



**United States Department of Agriculture
Animal and Plant Health Inspection Service**

Manual

1060

7/17/2003

Environmental Protection Program (Environmental Management System)

Safety, Health, and Employee Wellness Branch

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Animal and
Plant Health
Inspection
Service

**ENVIRONMENTAL PROTECTION PROGRAM
July 2003**

**ENVIRONMENTAL POLICY STATEMENT AND
COMMITMENT TO ENVIRONMENTAL EXCELLENCE**

The Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture, will comply with all Federal, State, and local environmental regulations including, but not limited to, the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation, and Liability Act; Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; National Environmental Policy Act; Oil Pollution Act; Resource Conservation and Recovery Act; Safe Drinking Water Act; Toxic Substances Control Act; and all pertinent Executive Orders.

APHIS has developed, and will implement and enforce this Environmental Protection Program (EPP), which presents the Agency's Environmental Management System as it pertains to APHIS facilities and activities. The EPP processes are consistent with the principles of the *Code of Environmental Management Principles (CEMP) for Federal Agencies*. By nature of this preamble to the EPP, I have established, and will adhere to, Principle No. 1 of the CEMP: Management Commitment.

I appoint the Employee Services Division Director as the APHIS Environmental Pollution Control Coordinator.

It is my intent that APHIS becomes a leader in environmental stewardship by evaluating our organization's environmental policies to ensure they are appropriate to the nature, scale, and environmental impacts of our activities. Our activities will be continually evaluated and our operational processes will be improved as necessary to comply with relevant environmental regulation and legislation.

System integration is a pivotal part of my commitment and that of the CEMP. Therefore, I instruct all APHIS employees to ensure that we include a framework for setting and reviewing environmental objectives and targets in all our policies, procedures, and programs.

All environmental policies, procedures, and programs will be documented, implemented, maintained, and communicated to all employees. APHIS environmental policies will be made available to the public through the Internet.

Bobby R. Acord
Administrator

July 17, 2003
Date



ENVIRONMENTAL PROTECTION PROGRAM

This Manual replaces APHIS Directive 1060.1, Controlling Environmental Pollution at Federal Facilities, dated 12/15/92.

1. PURPOSE

This Manual describes the program, identifies the need for an Animal and Plant Health Inspection Service (APHIS) Environmental Protection Program (EPP), and establishes a framework for developing, implementing, managing, and evaluating programs to:

- a. Protect the human and natural environment.
- b. Demonstrate environmental leadership.
- c. Provide stewardship of natural and other resources under the Agency's control.
- d. Prevent, control, and abate pollution at/from Agency facilities.
- e. Protect APHIS and APHIS personnel from administrative, civil, and criminal penalties, and liability.
- f. Comply with substantive and procedural environmental requirements associated with environmental and project planning, facility construction and operation, and program execution.
- g. Ensure that APHIS employees are responsible members of their communities.
- h. Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues.



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2. ACRONYMS

A&E	-	Architect/Engineer
ACM	-	Asbestos-Containing Material
APHIS	-	Animal Plant and Health Inspection Service
ASD	-	Administrative Services Division
BMP	-	Best Management Practice
CAA	-	Clean Air Act
CAS	-	Chemical Abstract Service
CATEX	-	Categorical Exclusion
CEMP	-	Code of Environmental Management Principles
CERCLA	-	Comprehensive Environmental Response, Compensation, and Liability Act
CESQG	-	Conditionally Exempt Small Quantity Generator
CFC	-	Chlorofluorocarbon
CFR	-	Code of Federal Regulations
CWA	-	Clean Water Act
EA	-	Environmental Assessment
EHS	-	Extremely Hazardous Substance
EIS	-	Environmental Impact Statement
EMS	-	Environmental Management System
EO	-	Executive Order
EPA	-	Environmental Protection Agency
EPCRA	-	Emergency Planning and Community Right-to-Know Act
EPP	-	Environmental Protection Program
EPS	-	Environmental Protection Specialist
ES	-	Environmental Staff
ESA	-	Endangered Species Act
ESD	-	Employee Services Division
FFCA	-	Federal Facilities Compliance Act
FIFRA	-	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	-	Finding of No Significant Impact
HMTA	-	Hazardous Materials Transportation Act
HS	-	Hazardous Substance
HSWA	-	Hazardous and Solid Waste Amendments
LAER	-	Lowest Achievable Emissions Rate
LDR	-	Land Disposal Restrictions
LEPC	-	Local Emergency Planning Committee
LQG	-	Large Quantity Generator
MBTA	-	Migratory Bird Treaty Act
MRP-BS	-	Marketing and Regulatory Programs-Business Services
MSDS	-	Material Safety Data Sheet
NAAQS	-	National Ambient Air Quality Standards
NEPA	-	National Environmental Policy Act
NHPA	-	National Historic Preservation Act
NPDES	-	National Pollutant Discharge Elimination System
NRC	-	National Response Center



NSPS	-	New Source Performance Standard
OPA	-	Oil Pollution Act
OSHA	-	Occupational Safety and Health Administration
P2	-	Pollution Prevention
PBT	-	Persistent, Bioaccumulative, and Toxic Chemical
PCB	-	Polychlorinated Biphenyl
POTW	-	Publicly-Owned Treatment Works
PPA	-	Pollution Prevention Act
PWPS	-	Pesticide Worker Protection Standard
PWS	-	Public Water System
RACT	-	Reasonably Available Control Technology
RCRA	-	Resource Conservation and Recovery Act
RQ	-	Reportable Quantity
SARA	-	Superfund Amendments and Reauthorization Act
SDWA	-	Safe Drinking Water Act
SERC	-	State Emergency Response Commission
SHEWB	-	Safety, Health, and Employee Wellness Branch
SIC	-	Standard Industrial Classification
SIP	-	State Implementation Plan
SOW	-	Statement of Work
SPCC	-	Spill Prevention, Control, and Countermeasure Plan
SQG	-	Small Quantity Generator
TCLP	-	Total Concentrate Leachate Procedure
TPQ	-	Threshold Planning Quantity
TRI	-	Toxic Release Inventory
TSCA	-	Toxic Substances Control Act
TSDF	-	Treatment, Storage, and Disposal Facility
UIC	-	Underground Injection Control
USC	-	United States Code
USDA	-	U.S. Department of Agriculture
UST	-	Underground Storage Tank



3. AUTHORITIES AND REFERENCES

- a. **APHIS Manual 4790**, *APHIS Safety and Health Manual*, 2/27/98.
- b. **APHIS NEPA Implementing Procedures**, 7 Code of Federal Regulations (CFR) Part 372, March 3, 1995.
- c. **Clean Air Act (CAA)**, 1967, amended in 1990, codified in 40 CFR 50-99.

Note: Section 118 of the CAA waives sovereign immunity for Federal facilities. Sovereign immunity is a legal doctrine which can protect the Federal Government from lawsuits and other legal actions which would cause the Federal Government to pay fines and suffer other consequences, i.e., civil, administrative, and criminal actions. The Federal Government essentially eliminated sovereign immunity for environmental regulations by implementing the Federal Facilities Compliance Act and by citing specific regulations in various environmental acts.

Fines:

- Civil administrative fines of up to \$27,500 per day of violation generally not exceeding \$220,000.
- Civil fines of up to \$27,500 per day of violation for failing to furnish information, conducting required tests, or violating any requirements specified in Section 211(d)(1) of the CAA.
- Civil fines not to exceed \$1,000,000 for each violation by an organization convicted of a knowing release.

Criminal penalties:

Sanctions sought against individual employees and may be punishable by a fine (consistent with 18 United States Code (U.S.C.) Section 3571) or by imprisonment not to exceed 5 years.

Falsified information, falsified methods or devices, or failure to notify or report as required including fines and imprisonment for not more than 2 years.

Knowingly releasing hazardous air pollutants which place another person in imminent danger of death or serious bodily injury punishable by not more than 15 years of imprisonment.

- d. **Clean Water Act (CWA)**, 1972, amended in 1977, 1987, and in 1990 by the Oil Pollution Act (OPA), codified as 40 CFR Parts 100-136, 140, 230-233, 401-471, and 501-503.



Note: Sanctions may be sought against individual employees of Federal facilities for criminal violations of the CWA.

Fines and Penalties:

- A negligent violation is punishable by a fine of not less than \$2,500 nor more than \$25,000 per day of violation and/or imprisonment not to exceed 1 year.
- A knowing violation is punishable by a fine of not less than \$5,000 per day of violation and/or imprisonment not to exceed 3 years.
- A knowing endangerment violation (one that places another person in imminent danger of death or serious injury) is punishable by a fine of not more than \$250,000 and/or by imprisonment not to exceed 15 years. A false statement violation may be punishable by a fine of not more than \$10,000 and/or by imprisonment not to exceed 2 years.

- e. **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**, also known as the Superfund, 1980, amended in 1986, codified at 40 CFR 300-311, 355 and 373.

Note: Criminal sanctions may be sought against individual employees of Federal facilities for criminal violations of the CERCLA.

Fines and Penalties:

- Any person who fails to immediately notify the appropriate agency and State of a hazardous substance release that exceeds a reportable quantity, or who provides false or misleading information will be fined in accordance with Title 18, U.S.C. or imprisoned for not more than 3 years, or both.
 - Any person who fails to notify the EPA Administrator of a hazardous substance treatment, storage, and disposal facility that does not have either an RCRA permit or RCRA interim status will be fined not more than \$10,000 and/or imprisoned for not more than 1 year.
 - Any person who knowingly destroys, mutilates, erases, conceals, or falsifies records will be fined in accordance with applicable provisions of Title 18, U.S.C., or imprisoned for not more than 3 years, or both.
- f. **Department Regulation 4300-4**, *Civil Rights Impact Analysis*, September 22, 1993.
- g. **Department Manual 5600-1 (USDA)**, *Environmental Pollution Prevention, Control and Abatement Manual*, November 9, 1992.
- h. **Department Regulation 5600-002 (USDA)**, *Environmental Justice*, December 15, 1997.



- i. **Energy Policy Act, 1992.**
- j. **Emergency Planning and Community Right-to-Know Act (EPCRA)**, also known as Title III of the Superfund Amendments, 1986, codified in 40 CFR Parts 302, 355, 370, and 372.
- k. **Endangered Species Act (ESA)**, 1973, amended in 1979, 1982, and 1988, codified in 50 CFR Parts 17 and 400.

Note: All Federal departments and agencies must utilize their authorities to promote the recovery of listed species. Federal agencies may not jeopardize the existence of listed species, and must ensure that the actions they authorize, fund, or carry out do not adversely affect listed species.

l. **Executive Orders (EO):**

- **11987**, *Exotic Organisms*, May 24, 1977.
- **12580**, *Superfund Implementation*, January 23, 1987.
- **12898**, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, February 11, 1994.
- **12902**, *Energy Efficiency and Water Conservation at Federal Facilities*, March 8, 1994.
- **13016**, *Amendment to Executive Order 12580*, August 28, 1996.
- **13045**, *Protection of Children from Environmental Health Risks and Safety Risks*, April 21, 1997.
- **13101**, *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition*, September 14, 1998.
- **13123**, *Greening the Government Through Efficient Energy Management*, June 3, 1999.
- **13148**, *Greening the Government through Leadership in Environmental Management*, April 21, 2000.
- **13149**, *Greening the Government Through Federal Fleet and Transportation Efficiency*, April 21, 2000.
- **13186**, *Responsibilities of Federal Agencies To Protect Migratory Birds*, January 10, 2001.
- **13221**, *Energy-Efficient Standby Power Devices*, 2001.



- m. **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)**, 1947, amended in 1972, 1978, 1988, and 1996, codified as 40 CFR Parts 150-189.

Note: EPA oversees the regulation of pesticide use in most States and primary responsibility in those States where all or part of the pesticide program has not been delegated. The State has primary enforcement responsibilities.

- n. **Federal Real Property Transfers (CERCLA) Section 120(h)**.
- o. **Hazardous Materials Transportation Act (HMTA)**, 1974, amended in 1994.
- p. **Migratory Bird Treaty Act (MBTA)**, 1918, last amended 1989, codified as 50 CFR 10, 20, and 21.
- q. **National Environmental Policy Act (NEPA)**, 1970, 42 U.S.C. 4321, *et sequ.*, codified as 40 CFR 1500-1508.
- r. **National Historical Preservation Act (NHPA)**, 1966, amended in 1992.
- s. **Oil Pollution Act (OPA)**, 1990, codified in 40 CFR Parts 101, 112.20, and 300 (subparts C, D, and E).

