp)

## Hazardous chemical dumped at Aflex Ky:

Williamson Daily News – (Kentucky) Hazardous chemical dumped at Aflex Ky. Six drums filled with a dangerous chemical were discovered Wednesday afternoon in Aflex, according to the Pike County Emergency Services Director. County and state officials are looking for the dumpers. When the drums were found, one had been tampered with and was leaking, he said. “Two of our guys immediately suited up [in protective HazMat apparel] and got samples from each of the drums.” The HazMat team obtained a specialized device, a HazMat ID, from their headquarters in Paintsville, Kentucky to test the material in the drums. The substance proved to be tetrachloroethylene, a chemical used as a heavy degreaser and in dry cleaning and to etch glass, the director said. The chemical is extremely hazardous, exposure to skin or breathing fumes from tetrachloroethylene could cause serious health problems. Charges could be brought against those who dumped the drums as well as anyone who tampered with them. The area where the drums were found is an illegal dump; various types of trash are strewn across an area of several hundred yards. Source: [http://www.williamsondailynews.com/pages/full\\_story/push?article-Hazardous+chemical+dumped+at+Aflex+Ky-&id=5193198-Hazardous+chemical+dumped+at+Aflex+Ky-&instance=home\\_news\\_lead](http://www.williamsondailynews.com/pages/full_story/push?article-Hazardous+chemical+dumped+at+Aflex+Ky-&id=5193198-Hazardous+chemical+dumped+at+Aflex+Ky-&instance=home_news_lead)

### Governor's Tribal Community Outreach:

Visit: <http://azgovernor.gov/eop/TribalOutreach.asp> for agency contact information.

### Tribal Program Link:

<http://www.epa.gov/region09/indian>

Tribal Program Newsletter: <http://www.epa.gov/region09/indian/newslet.html>

Tribal news: <http://www.navajohopiobserver.com/>

## INDUSTRY CORNER

### El Paso Corporation and Colorado Interstate Gas Fined \$2.3 Million for Pipeline Safety Violations:

DOT has announced it levied a \$2.3 million civil penalty against El Paso Corporation and its subsidiary Colorado Interstate Gas Company for violations of federal pipeline safety regulations. DOT has also ordered the companies to take specific actions to comply with its regulations and ensure safety as a result of its investigation into a pipeline explosion that killed a construction worker in Laramie County, Wyoming, in November 2006.

“Federal requirements are in place to provide protections for America’s most important assets, its citizens,” said Secretary Ray LaHood. “The Department will hold pipeline operators accountable for the safety of those who live and work in the vicinity of their systems and negligence will not be tolerated.”

The accident investigation, conducted by DOT’s Pipeline and Hazardous Materials Safety Administration (PHMSA), discovered the companies did not comply with federal regulations covering the locating and marking of buried pipeline facilities. Federal regulations require pipeline operators to establish and follow procedures for properly locating and marking their underground systems before excavation work is commenced to prevent accidental contact and safety risks.

“Pipeline and other underground facility damage is almost entirely preventable,” said Cynthia L. Quarterman, PHMSA Administrator. “Pipeline operators must be the first line of defense in protecting the public from incidents related to their systems.”

The final order issued by PHMSA also includes a compliance order requiring the companies to take certain actions to ensure compliance with federal pipeline safety regulations. Among other things, the compliance order requires the companies to:

- Revise corporate procedures for making construction records, maps, and operating history available to appropriate operating personnel;
  - Develop and implement written procedures to require appropriate managers or supervisors to conduct unannounced reviews of work performed by El Paso line locators to ensure applicable procedures are understood, being followed, and effective, paying special attention to the accuracy, visibility, and durability of the marking and line locating work; and
- Develop and implement training for all managers and supervisors to enhance their understanding of El Paso's surveillance procedures and improve their ability to understand and intervene in unsafe or hazardous situations for people and property.

"Promoting successful damage prevention practices is a key component to our safety mission," Administrator Quarterman added. "Providing protections for those who live near or work on and around pipeline infrastructure is as important as efficient, reliable, and continuous service."

On November 11, 2006, a 36-inch natural gas transmission pipeline owned by Wyoming Interstate Company, Ltd. and operated by Colorado Interstate Gas Company, both subsidiaries of El Paso Corporation, was struck by a bulldozer. At the time of the accident, the bulldozer operator was attempting to grade nearby land to build a right of way for the Rockies Express Pipeline. The contact with the high pressure line resulted in the release of natural gas, a subsequent explosion and fire, and the operator's death.

A copy of the final order explaining PHMSA's findings of violation, assessing the \$2.3 million civil penalty, and ordering the compliance actions is [here](#).

