

TerranearPMC Safety Share

Week of October 22, 2012 – What's HAZWOPER?!

(Ethyl Mercaptan's continuing fight for the American Worker)

Ethyl was sitting down with the corporate president of C&D; a mid-sized company that performs construction and demolition work. Mr. Hammer called the city's Environmental, Safety and Health division as he was getting a lot of concerns from his field staff about...*HAZWOPER*? Jack Hammer was ready to start demolishing an old warehouse that was situated on soils that, through a Phase I environmental assessment indicated potential contamination. The report mentioned carbon tetrachloride and mercury as well as something called VOCs. He was perplexed as his company has been in the D&D business for years and to finally hear grievances from his employees about getting exposed to chemicals was something he never had to deal with. So, sitting at his desk, was this woman, Ethyl Mercaptan; an industrial hygienist from the city who was here to solve his problems: Was it time to panic?

"My workers are afraid and all of a sudden they don't trust C&D when it comes to their safety. One of the foremen has a brother-in-law that works at that cleanup site ten miles out of town and he was told about how all the workers need to have something called HAZWOPER Training. I've never heard of this before. Shucks, I KNOW my workers never heard of it before and now they're all clamoring to get HAZWOPER training! What is it?"

Ethyl Mercaptan heard this story before. She also understood the tension that typically comes with it. Without a doubt, depending on how she handled Mr. Hammer and the employees of C&D, a potential explosive situation could detonate.

Ethyl gave a reassuring smile and began to speak.

"HAZWOPER is an OSHA regulation that stands for *hazardous waste operations and emergency response*. I know you're not that interested but it can be found under Title 29 of the Code of Federal Regulations, under the general industry and construction standards; simply referred to as 29 CFR 1910.120 and 29 CFR 1926.65."

A smirk was plastered on Jack Hammer's face as he felt a necessary retort. "You're right about that. Regulatory code numbers mean nothing to me. I just want to know what I need to do."

Ethyl raised her right hand as if to say "I understand, now, let me explain."

"HAZWOPER is a regulation designed to protect workers from hazardous chemicals within five scenarios: One – to protect workers that are involved with clean-up operations required by a governmental body, whether Federal, state, local or other agency where there are hazardous substances and the work is conducted at uncontrolled hazardous waste sites. This typically happens when there is a piece of land that is not owned by any entity, as the contamination occurred years ago and trying to pinpoint a single responsible party is futile. Such is the case where a bunch of old 55-gallon drums are found in an abandoned piece of land. The drums may even be leaking material on the ground, thereby contaminating soils and possibly groundwater or a nearby stream. Two- to protect workers performing clean-up operations at sites covered by the Resource Conservation and Recovery Act, which we refer to as RCRA. This means cleaning up contamination at a place of business that is actually in business. That could be like removing soils that were contaminated due to a previous chemical spill that occurred during the course of normal business. The third part of this requirement involves protecting

workers during voluntary clean-up operations at sites recognized by Federal, state, local or other governmental bodies as uncontrolled hazardous waste sites. This is similar to the first item, only the clean-up is voluntary and while recognized by the government as a location that is contaminated, the clean-up has not yet been required.”

Ethyl paused to see if Hammer was still receptive. The non-descript expression on his face told her that it was best to continue.

“The forth reason for HAZWOPER is to protect employees that work at treatment, storage and disposal facilities, often referred to as TSDFs. This is where hazardous waste is typically transported for disposal or recycling. The fifth reason is for personnel involved with emergency response operations that involve a release of hazardous substances or where they are responding to a substantial threat involving hazardous substances, regardless of the location.”

“So it looks like we’re in the clear.” C&D’s president began to feel better about things.

“In the clear?” responded Ethyl. “Well, let’s remember it seems like you mentioned carbon tet and mercury a little while ago, as well as a group of materials known as volatile organic compounds, that’s what the acronym VOC’s you first mentioned is.”

“But our work doesn’t fall under any of the scenarios you just described!”

“True, true, but that doesn’t mean your employees are not at risk from these contaminants. Tell me, have you performed any type of assessment to determine if there is a possible concern for your workers to be exposed?”

“Assessment? Assessment of what?!”

“Regardless of whether this location is or is not a HAZWOPER site, your employees still need to be protected, or at least, you need to verify these contaminants of concern will not subject them to any potential harm. That requires some sampling of the air as well as ensuring there is no skin contact with these materials during D&D operations. That means proper protective clothing, like disposable coveralls and gloves while they are demolishing the warehouse. They may even need respirators ”

An inquisitive look appeared on her face. “By the way, will your company be removing the soils at some later date?”

“That’s what we’re banking on.”

With her patented knowing smile, Ethyl continued. “That’s called clean-up and unless you can show that your work does not involve a reasonable possibility for employee exposure to health or safety hazards, it would be prudent to start reading OSHA’s HAZWOPER regulation.”

While the HAZWOPER regulation is designed to protect workers in the five scenarios that Ethyl Mercaptan talked about, the main premise of OSHA is to ensure that the American Worker can perform their assigned tasks in an environment that is free of recognized safety and health hazards. Therefore, regardless of the category of the specific work environment, employees still need to be protected.

You only live once, but if you do it right, once is enough

Mae West