Note: The OPA requires certain facilities to develop response plans for responding to worst-case discharges of oil and hazardous substances.

Fines and Penalties: Refer to 3.d.above.

- t. **Resource Conservation and Recovery Act (RCRA)**, amended by the Hazardous and Solid Waste Amendments (HSWA), enacted in 1984, and the Federal Facility Compliance Act (FFCA) enacted in 1992, codified at 40 CFR Parts 240-282.

Note: The FFCA states that Federal agencies must comply with all Federal, State, interstate, and local solid and hazardous waste management requirements. Federal agencies are now subject to enforcement provisions of RCRA. Federal sovereign immunity is waived in regard to RCRA provisions.

Most States have been authorized to implement some or all of the RCRA Subtitle C Program (hazardous waste management program).

Fines and Penalties:

Sanctions may be sought against individual employees of Federal facilities for criminal violations of RCRA.

- Any knowing violation of any material condition or requirement of a permit or any applicable regulation may be subject to a fine of not more than \$50,000 per day of violation and/or imprisonment not to exceed 15 years.



- Any person who knowingly places another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000 and/or imprisonment not to exceed 15 years.

Any facility violating RCRA hazardous waste regulations may be fined up to \$27,500 per day in civil penalties and up to \$5,500 per day for violating interim and substantial endangerment orders.

Note: State Underground Storage Tank (UST) Programs often exceed Federal minimum requirements and penalties. Federal RCRA UST provisions are codified in 40 CFR 280.

Fines and Penalties:

- Any facility violating RCRA UST regulations can be fined up to \$11,000 per day for each tank in civil penalties and up to \$27,500 per day for violating a Federal order.
- In addition to civil penalties, EPA may issue field citations with penalties against Federal agencies.

- u. **Safe Drinking Water Act (SDWA)**, 1974, latest revision 1996, codified as 40 CFR 141-149.

Note: The 1996 SDWA amendment requires Federal agencies to comply with Federal, State, interstate, and local safe drinking water standards. Failure to comply may result in criminal penalties. SDWA, Section 1447, waives sovereign immunity.

Fines and Penalties:

- Federal facilities are subject to civil administrative penalties of up to \$25,000 per day per violation.
- In addition to civil penalties, any person who tampers with a Public Water System (PWS) may be imprisoned for not more than 5 years and/or fined.

- v. **Toxic Substances Control Act (TSCA)** of 1976, codified in 40 CFR 700-799.

Note: Federal facilities are generally impacted by asbestos, polychlorinated biphenyl (PCB), radon, and lead requirements. Specific activities required by TSCA include use of or disposal of equipment containing PCBs, performing lead and asbestos abatement surveys and activities, and managing locations with potentially significant radon levels.

Fines and Penalty: Any person who knowingly or willingly violates certain sections of TSCA is subject to a fine of not more than \$25,000 for each day of violation and/or imprisonment not to exceed 1 year.



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4. AGENCY POLICY

APHIS's goal is to plan, develop, implement, manage, and evaluate all programs and projects to minimize adverse impacts on the quality of the environment. To achieve this goal, the Agency, its personnel, and others who are occupying APHIS-owned or controlled property or facilities will:

- a. Protect human and natural resources and provide stewardship of natural and other resources under APHIS's control by preventing, controlling, and abating pollution at/from APHIS facilities.
- b. Manage the discharge or disposal of pollutants generated by APHIS facilities and activities to comply with applicable regulations.
- c. Conserve the use of natural and man-made resources.
- d. Maintain and preserve the aesthetic and normal ecological function, productivity, and relationships of natural and human environment.
- e. Demonstrate initiative in developing and implementing programs that contribute to the U.S. goal of protecting human health and welfare while preserving the quality of the environment.
- f. Incorporate environmental and pollution prevention considerations in program development, project planning and implementation, and facility operation at the earliest stages of implementation or action.
- g. Coordinate leadership through enacting, adopting, and implementing national, Departmental, and Agency environmental goals and concepts.
- h. Plan, design, construct, operate, and maintain its facilities and programs to provide leadership in efforts to protect, maintain, and restore the quality of our air, water, soils, forests, and other natural resources by employing sustainable and pollution preventing practices whenever possible.
- i. Provide new employees and those assigned responsibilities in this area with basic information related to the environmental compliance management program as part of the new employee orientation program.
- j. Require APHIS supervisors and managers to attend environmental compliance-related training and educational programs.
- k. Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues.



APHIS will demonstrate compliance with various pollution prevention regulations and laws, and with EO 13148, the most comprehensive and resource-demanding environmental EO to date, by:

- a. Considering the effects of any proposed action on the environment and considering cost-effective pollution prevention measures during the planning process.
- b. Developing and implementing programs and activities within APHIS's overall mission that minimizes or eliminates environmental pollution or degradation.
- c. Reviewing and monitoring facilities and activities to ascertain that they are in compliance with applicable Federal, State, and local pollution control agencies.
- d. Procuring and using material and energy resources in a manner that minimizes pollution, reduces (generation of) waste, and follows national emergency conservation policies.
- e. Reprocessing or reclaiming wastes generated for other productive uses to the maximum extent feasible.
- f. Conducting and reviewing environmental compliance audits, and correcting any imminent or substantial audit finding.
- g. Establishing qualifications and training requirements for environmental auditors.
- h. Actively working to prevent or minimize damage to land, water, and air resources resulting from construction or other activities or operations on APHIS property.
- i. Consulting with EPA, State representatives, and other agencies to minimize the effect of APHIS activities.
- j. Using good land management practices to protect and preserve the ecological and economic value of property it owns or operates.

APHIS will adopt all environmental-related standards associated with rules, regulations, codes, and laws listed Section 3 of this Manual.



5. DEFINITIONS

- a. **Affirmative Procurement.** Affirmative procurement is required under Section 6002 of RCRA and Executive Order 12780, and, specifically refers to buying items made from recycled materials. It requires the Federal Government procurement organizations to identify recycling opportunities and modify Government purchasing practices.
- b. **Authorized.** Allowing a State to apply its own State laws in lieu of Federal law. These laws must meet applicable statute requirements. State laws must be as stringent as Federal laws. The authorized State may administer programs that vary somewhat from State to State.
- c. **Biohazardous Material.** Biohazardous materials are biological agents which are potentially hazardous to humans, animals, and other forms of life. They include known pathogens and infectious agents including bacteria, viruses, fungi, mycoplasmas, and parasites; cell lines, animal remains, and laboratory animals including insects which might harbor such infectious agents; and primate body fluids. Also included are potentially biohazardous organisms used in genetic research.
- d. **Biological Waste.** Biological waste consists of infectious waste and pathological waste, and any receptacles and supplies which come in contact during its handling and storage.
- e. **CAA Permit Program.** Title V of the 1990 CAA Amendments established an operating permit program which is generally administered by the State. This program provides permitting requirements for both stationary and mobile sources.
- f. **Certification.** A statement of professional opinion based upon knowledge and belief.
- g. **Contingency Plan.** A document establishing an organized, planned, and coordinated course of action to be followed in case of a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
- h. **Covered Facilities.** All APHIS facilities that meet one or more of the threshold reporting requirements of EPCRA as defined below:
 - EPCRA Section 302. Any extremely hazardous substance (EHS) at or above its threshold planning quantity (TPQ) (40 CFR 355.20).
 - EPCRA Section 304: A release of an EHS or hazardous substance at or above a reportable quantity if the facility is one at which a hazardous chemical is produced, used, or stored (40 CFR 302.4 and 40 CFR 355).
 - EPCRA Sections 311 and 312. Hazardous chemicals at or above 10,000 pounds and an EHS at or above 500 pounds or TPQ, whichever is less



- (40 CFR 370.20, 370.21, and 370.40).
- EPCRA Section 313. A facility, regardless of the standard industrial classification (SIC) code, that manufactures or processes 25,000 pounds/year, or otherwise uses 10,000 pounds of one or more listed chemicals (40 CFR 372.65).
- i. **Delegated**. Allowing a State to apply Federal law in place of the Federal Government. Under delegation, a State implements the Federal law in precisely the same manner as EPA.
- j. **Facility**. All contiguous land and structures, other appurtenances, and improvements to the land, owned or operated by APHIS.
- k. **Hazardous Chemical, and Biohazardous and Radioactive Material Inventories**. A real-time inventory reflecting the facility's quantity, location, and usage of hazardous chemicals, and biohazardous and radioactive materials. This Manual specifies the components of the hazardous chemical inventory. Other Departmental and Agency directives and manuals reflect the need for biohazardous and radioactive material inventories. An annual physical inventory is the minimum requirement.
- l. **Hazardous Substance**. As defined in 40 CFR 1910.120, a hazardous substance means any substance defined below, exposure to which results or may result in adverse effects on the health or safety of employees:
- Any substance defined under section 104(14) of CERCLA;
 - Any biological agent and other disease-causing agent which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions, or physical deformations in such persons or their offspring;
 - Any substance listed by the U.S. Department of Transportation as hazardous materials under 49 CFR 172.101 and appendices; and
 - Hazardous waste (see below).
- m. **Hazardous Waste**. Hazardous waste is defined in 40 CFR 261.3:
- **Ignitability**. A solid waste that is a liquid having a flashpoint of less than 60 degrees C (140 degrees F), or is not a liquid but is capable of causing fire through friction, absorption of moisture, or spontaneous chemical changes under standard temperatures and pressures.
 - **Corrositivity**. A solid waste that is aqueous and has a pH of less than or equal to 2 or greater than or equal to 12.5 (or is a liquid that corrodes steel at a rate greater than 6.35 mm (0.250 inch) per year as defined by test methods



specified in the National Association of Corrosion Engineers Standard Test Method-01-69).

- **Reactivity.** A solid waste that is normally unstable and readily undergoes violent changes without detonation, reacts violently with water, forms potentially explosive mixtures with water, and which is defined as an explosive. (Refer to 40 CFR 261.23 for complete definition.)
- **Listed.** A solid waste that is listed as a hazardous waste. Refer to:
 - 40 CFR 261.31, *Hazardous waste from nonspecific sources.* (F-listed)
 - 40 CFR 261.32, *Hazardous waste from specific sources.* (K-listed).
 - 40 CFR 261.33, *Acutely Hazardous Waste* (P-listed) and *Toxic Hazardous Waste* (U-listed).

n. **Hazardous Waste Generator.** Any person(s) (by facility) whose act or process produces hazardous waste identified or listed in 40 CFR 261.

Category of Generator	Quantity of Hazardous Waste
Large Quantity (LQG) (Subject to full regulation under 40 CFR 262.)	<ul style="list-style-type: none"> ≥ 1,000 kg/month (approx. 2,200 lbs) > 1 kg/acute/month (approx. 2.2 lbs) > 100 kg acute residue or contaminated soil 40 CFR 262 and 261.5(e)
Small Quantity (SQG) (Simplified requirements - 40 CFR 262.)	Between 100-1,000 kg/month (approx. 220-2200 lbs) 40 CFR 262.34(d)
Conditionally Exempt - Small Quantity (CESQG) (Exempt from CFR 40 262 through 270 if they comply with requirements of 40 CFR 261.5)	<ul style="list-style-type: none"> ≤ 100 kg/month ≤ 1 kg acute/month ≤ 100 kg acute residue or contaminated soil 40 CFR 261.5(a) and (e)

- **Episodic Generators** may periodically exceed or fall below their normal generation limits in any given calendar month. If the amount of waste generated in a given calendar month places the generator in a different category, the generator is then responsible for complying with all applicable requirements of that category for all waste generated during that calendar month.
- o. **Hazardous Waste Management Program (RCRA Subtitle C).** Sets national standards for hazardous waste management, provides for EPA authorization and oversight of State implementation of RCRA, and includes corrective action authorities to address releases into the environment.
- p. **Management of Hazardous Waste.** Management of hazardous waste includes the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous waste.
- q. **Mobile Sources.** Mobile sources include cars, planes, vessels, and off-road engines and vehicles.