## **New OSHA guidance on protecting EMS responders during hazmat incidents**

<http://www.osha.gov/Publications/OSHA3370-protecting-EMS-respondersSM.pdf>

## **MITIGATION IDEAS:**

A Mitigation Planning Tool For Communities -

Hazard mitigation refers to any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazardous conditions. The following list of possible hazard mitigation measures for communities is compiled from experience and discussion within the states of FEMA Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. The list of hazard types and ideas starts generally with coverage of natural hazards, such as flood or earthquake. These are followed by types of man-made and technological hazards. As extensive as this list is, it does not preclude other ideas for activities to save lives and prevent or reduce damages in the future. Many of the ideas are developed in other FEMA publications, including [www.fema.gov](http://www.fema.gov), as well as in publications of other federal and state agencies.

To read the whole story go to: <http://ksready.gov/PDF/Mitigation%20Ideas.pdf>

**\*\*\*You can now start report your 2009 Tier Two reports online!  
Go to [www.azserc.org](http://www.azserc.org) to login and complete your report. Tier  
Two reports are due by March 1st!\*\*\***

## **UPCOMING EVENTS:**

- **January 12, 2010** - AZSERC Commission Meeting held at Papago Park Military Reservation 5636 E. McDowell Rd., Phoenix, AZ 85008. From 10am - Noon. Visit [www.azserc.org](http://www.azserc.org) for more information.

- **January 11-13, 2010** - 2010 Winter Meeting “Incorporating Risk Management into EHSS Auditing” Hilton at Squaw Peak Resort, Phoenix, AZ. See [www.auditing-roundtable.org](http://www.auditing-roundtable.org) for more information on regional meetings, webinars, training courses, and collaborations with other professional organizations. The AR’s Managing Director, Kathy J. Rieth, is at [kathy@auditing-roundtable.org](mailto:kathy@auditing-roundtable.org) or 480-659-3738. See [www.beac.org](http://www.beac.org) for more on CPEA certification.
- **January 24 – 28, 2010** – 42<sup>nd</sup> Annual Arizona Economic Development Course in Tucson, AZ. For more information go to: [www.rezbuilders.com](http://www.rezbuilders.com) or call 928-753-6110
- **January 26-27, 2010** - Sixth Annual Gatekeeper Regulatory Roundup  
Chaparral Suites Resort  
5001 N. Scottsdale Road  
Scottsdale, Arizona For more information go to: [http://www.epaz.org/epazportal/?q=annual\\_conf.html](http://www.epaz.org/epazportal/?q=annual_conf.html)
- **January 26 – 28, 2010** - RTOC Meeting; Location: Ak-Chin Indian Community, Maricopa, AZ
- **January 29, 2010** – Casa Grande Tier II/Air Quality Workshop; 9am to 12pm: Pinal County Complex  
820 E. Cottonwood Ln. Building A – Conference Room Casa Grande, AZ
- **February 5, 2010** – Florence Tier II/Air Quality Workshop; 9am to 12pm Pinal County Complex  
31 N. Pinal St., Building F – EOC room; Florence, AZ

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## LET’S HEAR FROM YOU!

Send us your inputs and feedback on the newsletter; including, exercises and other LEPC related activities in which you've been involved. Let us know what you'd like to see in future editions. Talk to us!

We appreciate your input and look forward to hearing from you!

Sincerely,

*Mark Howard*  
Executive Director

**Commercial products and services are mentioned for informational purposes only and should not be construed as AZSERC endorsements.**

Visit us on the web: [www.azserc.org](http://www.azserc.org) (for reporting)

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**GATEKEEPER NEWSLETTER:**

**MARK HOWARD – EDITOR IN CHIEF**  
**CHRISSEY MCCULLOUGH – EDITOR**

# ABOUT OUR ORGANIZATION

The AZSERC was established by Arizona Law (Arizona Revised Statutes-Title 26, Chapter 2, Article 3) and is tasked with the implementation of the Emergency Planning and Community Right to Know Act (EPCRA) in Arizona.

This Commission oversees 15 Local Emergency Planning Committees and supports community, industry and government and academia in: planning, release and incident reporting, data management guidance for inventory reporting, public disclosure of information about hazardous chemicals in Arizona as well as development of training and outreach programs.

The Commission supports individual agency goals and objectives. This is accomplished through the receipt and coordination of emergency notifications of chemical releases, collection and provision of chemical inventory information to interested parties, training and grants programs.

Additionally, the AZSERC provides consultative services, conducts and participates in workshops and coordinates development and review of plans and programs for 15 Local Emergency Planning Committees.

Further, the AZSERC serves as a state clearinghouse for hazardous chemical emergency preparedness and planning activities and information through coordination with federal, tribal, state, local governments, industry and community interest groups.