- r. **National Ambient Air Quality Standards (NAAQS)**. There are six pollutants: particulate matter, sulfur dioxide, carbon monoxide, ozone, nitrogen dioxide, and lead that EPA established as NAAQS:

<u>Criteria Pollutant</u>	<u>Federal Standard (States are more stringent)</u>
Particulate matter	150 ug/m ³ (24-hour averaging) 0 ug/m ³ (annual arithmetic averaging)
Sulfur Dioxide	80 ug/m ³ (annual mean) 365 ug/m ³ (24-hour maximum concentration)
Carbon Dioxide	3 ppm/10mg ³ (8-hour averaging) 35 ppm/4 mg ³ (1-hour averaging)
Ozone	.120 ppm (1-hour averaging) 235 ug/m ³
Nitrogen Dioxide	.053 ppm (annual arithmetic mean) 100 ug/m ³
Lead	1/5 ug/m ³ (arithmetic mean averaged quarterly)

Federal standards are subject to change. State and/or local standards may apply and are generally more stringent.

- s. **Ozone-Depleting Substance (Class I)**. Class I ozone-depleting substances are those chemicals with an ozone-depleting potential of 0.2 or greater. The term ozone-depletion potential is a factor established by the EPA to reflect the ozone-depletion potential of a substance, on a mass per kilogram basis, as compared to chlorofluorocarbon-11 (CFC-11). Some common Class I ozone-depleting substances include:

<u>Chemical Name</u>	<u>Common Name</u>	<u>CAS No.</u>
Trichlorofluoromethane	CFC-11	75-69-4
Dichlorodifluoromethane	CFC-12	74-71-8
1,1,2-Trichlorotrifluoroethane	CFC-113	76-13-1
Dichlorotetrafluoroethane	CFC-114	76-14-2
Monochloropentafluoroethane	CFC-115	76-15-3
Bromochlorodifluoromethane	Halon 1211*	353-59-3
Bromotrifluoromethane	Halon 1301**	75-63-8
Dibromotetrafluoromethane	Halon 2402	124-73-2
Chlorotrifluoromethane	CFC-13	75-72-9
Pentachlorofluoroethane	CFC-111	354-56-3
Tetrachlorodifluoroethane	CFC-112	76-12-0
Heptachlorofluoropropane	CFC-211	422-78-6
Hexachlorodifluoropropane	CFC-212	3182-16-1
Pentachlorotrifluoropropane	CFC-213	2354-06-5
Tetrachlorotetrafluoropropane	CFC-214	29255-31-0
Trichloropentafluoropropane	CFC-215	4259-43-2
Dichlorohexafluoropropane	CFC-216	661-97-2
Chloroheptafluoropropane	CFC-217	422-86-6
Carbon Tetrachloride		56-23-5



Methyl Chloroform (1,1,1-trichloroethane) 71-55-6
Methyl Bromide*** 74-83-9

- * Halon 1211 is commonly used in handheld fire extinguishers. (Non ozone-depleting extinguishing agent is now available.)
- ** Halon 1301 is commonly used in fire suppression systems. (Non ozone-depleting extinguishing agent is now available.)
- *** Preshipment and quarantine uses exempt. Critical and emergency uses allocated after 2005 exempt. Production, importation, and consumption of methyl bromide used to fumigate commodities entering or leaving the United States or any State for purposes of compliance with APHIS requirements are exempt.

t. **Persistent, Bioaccumulative, and Toxic (PBT) Chemicals.** The EPCRA, Section 313(b) authorizes EPA to add chemicals to or delete chemicals from a list of toxic pollutants that must be reported on Form R, Threshold Release Inventory. EPA has added several chemicals that have significantly lower reporting thresholds. Some are identified below:

<u>Chemical</u>	<u>CAS No.</u>	<u>Reporting Threshold (LB)</u>
Aldrin	309-00-2	100
Chlordane	57-74-9	10
Heptachlor	76-44-8	10
Isodrin	465-73-6	10
Methoxychlor	72-43-5	10
Pedimethalin	40487-42-1	100
Toxaphene	8001-35-2	10
Trifluralin	1582-09-8	100

Chemical categories of mercury, mercury compounds, dioxin, or dioxin-like compounds have also been added to the list of PBTs.

- u. **Pollution Prevention (P2).** The Pollution Prevention Act (PPA) defines pollution prevention as source reduction and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources; or protection of natural resources by conservation.
- v. **Priority Chemical List.** A list of chemicals developed by the Agency in order to meet the requirements of EO 13148, Section 503. The Priority Chemical List for APHIS is listed in Appendix 8 of this Manual.
- w. **Radioactive Material.** As defined by the U.S. Department of Transportation, 40 CFR 173.403, radioactive material means any material having a specific activity greater than 0.002 microcuries per gram (uCi/g).
- x. **Radioactive Waste.** Radioactive waste consists of:



- High-level radioactive waste: highly radioactive material that results or resulted from the reprocessing of spent nuclear fuel or manufacture of nuclear weapons, including liquid waste produced directly in reprocessing and manufacture, and any solid material derived from such liquid waste that contains fission products in sufficient concentrations.
 - Low-level radioactive waste: radioactive waste that is not classified as high-level waste, transuranic waste, or byproduct tailings containing uranium or thorium from processed ore. Hospitals, research laboratories, and certain industries usually generate low-level radioactive waste.
 - Transuranic waste: waste materials contaminated with alpha-emitting radionuclides that are heavier than uranium with half-lives greater than 20 years and that occur in concentrations greater than 100 nanocuries per gram. Transuranic wastes result primarily from treating and fabricating plutonium as well as research activities at Department of Energy defense installations.
- y. **Spill Prevention, Control, and Countermeasure (SPCC) Plan.** Oil spill plans typically address spill cleanup measures after a spill has occurred. Although spill cleanup response is a required part of the SPCC Plan, the SPCC Plan stresses prevention. The SPCC Plan is a site-specific, detailed plan that describes how a facility's operations comply with prevention guidelines in the Oil Pollution Prevention regulations (codified as 40 CFR 112). Prevention measures include secondary containment, facility drainage, dikes or barriers, sump and collection systems, retention ponds, curbing, tank corrosion protection systems, and liquid devices. A registered professional engineer must certify the SPCC Plan.
- z. **Satellite Accumulation.** LQGs and SQGs may accumulate hazardous waste at or near the point where it is initially generated and collected during daily operations. One can accumulate up to 55 gallons of hazardous waste or 1 quart of acute hazardous waste at each of these sites if it is under a person operating the process that generates the waste. (Some States do not recognize satellite accumulation areas. Confer with your State to determine if satellite accumulation is valid.)
- aa. **Solid Waste Management Program (RCRA Subtitle D).** Establishes national standards for the management of solid waste.
- ab. **Source Reduction.** Any practice which reduces the amount of any hazardous substance, pollutant, or contaminant entering the waste stream or otherwise released into the environment prior to recycling, treatment, or disposal; reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment prior to recycling, treatment, or disposal; and reduces the hazards to public health and the environment.
- ac. **Stationary Sources.** Usually facility-related equipment which creates air emissions such as boilers, incinerators, fumigation chambers, emergency generators, and ethylene oxide sterilizers. The CAA establishes standards that States apply to stationary emission sources.



- Lowest Achievable Emissions Rate (LAER). A case-by-case technology-based standard required for certain new or modified existing major stationary sources. These rates are implemented by permit and must meet NSPS (see below).
 - New Source Performance Standards (NSPS). Nationally uniform emission limitations for new or modified stationary emission sources.
 - Reasonably Available Control Technology (RACT). A technology-based standard for existing sources developed on a source category basis.
- ad. **Toxic Chemical**. Chemicals listed in 40 CFR 372.65, and whose releases are required to be reported on a facility's Toxic Release Inventory (Form R).
- ae. **Underground Storage Tank (UST)**. A tank is considered to be an underground tank if:
- More than 10 percent of its volume (including connected underground piping) is beneath the ground;
 - Its capacity is greater than 110 gallons; and
 - It contains a regulated substance, i.e., crude oil or any fraction thereof, which is a liquid at standard conditions of temperature and pressure, or CERCLA hazardous substances (Section 101.4); or
 - A State or local regulatory authority has a more stringent definition of a UST.

USTs do not include: septic tanks; surface impoundments, pits, ponds or lagoons; stormwater or wastewater collection systems; pipeline facilities; emergency overflow containment systems that are expeditiously emptied after use; flow-through process tanks, and systems that contain a de minimus concentration of regulated substance. Tanks in basements that are situated upon or above the surface of the floor are not considered USTs.

- af. **Underground Storage Tank Program (RCRA Subtitle I)**. The UST Program requirements are intended to protect the groundwater from leaking, underground storage tanks. The Program requires owners and operators of new tanks and existing tanks to prevent, detect, and cleanup releases. It also bans the installation of unprotected steel tanks and piping.



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6. RESPONSIBILITIES

a. The Administrator/Deputy Administrator, Marketing and Regulatory Programs- Business Services (MRP-BS) will:

- 1) Maintain overall responsibility for the Environmental Protection Program (EPP) and all associated elements.
- 2) Initiate a consistent, comprehensive, and viable EPP, which ensures compliance with Federal/State/local legislation and executive mandates.
- 3) Provide effective leadership in support of environmental compliance, including providing sufficient resources for education and training initiatives.
- 4) Ensure that an effective facility Environmental Management System (EMS) is developed and implemented where indicated.
- 5) Initiate action to ensure all hazardous chemical, biohazardous and radioactive materials, and waste are secured, inventoried, and otherwise appropriately safeguarded.

b. The MRP-BS Employee Services Division (ESD), Director will:

- 1) Act in the capacity of the APHIS Pollution Prevention Coordinator.
- 2) Exercise primary responsibility to initiate, implement, operate, and direct a comprehensive EPP consistent with the requirements set forth in applicable legislative/executive mandates and all components of this Manual.
- 3) Provide necessary staffing, education/training, equipment, financial resources, and management support to develop and manage a comprehensive and viable EPP.
- 4) Provide all supervisory personnel and employees immediate access to applicable environmental standards, programs, and regulations.
- 5) Inform and hold subordinate supervisors accountable for implementing and monitoring APHIS program requirements and for ensuring that they and their employees are properly trained and prepared to carry out these responsibilities.
- 6) Compile and/or approve overall Agency-wide environmental reports, inventories, and statistics in a timely manner required by the APHIS Administrator, USDA, EPA, and other Federal mandates and agencies.



- 7) Develop and ensure environmental duties and responsibilities are included as warranted in position descriptions of line managers, staff officials, and employees.
- 8) Initiate action to ensure all hazardous chemical, biohazardous and radioactive materials, and waste are secured, inventoried, and otherwise, appropriately safeguarded.

c. **The APHIS Regional, Laboratory, and Program Directors will:**

- 1) Promote environmental management leadership by endorsing, funding, supporting, and assisting with the implementation of the Environmental Compliance Inventory and Auditing Program.
- 2) Make this Manual available to the public when requested.
- 3) Provide an analysis which compares existing operational environmental management practices and procedures against standard principles, and discover areas that need improvement.
- 4) Provide effective leadership in support of environmental education and training goals and policies, and ensure availability of resources.
- 5) Incorporate education and training into APHIS's Environmental Management Systems programs.
- 6) Nominate individuals and a facilities/port for Environmental Excellence Initiative awards, as appropriate.
- 7) Provide coordination and consultative assistance to subordinates to help develop environmental strategies to meet the requirements of USDA and APHIS's policies.
- 8) Include adequate funds for compliance with safety, health, and environmental standards in budgets under their jurisdiction. If funding is unavailable, elevate funding request to a higher management level.
- 9) Participate in APHIS's program development and implementation plans.
- 10) Initiate action to ensure all hazardous chemical, biohazardous and radioactive materials, and waste are secured, inventoried, and otherwise safeguarded.
- 11) Assign a Hazardous Waste/Pollution Prevention Coordinator for the following locations:
 - PPQ
National Plant Germplasm Quarantine and Biotechnology Laboratory,



Beltsville, MD

Analytical and Natural Products Chemistry Laboratory, Gulfport, MS

Detection Diagnostics and Management Laboratory, Edinburg, TX

Decision Support and Pest Management Systems Laboratory,

Phoenix, AZ

Pest Survey Detection and Exclusion Laboratory, Otis ANGB, MA

Invasive Pest Management Laboratory, Niles, MI

Fruit Fly Genetics and Rearing Laboratory, Waimanalo, HI

- VS

National Veterinary Services Laboratory and Centers for Veterinary

Biologics, Ames, Iowa

New York Animal Import Center, Rock Tavern, NY

Miami Animal Import Center, Miami, FL

- WS

National Wildlife Research Center, Ft. Collins, CO

Pocatello Supply Depot, Pocatello, ID

Facility Managers, Collateral Duty Safety and Health Officers, or other designated employees may be appointed as Hazardous Waste/Pollution Prevention Coordinators, but their performance evaluation factors and job descriptions must reflect this task.

d. **The Facilities/Port Managers/Directors will:**

- 1) Monitor, manage, and comply with all applicable Federal and State regulations and APHIS's EPP.
- 2) Ensure that all air and water permits are obtained, that permit requirements are tracked, and that the designated APHIS employee adheres to all permit requirements. Air and water permits must be obtained by completing appropriate applications, (usually) providing a fee, following permit requirements, and then submitting them to the authorized State (or county). Air and water discharge permits can include, but are not limited to: incinerators, boilers, fumigation chambers, emergency generators, National Pollutant Discharge Elimination System (NPDES) stormwater management, soil and erosion plans and permits, pressure vessels, waste systems, potable water plants, and wastewater treatment plants.
- 3) Send copies of air and water permits, with all permitting requirements to EPS, Safety, Health, and Employee Wellness Branch (SHEWB), 4700 River Road, Unit 124, Riverdale, MD 20737.
- 4) Seek resources and funding for correcting findings of environmental audits, notices of violation, administrative orders, and other environmental



actions, which should be included in the annual budget submissions, and then through SHEWB Outreach Funding Program, if necessary (refer to Section 7, page 35).

- 5) Hold designated employees with specific delegated environmental duties accountable for their actions, and ensure that these designated employees are properly educated, trained, and prepared to carry out their responsibilities.
- 6) Provide new employees with information and orientation relating to safe and healthful conduct.
- 7) Ensure that the Hazardous Waste/Pollution Prevention Coordinator at each facility identified in Section 6.c.11 is appropriately trained and performs periodic inspections to ensure that wastes are collected, stored, and disposed of properly. Refer to Appendix 1, Environmental Hotlines, Clearinghouses and Other Environmental Information.
- 8) Seek out and utilize trained environmental personnel, or obtain such personnel by direct hire or contract, to assist in solving environmental problems.
- 9) Respond quickly to reports and mitigate all environmental releases. Report orally and in writing, within required deadline, any reportable environmental release to appropriate Federal, State, or local officials and Headquarters personnel. Report any reportable release to SHEWB at 301-734-6116 within 24 hours.
- 10) Respond quickly to all notices of violation and other regulatory notices. Provide a copy of a violation and fine to SHEWB in a timely manner, not to exceed 7 calendar days.
- 11) Periodically check all workplaces or conditions that have a potential of causing an environmental concern.
- 12) Provide periodic environmental education/training for all facility employees, and themselves to keep current with Federal/State/local regulations, program requirements, and policies.
- 13) Integrate environmental performance standards of all managers, supervisors, and employees under their jurisdiction and appraise their performance accordingly.
- 14) Promote environmental management leadership by endorsing, adequately funding, supporting, and complying with all aspects of the Environmental Compliance Inventory, Overview Training, and Auditing Program.



- 15) Ensure and implement all Community Right-to-Know and Pollution Prevention efforts, including making this Manual available to the public when requested.
- 16) Assist the EPS in accomplishing and reporting APHIS's environmental goals, objectives and targets, and make sure they are updated annually.
- 17) Obtain necessary data and provide requested reports in a timely, complete, and comprehensive manner.
- 18) Nominate an appropriate individual and a facility/port for Environmental Excellence Initiative awards, as appropriate.
- 19) Ensure all hazardous chemical, biohazardous and radioactive materials, and waste are secured, inventoried, and otherwise appropriately safeguarded.
- 20) Perform additional responsibilities as identified in specific sections located throughout this Manual.
- 21) Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues. If compliance cannot be ensured at this level, elevate noncompliance information to the next level supervisor/manager.

e. **The Environmental Protection Specialist (EPS), Safety, Health, and Employee Wellness Branch (SHEWB) will:**

- 1) Develop, implement, manage, evaluate, and monitor applicable environmental standards, programs, and policies as required by Federal laws and regulations.
- 2) Ensure that all employees, including supervisory personnel, know of their right to have access to applicable environmental standards and program elements.
- 3) Monitor and train supervisors and employees to properly report all environmental releases; complete the appropriate forms within prescribed deadlines; perform investigations to assess and identify causes of accidental environmental releases, and determine corrective action when necessary.
- 4) Identify and prepare correspondence and information through the Chief, SHEWB, to appropriate line/staff officials concerning changes in environmental management standards and program elements that need to be implemented in APHIS.



- 5) Serve as liaison with Department officials and external regulatory offices to determine legislation, regulatory requirements, or changes in environmental regulations which impact APHIS.
- 6) Advise other APHIS functional areas of environmental-related concerns which must be included in acquisition, construction, personnel, information technology, personal/real property, contracting, and financial processes.
- 7) Obtain the necessary data and compile APHIS-wide environmental reports, inventories, and statistics as required.
- 8) Establish an APHIS-wide procedure for environmental auditing (a joint effort with the Environmental Engineer) of APHIS environmental management programs at all organizational levels.
- 9) Conduct environmental audits and reviews, and make written assessments with recommendations of APHIS's environmental management activities (a joint effort with the Environmental Engineer). These audits will be scheduled periodically, but not less than every 3 years. The scope and frequency of the audits will depend upon facility size, complexity, and environmental aspects of facility operations. They will include tenant, contractor, and concessionaire activities as appropriate.
- 10) Recommend actions and provide guidance to line officials on programming and budgeting for environmental management activities.
- 11) Identify APHIS's environmental compliance education and training needs and assist the facility/port manager/director in arranging and scheduling such training.
- 12) Distribute information related to Agency/Departmental education and training and keep abreast of significant developments related to environmental compliance and training activities.
- 13) Ensure that environmental concerns are addressed in the acquisition and disposal of real and personal property.
- 14) Provide policy direction and support to program officials concerning Hazardous Materials Management Account funding projects, monitor Agency utilization of the funding and ensure that required Status of Funds reports are prepared for response to the Department.
- 15) Assist in providing operational environmental project management for Agency facility projects for both construction and Architect & Engineer (A&E) requirements.



- 16) Provide policy direction and guidance to Agency staff and line officials in preparation of Statements of Work (SOW) for preliminary assessments, site investigations, and other preremedial/remedial work for pollution prevention/abatement/remediation projects. Serve as a Technical Evaluation Panel member as required.
- 17) Provide policy direction and guidance to facility supervisors in their preparation of required Departmental reporting actions.
- 18) Evaluate security of all hazardous chemical, biohazardous and radioactive materials, and waste during in-house environmental compliance audits. Make sure they are secured, inventoried, and otherwise appropriately safeguarded.
- 19) Retain records of APHIS policies, including management commitment, legal and other requirements, training records, auditing and abatement documents, emergency response drills, program notifications, and reportable releases.
- 20) Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues. If compliance cannot be ensured at this level, elevate noncompliance information to the next level supervisor/manager.

- f. **APHIS Policy and Program Development - Environmental Services (ES).** The Environmental Protection Specialists in ES function as APHIS's environmental advisors on planning activities in direct support of mission-critical efforts that could effect the nation's environment. ES provides Environmental Impact Statements, Environmental Assessments, Categorical Exclusions (CATEX), Biological and Risk Assessments as required by the National Environmental Policy Act (NEPA), Endangered Species Act, and Coastal Zone Management Act. These studies are more program operational (if we use this pesticide in twenty States, determine the effect it will have on the environment), rather than facility-oriented studies (if we build a new 3,000 square foot building, determine the effect it will have on the environment).

The Biological Scientists, ES, also are tasked with FIFRA Compliance Oversight.

- g. **The Environmental Engineer, Engineering and Property Services Branch, ASD,** will:

- 1) Adhere to all applicable environmental standards and programs for construction, renovation, equipment installation, and remediation projects.
- 2) Ensure that environmental concerns are addressed in the acquisition and disposal of real and personal property.



- 3) Provide policy direction and guidance to Agency staff and line officials in preparation of SOWs for preliminary assessments, site investigations, and other preremedial/remedial work for pollution prevention/abatement/remediation projects. Serve as a Technical Evaluation Panel member as required.
- 4) Provide engineering support in the development of SOWs for Phase I and II Site Assessments, and Phase III Corrective Measures under ASTM requirements; Phase I Release Assessments (RCRA Facility Investigation), Phase II, Corrective Measures Study, and Phase III Corrective Measures Implementation, under RCRA; and Preliminary Assessment, Site Investigations, Remedial Investigation, Feasibility Study, Risk Assessment, Remediation Plan, Record of Decision, Remediation Design and Remedial Action documentation under CERCLA.
- 5) Review and comment on work plans, sampling plans, and reports derived from the above-mentioned (c.4) environmental actions.
- 6) Assist in the development of SOWs and emergency action plans for Code Red environmental emergencies within short timeframes.
- 7) Initiate action to ensure the security for all hazardous chemical, biohazardous and radioactive materials, and waste are addressed during the design phase of construction or renovation.
- 8) Provide engineering support in the development and implementation of pollution prevention activities by incorporating contracting language in all A&E required documents to:
 - Meet or exceed APHIS's energy conservation goals by specifying such actions as motion-sensing light switches, low-energy lighting, water-saving devices, Energy-Star compliant equipment, and other energy savings initiatives.
 - Meet or exceed APHIS's pollution prevention goals by specifying curbing around fuel truck loading and unloading sites, spill and secondary containment as necessary, the use of non or low-mercury containing fluorescent light bulbs, the use of non-mercury switches, and other Agency pollution prevention goals as necessary. Goals and objectives may change, but must be included in all construction and renovation tasks.
 - Include environmentally beneficial landscaping techniques in all APHIS A&E designs and all projects.
- 9) Ensure that A&E specifications for asbestos-containing materials and lead-containing paint removals are performed by State-certified abatement companies and the waste is disposed of appropriately. (Asbestos must be



taken to an approved asbestos landfill. Lead must be considered hazardous waste if TCLP (5 mg/L) is exceeded.)

- 10) Ensure that EPA-recovery equipment and certified technicians are used to remove chorofluorocarbons (CFC) from construction project equipment, and ensure venting prohibitions are maintained.
- 11) Ensure that the best available technology is used to prevent air, soil, and water pollution in all construction contracts.
- 12) Ensure that only lead-free pipes (and solder) are used in potable water supply systems. All plumbing should be lead-free in new construction.
- 13) Ensure that all electrical equipment being installed or relocated from other sites is free from PCBs.
- 14) Ensure that the A&E firms are required to obtain all environmental permits, i.e., stormwater discharge permit, NPDES, air permits, building permits, etc., for all construction and renovation projects.
- 15) Develop and implement an APHIS-wide program for NEPA for facility building and renovation projects.
- 16) Ensure A&E contracts include language to perform Environmental Assessments, and Environmental Impact Statements as necessary for those projects that cannot be categorically excluded (CATEX), ensuring public participation and plan submittals to State and local agencies as required.
- 17) Serve as Project Engineer for all approved and funded engineering and construction projects that are primarily needed for environmental compliance (not to include HMMA funding for RCRA/CERCLA requirements).
- 18) Review and comment on Spill Prevention Control and Countermeasure Plans submitted by certified Professional Engineers as required (refer to Section 8.m., page 64).
- 19) Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues. If compliance cannot be ensured at this level, elevate noncompliance information to the next level supervisor/manager.

h. The Collateral Duty Safety and Health Officer will:

- 1) Conduct periodic inspections in accordance with APHIS Manual 4790. The Manual includes environmental requirements. Report all environmental deficiencies to the facility/port manager/director.



Significant environmental discrepancies identified in the inspection should be reported to the EPP, SHEWB.

- 2) Ensure prompt mitigation of environmental concerns by reporting them to the appropriate APHIS management official, usually the facility/port manager/director.
- 3) Recommend actions that enable APHIS to comply with the intent, purposes, and standards of Federal/State/local environmental laws and regulations.
- 4) Recommend pollution prevention goals and objectives for reducing or eliminating waste through waste reduction, recycling, hazardous material replacement alternatives, or other pollution prevention activities.
- 5) Nominate an appropriate individual and/or a facility/port for Environmental Excellence Initiative awards, as appropriate.
- 6) Obtain the minimum training requirements for their designated position.
- 7) Assess basic security for hazardous materials during inspections and through their day-to-day activities.

i. **The Hazardous Waste/Pollution Prevention Coordinators will:**

- 1) Receive the appropriate hazardous waste and materials transportation training to make them technically competent to manifest and handle hazardous waste.
- 2) Advise local management on how to characterize, store, handle, and appropriately dispose of hazardous waste.
- 3) Ensure biennial reports (or annual reports when State required), monthly hazardous generation logs, inspection reports, and other associated documents are generated to appropriate authorities. (Documentation should be kept for 50 years and should be readily available for auditors' examination.)
- 4) Assist smaller locations within their State with hazardous waste characterization, storage, handling, and disposal of hazardous waste.
- 5) Conduct weekly inspections of hazardous waste accumulation areas and record findings (include date, time, and inspector's signature) in a log book kept at the storage site. Areas of inspection must include the following determinations:
 - Are containers in good condition and free from leaks, spills, or damage, and closed to prevent evaporation?



- Is the fire extinguisher within 30 feet of the storage area and properly charged?
 - Is the hazardous waste secured, i.e., locked, in a fenced, secured area, etc.?
 - Is a spill kit available and properly stocked?
 - Are containers appropriately identified as to contents, labeled “Hazardous Waste,” and is there a start date of accumulation?
 - Are incompatible wastes segregated?
 - Is secondary containment provided?
 - Has any container exceeded its storage amount or time (if appropriate)?
 - Is waste stored in accordance with State requirements (which are often more strict than Federal law)?
- 6) Collect and forward written assurance to SHEWB that the *Hazardous Waste Accumulation Inspection Form*, Appendix 7, APHIS Form 266-R, has been completed by designated personnel.

j. **Supervisors will:**

- 1) To the full extent of their authority, furnish employees a place of employment which is free from recognized environmental hazards that are likely to cause death or physical harm.
- 2) Comply with all Federal/State/local standards and all associated rules, regulations, and orders issued by USDA and APHIS.
- 3) Ensure that the employees supervised receive initial and recurring specialized job training, i.e., environmental, safety, or security, appropriate to the work they are required to perform.
- 4) Provide employees access to this EPP and related laws, standards, regulations, codes, directives, and manuals.
- 5) Ensure, where there is recognized potential exposure to hazardous chemicals, materials, radiation, or biological agents that the employees are provided an opportunity to participate in the occupational medical surveillance program.
- 6) Ensure proper use of all applicable protective equipment, devices, and clothing.
- 7) Monitor employee performance to ensure that it is conducive to the health, safety, and environmental needs of themselves, their fellow employees and the environment.



- 8) Monitor the work area to identify environmental hazards, to abate hazards found, and if abatement is delayed, to appropriately notify employees of hazard and/or forbid or eliminate access to the hazardous area.
- 9) Investigate any employee report of environmental concerns in a timely manner, and abate any hazard within their capacity to abate.
- 10) Provide employees time to participate in EPP initiatives, including training, without restraint, interference, coercion, discrimination, or reprisal.
- 11) Provide and emphasize environmental compliance instructions to employees at the beginning of all new operations, such as the introduction of new chemicals or handling/storage of wastes.
- 12) Provide new employees with information and orientation relating to safe and healthful conduct.
- 13) Provide employees with adequate environmental-related education and training. Adequate training is defined as the minimum amount of combined education, knowledge, and on-the-job training so that the employee is competent in performing the assigned duty.
- 14) Seek sufficient funding for all EPP elements.
- 15) Prepare an action plan for any environmental hazard that cannot be corrected within 30 days, and submit it to their supervisor and SHEWB, 4700 River Road, Unit 124, Riverdale, MD 20737 within 30 days. Often environmental action plans require significant funding. An action plan can be as simple as elevating the concern to a higher management level to seek appropriate funding or other resources. **Employees are required to elevate environmental discrepancies that cannot be corrected at their level to their supervisor.**
- 16) Take all necessary steps to ensure all hazardous materials and waste are stored securely, inventoried, and used appropriately.
- 17) Nominate an appropriate individual and a facility/port for Environmental Excellence Initiative awards, as appropriate.
- 18) Perform additional assigned responsibilities as identified in specific sections located throughout this Manual.
- 19) Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues. If compliance cannot be ensured at this level, elevate noncompliance information to the next level supervisor/manager.



k. **Employees will:**

- 1) Ensure safe and healthful workplaces to the extent and scope of their authority.
- 2) Comply with all applicable Federal, State, and local regulations and with Agency/Departmental standards, rules, regulations, programs, and orders.
- 3) Report all accidents and environmental releases to the appropriate authority in a proper and timely manner; prepare the appropriate forms accurately; and notify supervisors and managers as to the causes and corrective actions recommended, which may include training.
- 4) Perform all assigned tasks (including those activities not specifically addressed by existing rules or standard operating procedures) in a manner conducive to the safety and health of themselves, their fellow employees, the public, and the environment.
- 5) Properly use all applicable safety, environmental, and personal protective equipment and clothing.
- 6) Avail themselves of medical surveillance, employee assistance, counseling, and other Federal programs to maintain their physical and mental health and safety in accordance with Agency directives and programs. (Supervisory approval should be acquired except where confidentiality is guaranteed.)
- 7) Participate fully in the APHIS EPP with freedom from restraint, interference, coercion, discrimination, or reprisal.
- 8) Obtain and maintain appropriate training and certification as required by Federal, State, and local laws and regulations.
- 9) Assess individual needs for acquiring environmental compliance-related education and training, and incorporate this need into their Individual Development Plans.
- 10) Nominate an appropriate individual and/or a facility/port for Environmental Excellence Initiative awards, as appropriate.
- 11) Actively participate in the appropriate APHIS program elements and participate in all appropriate education and training opportunities.
- 12) Provide security measures commensurate with risk of theft for all hazardous materials stored or handled. If employees know of poor security of hazardous materials, they must report such lapses to their supervisor immediately.



- 13) Perform (designated) additional responsibilities as identified in specific sections located throughout this Manual.

- 14) Ensure compliance with all applicable civil rights laws and regulations pertaining to environmental issues. If compliance cannot be ensured at this level, elevate noncompliance information to the next level supervisor/manager.



7. ENVIRONMENTAL PROTECTION PROGRAM ELEMENTS

a. Outreach Funding Program.

Funding for the following initiatives has been provided by the Agency, under the care of SHEWB. All funding requests should be made by the supervisor or facility/port manager/director directly to the EPS, SHEWB, at 301-734-5577.

Code Red Environmental Initiative. One of the primary elements of the EPP is to assist with the immediate, safe, and effective mitigation of released hazardous materials and oils. This fund will be used for accidental releases of hazardous substances at APHIS-owned and operated facilities. This fund will be used only when immediate, expeditious response is necessary to prevent harm to others, the environment, or when a delay in action could cost APHIS a considerable amount more because of delayed action. This program includes the immediate mitigation and cleanup of:

- ✓ Leaking containers and immediate pumping out of leaking underground storage tanks and the removal of free product from the surrounding soils.
- ✓ Releases of hazardous or chemical waste, oil, waste oil, or other petroleum products.

Immediate Pollution Prevention Equipment Initiative. This initiative provides funds for pollution prevention equipment when the EPS performs environmental audits. An example: While performing an environmental audit, the EPS uncovers a number of rusty, metal drums. The drums contain oil or other chemicals that are open to the environment, but there is no evidence of leaking. The EPS would order over pack drums, secondary containment, or other mitigation supplies to ensure an environmental release would not occur. PCB screening kits and waste characterization strips would be ordered to facilitate identification of the product in the containers, i.e., determine if they are chlorinated, contain water, are corrosive, etc. (The characteristics analysis is basic but it will present a better understanding of the chemical characteristics.)

Routine Hazardous Waste Assistance Initiative. The Hazardous Waste Management Account explicitly restricts funding for ordinary hazardous waste disposal. This initiative provides some funding to facilities with a need to dispose of hazardous waste, especially before they become a Small or Large Quantity Generator, which will require extensive resources. The goal of this initiative is to keep Conditionally Exempt Small Quantity Generators from more burdensome and costly hazardous waste requirements.

Pollution Prevention Assistance Initiative. This initiative provides limited funding to facilities to assist them in developing pollution prevention plans and programs. Examples of programs may be to purchase beneficial insects in



lieu of pesticides, provide secondary containment for chemical storage, or provide spill kits at oil truck unloading sites until curb-containment areas can be designed or constructed. Other funding might include switching from non-mercury containing switches and thermometers.

Energy Conservation Assistance Initiative. The energy conservation initiative will help APHIS-owned and operated facilities reduce energy levels by providing funding for items such as motion-sensing lighting switches, automatic water shutoff valves on faucets, low-energy lighting appliances, or purchasing motion-sensor controlled exterior security lighting on timers.

Award for Environmental Excellence Initiative. The EPP establishes two awards for environmental excellence: 1) individual achievement, and 2) facility/port achievement. These awards are presented to the individual and facility that makes significant strides in creating and implementing pollution prevention initiatives. The awards are presented annually at the APHIS Safety and Health Conference, and include funding for travel and per diem for the individual and facility/port manager/director.

b. Environmental Compliance Inventory, Overview Training, and Auditing/Reviewing Program.

The EPS has developed an action plan to perform a basic facility environmental management inventory, evaluate pollution prevention efforts, provide training in accordance with EO 13148, and perform environmental audits and/or reviews. Components of this plan may be changed as new information becomes available, but the basic action plan schedule is as follows:

- Fiscal year 2004 (First year) - All APHIS-owned and operated facilities:

<u>Facility</u>	<u>Organization</u>	<u>Buildings</u>	<u>Land (Acres)</u>
Ames, IA	NVSL	15	15.3
Mission, TX	PPQ	37	947
Gulfport, MS	PPQ	19	6
Niles, MI	PPQ	10	1.9
Gainesville, FL	NWRC	12	25.6
Newburgh, NY	VS	17	0
Beltsville, MD	PPQ	2	127.9
Waimanalo, HI	PPQ	1	128
Sweetgrass, MT	VS	0	8.4

- Fiscal year 2005 (Second year) – APHIS-leased non-office space with 50 or more employees and the listed facilities below. In addition, the EPS will request funding for a third-party multimedia Environmental Compliance Audit to be performed at “major-concern” APHIS-owned and operated facilities in 2005. Environmental audits or reviews will be conducted at the following APHIS-operated critical facilities:



Pink Bollworm Rearing Facility, Phoenix, AZ
Otis Methods Development Center, Otis Air Base, MA
Miami Animal Import Center, Miami, FL
Pocatello Supply Depot, Pocatello, ID
National Wildlife Research Center, Logan, UT

- Fiscal year 2006 (Third year) - Audits or reviews will be conducted at the following APHIS-owned or operated facilities:

Plant Protection and Quarantine, Westhampton Beach, NY
Veterinary Services, Otay Mesa, CA
Veterinary Services, Del Rio, TX
Six other minor or non-critical facilities

- Fiscal year 2007 (Fourth year) - A third-party audit of APHIS-owned and operated facilities identified in fiscal year 2004. If funding is unavailable, in-house auditing will be conducted.
- Fiscal year 2008 (Fifth year) - Re-audit for facilities identified in 2005.
- Fiscal year 2009 (Sixth year) - Re-audit for facilities identified in 2006.
- Fiscal year 2010 (Seventh year) - Start rotation from top of list and continue rotation auditing schedule for out years.

The above-mentioned schedules may require modification as facilities close or open, or mission areas change. The intent of the aforementioned schedule is to identify and perform environmental audits or reviews on APHIS-owned or operated major or critical facilities and ensure that the identified facilities are audited/reviewed at least once every 3 years.

The primary objective of the environmental audit or review is to collect available and relevant information sufficient to determine the environmental compliance or review of management procedures concerning environmental concerns of APHIS facilities. Specific environmental areas to be covered will include:

- Air and water pollution control
- Hazardous and nonhazardous waste management
- CERCLA/SARA
- Spill control and response
- Environmental impacts
- Hazardous materials management
- Emergency planning and community right-to-know
- Storage tanks
- Drinking water
- Polychlorinated Biphenyls
- Groundwater protection



Conducting the Environmental Audit/Review includes:

- Providing awareness training for Executive Order (EO) 13148. The audience will include senior level managers, program managers, facility managers, contractors, procurement officers, acquisition program officers, and safety/health/environmental officials that are located at each audited/reviewed facility. The training curriculum will include the following topics:
 - ✓ Overview of EO 13148, Environmental Management Systems, and Facility Environmental Compliance Audits
 - ✓ Priority chemical list and annual reporting requirements
 - ✓ Community awareness programs
- Ensuring that an attendance sheet is available and completed during the Environmental Audit.
- Reviewing APHIS facility documents, i.e., wastewater and potable water licenses, permits, and training records; air permits for stationary sources, emergency spill notification and action plans, contingency plans, and spill prevention plans; EPCRA reporting requirements; underground oil tank registrations and accompanying general oil permits; hazardous waste manifests and certificates of disposal; construction permits; PCB assessment or removal documentation; and any other relevant necessary documentation.
- Discussing environmental programs with management and staff assigned to their area of program responsibility, and identifying additional knowledgeable personnel to interview, and identify specific locations to inspect.
- Acquiring maps, building descriptions, chemical inventories; performing site inspections; and recording and submitting findings to the facility/port manager/director.

The components of the Environmental Audit Report include:

- A facility inventory compiled from the information gathered during the auditing process. The inventory will be gathered using the APHIS *Facility Environmental Inventory Report*, Appendix 2, APHIS Form 264-R.
- An executive summary of findings which includes a chart indicating the specific environmental components delineated into four distinctive groups:
 - ✓ Category 1. Findings -- Typically, regulatory agencies issue Notice of Violations (NOV) for Category I findings.



- ✓ Category 2. Findings -- These are activities that do not meet regulatory deadlines or that have a potential to cause noncompliance with already existing regulations in the future (e.g., storing more than one quart of an acutely hazardous, P-listed hazardous waste in a satellite accumulation area, leaving a top off a container of volatile liquid so that it can evaporate).
- ✓ Category 3. Findings -- These findings relate to management practices and identify conditions that are not prohibited by current regulations, but create a potential for environmental or safety impact.
- ✓ Positive Findings -- It is essential for the audit to reflect positive findings. These findings include initiatives that facilities perform which are exceptional and proactive, and which have been initiated in their everyday environmental operations.

- A completed *Individual Discovery Report*, Appendix 3, APHIS Form 265-R, which includes the facility name, finding number, category of finding, the specific environmental management area, the criteria or requirement, and the basis of findings.

c. **Notice of Violation, Administrative Action, and RCRA/CERCLA Corrective Action Program.**

APHIS employees will report all environmental actions: warning letters, administrative orders, assessment of administrative civil penalties, non-compliant permit actions, institution of criminal actions, or notice of violations, to:

- Their supervisor immediately.
- SHEWB within 72 hours at 301-734-6116, and send a copy of the action to the EPS, 4700 River Road, Unit 124, Riverdale, MD 20737 within 7 calendar days.

APHIS facility personnel will notify facility/port managers/directors of any Federal, State and local environmental regulatory personnel wishing to perform inspections or site visits on APHIS property. APHIS facility/port directors/managers or their designee will escort environmental regulators to any sites they wish to examine and will provide all necessary documentation they request. APHIS personnel will cooperate fully and truthfully with all inspections, inquiries, or investigations.

d. **Community Right-to-Know Program.**

Facility/port managers/directors, or their designee, must determine if their facility must report under EPCRA as defined in the EPP. If so, a copy of all documentation sent to the Federal, State, or local authorities must also be sent to the EPS, 4700 River Road, Unit 124, Riverdale, MD 20737 within 14 calendar days of sending such information to the authorities.

e. **Emergency Notification Program.**



APHIS employees will notify their supervisor immediately if an accidental release of a chemical (including oil and petroleum products), or radiological or biological materials occurs. After taking the appropriate steps to safeguard themselves, and others in the immediate area, employees will attempt to contain the release from a defensive posture only, unless they are appropriately trained in accordance with 29 CFR 1910.120. A defensive posture is when an employee attempts to control the release at a safe distance.

Substance	Provocation	Report To	Written Reports To
Air Pollutants	Emissions exceeding any permit condition or limit. 40 CFR 61 and 68 (SIP can vary)	Implementing Agency (State)	Implementing Agency (State)
CERCLA Hazardous Substances (HS)	Release of an RQ into the environment. 40 CFR 302.6	National Response Center (NRC)	EPA Region
Oil (including petroleum, fuel oil, sludges, oil refuse, oil mixed with waste, etc.)	Spilled into or upon the navigable waters (including surface water, drainage, storm-sewer lines, ditches, etc.) or into or upon adjoining shorelines. 40 CFR 110	NRC State Authorities	State Authorities
Hazardous materials including hazardous waste during transportation. (Notification and reporting requirements by carrier.)	1. A person is killed. 2. A person is injured requiring hospitalization. 3. Property damage exceeds \$50,000. 4. Transportation arteries are closed for over 59 minutes. 5. Evacuated public for over 59 minutes. 6. Fire, release, or contamination involving either radioactive material or etiologic agents. 7. Release of over 400 kg of marine pollutant. 8. In the judgment of the carrier there exists a continuing danger to life. 49 CFR 171.15 and 16	NRC 911	DOT Form F5800.1 (within 30 days)
EHS CERCLA HS	Release of an RQ into the environment 40 CFR 355.40	LEPC & SERC State Authorities NRC	LEPC SERC
Hazardous Waste	1. Any release, fire or explosion that could threaten human health or the environment outside the facility. 2. Report any offsite release of any CERCLA HS or EHS above their RQ 40 CFR 265.56. 3. Any release to the environment from a Hazardous Waste tank or secondary containment system. 40 CFR 265.196	NRC On-Scene Coordinator State Authorities	EPA Regional Office (15 days) Often State Authorities EPA Regional Office (30 days) Often State Authorities
UST site or the surrounding area for: 1. CERCLA HW 2. Petroleum Products	Spill or overflow of a CERCLA HS above its RQ (40 CFR 280.50), or a spill or overflow of a petroleum product over 25 gallons or that causes a sheen (40 CFR 280 53).	Implementing Agency (usually the State.)	Implementing Agency (usually the State.)
PCBs at concentrations above 49 ppm.	Release of 10 lbs or more of a PCB (PCB is also reportable under CERCLA HS with an RQ of only one pound.	EPA Regional Office	EPA Regional Office



Reporting requirements for various types of spills differ greatly. The following chart is intended to capture and summarize the major requirements. Know the reporting requirements for your State and make sure these requirements are incorporated into your emergency response plans. The following chart will help you determine your reporting requirements:

f. **Air and Water Permit Program.**

As clearly stated in the Responsibilities section of the EPP, it is the facility/port manager's/director's responsibility to obtain all air and water permits (these are usually State programs), and to comply with all provisions of the permit.

The facility/port managers/directors, or their designee, will provide copies of the permits to the EPS, 4700 River Road, Unit 124, Riverdale, MD 20737 within 14 calendar days of receiving these reports.

The EPS will compile a database of these permits, including expiration date, and use this database as a quality assurance tool. However, obtaining the permit and ensuring that it does not expire rests exclusively with the facility/port manager/director.

g. **Training Program.**

The facility/port manager/director is responsible for ensuring that environmental training is provided as follows:

- **New Employee Training.** This training provides basic environmental training to new employees. Such training includes: a description of what to do in an emergency, how to report chemical releases, specific environmental job-related information, and relates to providing for a safe environment.
- **Awareness Training.** This training provides all employees an overview of environmental training requirements specific to each facility.
- **Emergency Training.** This training provides all employees with essential knowledge of what their role is in the emergency management system at a specific facility. The amount and type of training will depend largely on what emergency plans are required (i.e., Risk Management Plan; Spill Prevention Control and Countermeasure Plan, Hazardous Waste Contingency Plan), and what specific duties employees are designated to perform.
- **Specific, Designated-Duty Training.** This training is provided to an employee engaged in a specific task, i.e., Facility Hazardous Waste/Pollution Prevention Coordinator, first responder, etc. The training will be commensurate to the duties the employee is expected to perform.
- **Collateral Duty Safety Officials.** At a minimum, the Collateral Duty Safety Officials will obtain the following training:
 - ✓ Procedures for handling, storing, and disposing of hazardous materials.
 - ✓ General environmental engineering/administrative controls.



- ✓ An overview for handling toxic substances and explosive materials.
- ✓ Hazard inspection and abatement/control procedures.
- ✓ An overview of all appropriate reporting/recording procedures.
- ✓ Pollution prevention and waste minimization and recycling principles.
- ✓ Procedures for reporting releases of oil or hazardous chemicals.

Facility/port managers/directors, or their designee, will create an environmental training file containing attendance records, certificates of completion, or other proof that appropriate training was given to the appropriate employee. This folder will be routinely updated to reflect current training requirements and proof of training.

The EPS will present the training required for EO 13148 when performing facility environmental audits, obtain an attendance sheet, and include it in the final Environmental Audit/Review Report. The EPS will look for opportunities to present this training at other occasions, i.e., APHIS Safety Conference, various council meetings, etc.

h. Awards for Environmental Excellence Program.

This program is intended to promote and recognize environmental management performance at APHIS facilities. There are two awards: 1) Facility/Port Award for Environmental Excellence, and 2) Individual Award for Environmental Excellence. These awards are presented to the individual and facility/port that best exemplifies the belief that “environmental compliance and pollution prevention efforts are everyone’s responsibility.” Notable contributions have been made in the area of environmental compliance, pollution prevention activities, recycling, and public outreach programs by employee(s) that recognize and implement programs of significant contribution.

Eligibility. All APHIS employees and groups of employees, except members of the SHEWB, including part-time and temporary appointments are eligible. These awards are open to all employees regardless of affiliation with past or present collateral duties in environmental or safety programs.

Nonsupervisory employees will be nominated for the individual award, and the facility/port directors/managers will be nominated for the facility/port award. However, the review committee can make an exception to this, if warranted, in their review of submitted nominations.

Nomination Criteria. There are five specific nomination criteria that must be addressed in nominations for these awards:

- **Leadership and Commitment.** Describe how support for prudent environmental practices is frequent, visible, and by example has resulted in other employees being motivated to aggressively seek ways to fully achieve environmental compliance or pollution prevention goals and objectives. Describe leadership which demonstrates the environmental compliance or pollution prevention initiatives as valuable, and not just an obligation.



- Integration of Environmental Program. Provide evidence that environmental issues are viewed as basic responsibilities. Environmental objectives and planning actions are being fully integrated within the direct mission program planning. (Environmental concerns are incorporated into all activities that are performed to achieve job duties.)
- Resolution of Environmental Hazards. Provide evidence that employee(s) or a facility/port pursues the correction of environmental concerns at a local level. Employee(s) continually assess the need to develop new ways of operating to eliminate environmental conditions that contribute to pollution or noncompliance.
- Adaptation of Challenges. Provide evidence of swift adaptation to challenges created by recognized environmental hazards, either by the individual or others. Illustrate that the nominee takes the necessary action to eliminate the hazard, so disruption of work is not affected or minimized.
- Person-to-Person Relationships. The employee fosters exceptional work relationships which assist the organization to accomplish APHIS Environmental Protection Program goals and objectives.

Nomination and Review Procedures. Nominations may be submitted by anyone, except SHEWB personnel. When requested, submit nominations of not more than two pages to the EPS, SHEWB, 4700 River Road, Unit 124, Riverdale, MD 20737.

A review committee will be convened by the EPS. The committee will be comprised of employees from the various functional support offices, the Safety and Health Manager, and the EPS (who will act as an Ex Officio member). The committee will evaluate and rate each nomination and forward their recommendations to the Agency Pollution Prevention Officer, for final decision.

Award winners will receive their awards at the annual APHIS Safety and Health Conference.

i. Position Descriptions and Performance Evaluations Program.

Supervisors at all levels will include an environmental compliance requirement in all position descriptions and performance evaluations. Specific delegated/designated collateral duties relevant to environmental compliance and pollution prevention must be incorporated within that employee's annual performance evaluation as a critical element.

j. Pollution Prevention Program.

The goals of the APHIS pollution prevention program are to prevent pollution of the environment and to conserve natural resources. Specific goals and objectives often change, are redirected, and can be amended as deemed necessary. Specific goals and objectives are identified in Appendix 4.



APHIS will accomplish this goal by minimizing waste and hazardous waste generations at APHIS facilities; minimizing, mitigating, and preventing the threat of releases or discharges of oil, petroleum products, hazardous and toxic chemicals, substances and waste; conserving water and energy; and by recycling, reusing, or minimizing purchases of chemicals and their containers.

The basic hierarchy of pollution prevention is as follows:

- Pollution should be prevented or reduced at the source whenever and wherever feasible.
- Pollution that cannot be prevented should be recycled in an environmentally safe manner whenever and wherever feasible.
- Pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible.
- Disposal or other release into the environment should be conducted in an environmentally safe manner and employed only as a last resort.

APHIS personnel will adopt and meet all requirements for the following pollution prevention initiatives:

- EO 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, 1998. EO 13101's main emphasis is to create market demand for recycled content, environmentally preferable, and biobased products through Federal purchasing power. It is intended to conserve natural resources through reduction, reuse, and recycling of materials.

The EO requires the development of an implementation/affirmative procurement plan, the publication of a biobased products list in the Federal Register, the purchase of recycled content products designated by EPA, the establishment of goals for waste prevention, and a training and awards program.

- EO 13123, *Greening the Government Through Efficient Energy Management*, 1999. EO 13123 requires a reduction of energy consumption in Federal facilities by 30 percent by 2005 (based on 1985 use). It requires Federal facilities to expand the use of renewable energy, reduce greenhouse gas emissions, and establish and reach water conservation goals.
- EO 13134, *Developing and Promoting Biobased Products and Bioenergy*, 2000. EO 13134 was implemented to stimulate the creation and early adoption of technologies to make biobased products and bioenergy cost-competitive in large markets. It also will create new business opportunities for farmers, foresters, and rural America, and will contribute to conservation goals, including greenhouse gas reductions.



- EO 13148, *Greening the Government Through Leadership in Environmental Management*, 2000. EO 13148 nullifies EO 12088, 12843, 12856, and 12969. EO 13148 builds on the success of EO 12856 and expands its requirements. Requirements impacting APHIS directly include:
 - ✓ Incorporating goals of the EO into existing directives and policies. If a policy does not exist, a written Agency environmental management strategy to achieve the requirements must be developed and implemented.
 - ✓ Developing and implementing an environmental audit/review program.
 - ✓ Reducing by 10 percent annually, or by 40 percent overall, by December 31, 2006, EPCRA section 313 chemicals (applicable only to those facilities that must report under EPCRA 313).
 - ✓ Developing a plan to phase out nonexempted Class I ozone-depleting substances by December 31, 2010.
 - ✓ Incorporating the Guidance for Presidential Memorandum of Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds (60 FED Ref. 40837) into landscaping programs, policies, and practices.
 - ✓ Providing training on this EO.
 - ✓ Conducting Agency-level environmental management system gaps analysis based on the Code of Environmental Management Principles for Federal agencies or another appropriate environmental management system.
 - ✓ Developing and supporting goals to reduce the Agency's priority chemicals by 50 percent by December 31, 2006. If the Agency does not have toxic pollutants reported on the Threshold Release Inventory from the facilities reporting under EPCRA Section 313, the Agency must identify at least 5 priority chemicals.
 - ✓ Ensuring that the Agency's acquisition and procurement practices include landscaping services that conform to the Environmental and Economically Beneficial Landscape Practices.
 - ✓ Compiling annual reports for the Department.
- EO 13149, *Greening the Government Through Federal Fleet and Transportation Efficiency*, 2000. EO 13149 establishes goals to encourage Federal facilities to reduce petroleum consumption by Federal fleets by 20



percent by the fiscal year 2005 (compared to fiscal year 1990 levels). This could include acquiring alternative fuel vehicles, the use of alternative fuels, and purchasing vehicles that have increased fuel economy.

- EO 13221, *Energy-Efficient Standby Power Devices*, 2001. EO 13221 encourages Federal facilities to use off-the-shelf products that use external standby power devices, i.e., cell phone chargers, battery chargers, and computer systems to restrict the use to no more than one watt in their standby mode. When such devices are not commercially available, the lowest standby power wattage (in their standby mode) will be purchased.

APHIS facilities are encouraged to participate in the following programs:

- Green Lights Program. This program encourages voluntary reductions in energy through more efficient lighting technologies. APHIS facilities can facilitate this program by conducting lighting surveys of their facilities and upgrade the lighting to energy-efficient technologies wherever cost effective.
- Energy Star Computers and Electronic Devices. APHIS will procure computers and other electronic equipment that “powers down” when not in use.
- Environmentally Beneficial Landscaping. APHIS will, where cost effective and to the extent practicable, use environmentally beneficial landscaping on all APHIS grounds and projects. This includes:
 - ✓ Using regionally native plants for landscaping.
 - ✓ Designing, using, and promoting construction practices that minimize adverse effects on the natural habitat.
 - ✓ Seeking to prevent pollution by reducing the amount of fertilizer and pesticide used, recycling green waste, and minimizing runoff.
 - ✓ Using mulch, efficient irrigation systems, conserving water, and controlling soil erosion.
 - ✓ Creating outdoor demonstrations incorporating native plants, pollution prevention, and water conservation techniques.

APHIS employees may find the following documents useful in planning and implementing their pollution prevention initiatives at their facilities:

- *Pollution Prevention Directory* (Contact the Pollution Prevention Information Clearinghouse at 202-260-1023.)
- *Pollution Prevention Yellow Pages* (Contact the National Pollution Prevention Roundtable at 202-466-7272.)



- *Federal Facility Pollution Prevention Planning Guide* (Contact the Pollution Prevention Clearinghouse at 202-260-1023.)
- *Federal Pollution Prevention in the Federal Government; Guide for Developing Pollution Prevention Strategies for EO 12856 and Beyond* (Contact the Pollution Prevention Clearinghouse at 202-260-1023.)
- *Federal Facility Pollution Prevention: Tools for Compliance* (Contact the Office of Research and Development, USEPA at 513-569-7562.)
- *Meeting the Challenge: A Summary of Federal Agency Pollution Prevention Strategies* (Contact the Pollution Prevention Clearinghouse at 202-260-1023.)

k. Hazardous and Toxic Materials Control Program.

This program is designed to control hazardous and toxic materials to minimize hazards to health and damage to the environment. The following general applications will be followed:

- Products and facilities designed, constructed, and procured by APHIS will be managed to minimize health and environmental hazards during research, development, testing, production, use, storage, and disposal processes.
- APHIS will limit the use of toxic chemicals and hazardous substances to the minimum amount necessary to accomplish their mission.
- All chemicals used will be evaluated to determine if a less toxic chemical can be substituted.
- All EHS or EHS-containing chemicals being used will be examined by the facility/port manager/director to determine if a less toxic chemical can be substituted or if the storage amount can be reduced, regardless of quantity.
- Every effort must be taken to reduce the amount of toxic chemicals purchased, stored, or used at each facility.
- Use of all persistent, bioaccumulative, and toxic (PBT) chemicals is strongly discouraged at APHIS facilities. If used in any quantity, the EPS, SHEWB, must be notified at 301-734-6116, to ensure appropriate reporting of point source and fugitive air emissions, surface and storm water releases, transfers offsite (incineration, land filling), and source reduction activities. (It is still the responsibility of the facility/port manager/director to complete the Form R, Threshold Release Inventory and submit it annually to EPA in electronic format.)



- Attempt to avoid disposal costs by purchasing only the amount of chemical needed for one year's use.
- As soon as chemicals are received, enter them into your chemical inventory. It is recommended that these inventories be automated using a standard database or spreadsheet software package. All facilities are required to maintain an active chemical inventory which minimally includes the following information:
 - ✓ Chemical Name (Trade name)
 - ✓ Chemical Abstract Service (CAS) number(s), and percentage(s)
 - ✓ EPA Hazard (Fire hazard, pressure hazard, reactivity hazard, acute health hazard, chronic hazard and/or health hazard)
 - ✓ State (Physical state: solid, liquid, or gas)
 - ✓ Manufacturer/Supplier
 - ✓ Product Number
 - ✓ Location (Building, room, cabinet, shelf)
 - ✓ Quantity (Number of containers)
 - ✓ Amount (The mass or volume of the substance in the container)
 - ✓ Unit (The unit corresponding to the amount in the previous field, i.e., gram, cubic feet, milligram, pound, gallon, etc.)
 - ✓ Type of container (Metal drum, fiber drum, plastic bottle, glass bottle, carboy, gas cylinder, above ground tank, below ground tank, tank inside building, box, etc.)
 - ✓ Date received
 - ✓ Date Opened (Used for peroxide-forming chemicals)

NOTE: The aforementioned EPA hazard field directly relates to Occupational Safety and Health Administration (OSHA) hazard categories. However, these definitions are EPA definitions of hazard categories as defined in 40 CFR 370.2.

Two health categories and three physical hazard categories are a consolidation of the 23 hazard categories defined in 29 CFR 1910.1200 (OSHA) as follows:

EPA Hazard Class
Fire Hazard

OSHA Hazard Class
Flammable (gas, liquid, or solid)



	Combustible Liquid Pyrophoric
Sudden Release or Pressure	Oxidizer Explosive Compressed Gas
Reactive	Unstable Reactive Organic Peroxide Water-Reactive
Acute Health Hazard	Highly Toxic Toxic Irritant Sensitizer Corrosive
Chronic Health Hazard	Carcinogen or other hazardous chemicals with an adverse effect after long-term exposure

- When ordering chemicals, you must request and obtain new copies of the Material Safety Data Sheets (MSDSs). Make sure that this part of the transaction is agreed to before the order is placed. Keep MSDSs in a centrally located place, easily accessible to response personnel and all employees.
- Over the years, EPA has banned different pesticides, including aldrin, DDT, dinoseb, and vinyl chloride. Others are designated restricted use, meaning they must be applied by or under direct supervision of a certified applicator. Banned or restricted chemicals are acutely toxic to farm workers and applicators, as well as various mammals, birds, and aquatic animals, and have effects long after suspended use. Federal, State, and local regulations prohibit certain pesticides.

The following pesticides **will not** be purchased or used:

Any compound containing arsenic, or arsenicals
DDT or any pesticide containing DDT
Dioxin or any herbicide containing dioxin

- Additional State requirements will apply. Additional APHIS requirements are noted in the APHIS Safety and Health Manual, Chapter 10.

1. **Integrated Pest Management Program.**

APHIS's facilities will reduce its reliance on pesticides, whenever and wherever reasonable, by implementing Integrated Pest Management (IPM) techniques or other environmentally sound techniques. IPM includes:



- Identifying the conditions causing pest problems.
- Changing the conditions to discourage recurrence of pest problems.
- Selecting the least-toxic route to suppress pest problems.

Contractors hired by APHIS facilities for pest control will have an element in the contract that states that IPM will be considered and implemented when reasonable.

EPA has developed the following techniques to assist in IPM:

Monitoring -	Ongoing surveillance. Monitoring includes inspection and recordkeeping, in addition to allowing persons to identify infested sites, evaluate pest populations, select a suppression technique, and manage the progress of control measures.
Sanitation -	The practice of removing undesirable materials that support or attract pests.
Chemical Control -	Pesticide application to eliminate pests. Consider urgency, efficacy, and exposure to humans and nontarget organisms.
Habitat Modification -	Removal of food, water, shelter, or other conditions that support a pest population.
Physical Control -	Changing the physical structure, e.g., caulking holes or cracks, tightening doors and windows, reducing moisture.
Pest Resistant Plants -	Selection of the proper plant for the location. Some plants are naturally more resistant to insects or disease.
Biological Control -	Use of predators, parasites, and disease-causing organisms.
Cultural Control -	Changing human habits, e.g., storage, sanitation, cleaning strategies, refuse handling, and tolerance of control methods.
Passive Control -	Taking no action when a pest population is low and not causing any significant damage. Continued monitoring is necessary.

Development of pest control programs in buildings should include the following:

- Exclusion and Deterrence - Seal technologies that include copper mesh, caulk, expandable foam, anti-rodent landscaping, elimination of dense shrub, replacement of play surfaces with synthetic play services, and anti-bird techniques, i.e., tension netting and wire for roosting places.



- Sanitation - Use vacuum cleaners with HEPA filters to remove pests and dander. Use pressure washers to remove grease, dirt, etc.
- Waste Management - Review custodial schedules and cleaning program practices to reduce fruit flies. Assess trash removal/dumpster area for potential pest attractants. Consider one-piece compactor designated dumpsters.
- Pest Control Devices - Use sticky traps as indicator. Only use traps on ad hoc basis.

m. Recycling Program.

All APHIS facilities, even smaller facilities, are encouraged to recycle. APHIS facilities (leased or owned) that have more than 50 employees are encouraged to have a recycling program. Suggestions for recycling identified products include:

- Paper: high-grade white office paper, newspaper, corrugated cardboard boxes, magazines, and other slick advertising.
- Glass: clear, brown, and green.
- Aluminum: soda cans, scrap (aluminum siding, storm doors, windows, furniture).
- Other metals: tin-coated steel (food cans), scrap, damaged parts.
- Plastics: polyethylene products, mixed plastics, polyvinyl chloride.
- Yard wastes: grass clippings, leaves, prunings, wood, and other vegetative debris.
- Oil: used motor oil, synthetic oils, solvents, shop rags.
- Batteries: lead acid car batteries, computer backup batteries, household batteries.

Facility/port managers/directors or their designee will establish measurable recycling goals and report progress to SHEWB annually, as prescribed in Appendix 4.

n. Designated Employees.

It is essential that the National Program staff and facility/port managers/directors appoint employees to perform designated environmentally-related duties which apply to their specific location, need, or requirement. In addition to the responsibilities and duties previously mentioned in this Manual, additional requirements may apply. The following Section 8., Federal Compliance with Environmental Regulations, will guide the facility/port manager/director in assigning specific duties to facility personnel to ensure compliance with environmental regulations.



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8. FEDERAL COMPLIANCE WITH ENVIRONMENTAL REGULATIONS

APHIS will focus on meeting or exceeding environmental standards established in Federal, State, and local statutes, laws, ordinances, regulations, orders, permits, and other environmental requirements. Failure to do so can have serious consequences for the Agency and the responsible individuals, which can include substantial fines and imprisonment. Although the facility/port manager/director is responsible for overall compliance within a specific State, the handler or supervisor has compliance responsibility and can be prosecuted in cases of willful violations of environmental laws and regulations.

Noncompliance with any environmental requirement may result in the regulatory agency issuing a warning letter or an administrative order; assessment of an administrative civil penalty; permit action; institution of a civil or criminal action; or issuance of a notice of violation.

The Federal Facilities Compliance Act makes the Agency and its personnel subject to being tried in Federal or State civil court for violations of RCRA.

Agency personnel must act within the scope of their duties to be eligible for legal protection. **Violation** of any Federal, State, or local law or regulation **is not** within the scope of any employee's duties.

Compliance policy strategies include:

a. **Wetlands.**

It will be APHIS's policy to identify, preserve, and protect wetlands on property owned or operated by the Agency, and consult with the Army Corps of Engineers and others, when a wetland could be impacted by Agency activities. The Agency will actively work to prevent or minimize damage to wetlands resulting from construction or other activities.

b. **Threatened and Endangered Species.**

It is APHIS's policy to identify and protect threatened and endangered species and their critical habitat on property owned or operated by the Agency. The Agency will consult with the Federal Wildlife Service and other agencies when threatened or endangered species or habitat could be impacted. The Agency will develop, implement, use, and monitor endangered species in accordance with the Endangered Species Act and actively work to prevent or minimize damage to critical habitat such as threatened or endangered species as a result of construction or other activities or operations on Agency property.



c. **Historical, Cultural and Archeological Sites, Districts, and Objects.**

It is APHIS's policy to identify, preserve, and protect historical, cultural, and archeological sites, districts, and objects on property owned or operated by the Agency. The Agency will consult with the State Historical Preservation Officer, Advisory Council, and other technical experts on historical preservation. The Agency will actively work to prevent or minimize damage to any historical, cultural, or archaeological site, district, or object resulting from construction or other activities or operations on Agency property.

d. **Coastal Zone Management Act.**

Coastal States have established programs and plans to protect their coastal resources. All Agency action within these zones must be coordinated with the State Coastal Zone Management office. The action being considered by the Agency must be consistent with the State plan.

e. **Fish and Wildlife Populations and Habitat.**

It is APHIS's policy to identify, preserve, and protect fish and wildlife populations and habitat on property owned or operated by the Agency and consult with the Fish and Wildlife Service and State fish and game agencies in developing, implementing, managing, and evaluating plans for fish and wildlife management, as appropriate. The Agency will work actively to prevent or minimize damage to fish and wildlife populations and their habitat resulting from construction or other activities or operations on Agency property (MBTA and EO 13186).

f. **Exotic Organisms.**

It is APHIS's policy to restrict the introduction of exotic organisms into the natural environment in accordance with EO 11987, Exotic Organisms.

g. **Pest Management; Pesticide Worker Protection; and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).**

It is APHIS's policy to employ pest management practices that target specific pests and have minimum impact on nontarget organisms. The Agency will employ pest management practices that do not threaten human health or welfare, drinking water supplies, ground water, or other environmental considerations, to the maximum feasible extent. The Agency will actively work to prevent, minimize, mitigate, or repair damage to the environment resulting from Agency activities and operation on Agency property.

FIFRA is implemented by the Federal Government; however, pesticides must be registered by both Federal and State authorities. EPA issued its final rule for the Pesticide Worker Protection Standard (PWPS), on August 21, 1992, codified as



40 CFR 170. The rule was modified on May 3, 1995. Major changes resulting from the PWPS include changes in pesticide labeling and training requirements; reentry intervals into pesticide application areas; requirements for decontamination and central information areas; notification of pesticide applications; requirements for personal protective equipment; and special requirements for greenhouses and nurseries.

The PWPS programs are enforced by the State or at the local level. Requirements vary greatly. It is the Agency's policy to comply with all applicable Federal, State, and local regulations so as to minimize risks to employees, the general public, domestic animals, wildlife, and the environment.

Designated APHIS employees and contractors will:

- Properly follow pesticide labeling instructions.
- Ensure that pesticide applicators are properly trained and, where necessary, certified to use restricted-use pesticides and are using appropriate personal protective equipment.
- Properly manage pesticide storage facilities.
- Dispose of pesticide residues and waste in accordance with required and recommended procedures. (Pesticide waste can be subject to hazardous waste regulations - refer to hazardous waste definition in Section 5. Definitions.) Often pesticides are not classified as hazardous waste. However, appropriate disposal methods must still be applied.
- Maintain records of pesticide applications.
- Comply with Worker Protection Standard requirements (codified as 40 CFR 170).

EPA FIFRA Regulations

40 CFR 152	Pesticide Registration and Classification Procedures
40 CFR 155	Registration Standards
40 CFR 156	Labeling Requirements for Pesticides and Devices
40 CFR 160	Good Laboratory Practice Standard
40 CFR 162	State Registration of Pesticide Products
40 CFR 165	Regulations for the Acceptance of Certain Pesticides and Recommended Procedures for the Disposal and Storage of Pesticide and Pesticide Containers
40 CFR 166	Exemption of Federal and State Agencies for the Use of Pesticides Under Emergency Conditions
40 CFR 170	Worker Protection Standard
40 CFR 171	Certification of Pesticide Applicators
40 CFR 172	Experimental Use Permits
40 CFR 180	Tolerances and Exemptions from Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities
40 CFR 185	Tolerances for Pesticide in Foods
40 CFR 186	Tolerances for Pesticides in Animal Feeds

Special Note: The aforementioned sections are not exclusive. This chart is only intended



to identify the most relevant sections.

h. National Environmental Policy Act (NEPA).

APHIS will ensure that decisionmaking takes environmental factors into daily activities and planning. NEPA centers efforts on promoting, preventing, or eliminating damage to the environment and to the biosphere. If initial evaluation is not categorically excluded (CATEX), APHIS will ensure that they perform an Environmental Assessment (EA) and an Environmental Impact Statement (EIS) (if necessary) after findings of the EA to consider the environmental effect of, and any alternative to, all proposals for major Federal actions that significantly affect the quality of the human environment. NEPA is codified under 40 CFR 1500-1508.

Designated APHIS employees and contractors will:

- Evaluate all APHIS actions to determine if NEPA is adhered to, including submitting CATEX or Findings of No Significant Impact documentation to denote actions are not significant, as appropriate.
- Perform EAs and prepare EISs as necessary. (When performing the EA, APHIS will evaluate the direct effects, as well as the indirect and cumulative effects that are caused by the proposed action.)
- Develop and submit a Record of Decision to address the EIS findings and provide project alternatives and mitigation measures.
- Submit plans to State or local agencies, as required.
- Ensure public participation in the NEPA process.

EPA NEPA Regulations

40 CFR 1500	Purpose, Policy, and Mandate
40 CFR 1501	NEPA and Agency Planning
40 CFR 1502	Environmental Impact Statement
40 CFR 1505	NEPA and Agency Decisionmaking
40 CFR 1506	Other Requirements of NEPA
40 CFR 1507	Agency Compliance
40 CFR 1508	Terminology

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

i. Clean Air Act.

All APHIS owned, operated, or otherwise used land or property under APHIS’s control will comply with all applicable Federal, State, interstate, regional, and local requirements, permits, administrative orders, processes, and sanctions regarding the control and abatement of air pollution and compliance with State Implementation Plans (SIP). This applies to the payment of all fees which are directly related to the facility review or permitting process.



Designated APHIS employees and contractors will:

- Identify, control, and monitor air pollution sources owned or operated, or otherwise under the control of APHIS facilities.
- Determine the types and quantities of pollution emissions from these sources.
- Determine the applicable requirements.
- Control pollution levels in compliance with all applicable regulations.
- Procure vehicles and equipment that meet applicable regulations.
- Ensure that facilities are designed, operated, and maintained to meet Clean Air Act (CAA) program standards and requirements, including those in the SIP.
- Monitor ambient air quality in the vicinity of APHIS activities in accordance with all applicable regulations, as necessary.
- Control emissions from mobile sources under Agency control through good maintenance practices and compliance with applicable regulations.
- Develop and utilize maintenance schedules, operating procedures, and monitoring systems for specific facilities in accordance with other Federal, State, and local authorities.
- Obtain and maintain permits for regulated air pollutant sources and use trained and licensed operators as necessary.
- Comply with permit conditions.
- Determine if Risk Management Plans are required, and if so, write and implement plans. Regulated toxic and flammable substances under CAA, section 112(r) are substances listed and codified in 40 CFR 68.130.
- Maintain emissions within permitted levels.
- Comply with State Implementation Plan requirements.
- Ensure that all chlorofluorocarbon (CFC) technicians attend EPA-certified training courses and that they use only certified CFC recovery/recycling equipment to ensure venting prohibitions are maintained.
- Manage facilities with asbestos-containing material (ACM) and conduct ACM removals in conformance with the air toxic program requirements.



- Maintain all required records and documentation.

EPA CAA Regulations	
40 CFR 60	Standards for Performance for New Stationary Sources
40 CFR 61	National Emission Standards for Hazardous Air Pollutants
40 CFR 63	National Emissions Standards for Hazardous Air Pollutants for Source Categories
40 CFR 64	Compliance Assurance Monitoring
40 CFR 68	EPA Prevention for Chemical Accident Prevention
40 CFR 69	Special Exemptions From Requirements of the CAA
40 CFR 70	State Operating Permit Programs
40 CFR 71	Federal Operating Permit Programs
40 CFR 72	Regulations on Permits
40 CFR 73	Sulfur Dioxide Allowance System
40 CFR 74	Sulfur Dioxide Opt-ins
40 CFR 75	Emission Monitoring
40 CFR 76	EPA Regulations on Acid Rain Nitrogen Oxide Emission Reduction Program
40 CFR 77	Excess Emissions
40 CFR 82	Protection of Stratospheric Ozone
40 CFR 85	Control of Air Pollution from Motor Vehicles and Motor Vehicle Engines
40 CFR 86	Control of Air Pollution from New and In-Use Motor Vehicles and Engines: Certification and Test Procedures
40 CFR 88	Clean Fuel Vehicles
40 CFR 89	Control of Emissions From Nonroad Spark-Ignition Engines

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

j. Resource Conservation and Recovery Act (RCRA) and Hazardous Waste Determinations.

APHIS will comply with all RCRA requirements and provisions of “cradle-to-grave” control of hazardous waste by establishing management requirements on generators of such wastes. RCRA has been amended by the Hazardous and Solid Waste Amendments (HSWA) and the Federal Facilities Compliance Act (FFCA). RCRA mainly applies to active facilities. Abandoned facilities can be covered under CERCLA. RCRA is codified as 40 CFR 240-282.

Designated APHIS employees and contractors will:

- Identify, characterize, and label hazardous waste appropriately.
- Obtain an EPA identification number or numbers if required.
- Manage and inventory all hazardous waste to determine generator status (refer to requirement chart below).
- Comply with permit conditions (if TSDF).
- Manifest hazardous waste for offsite disposal and filing exception reports.



- Complete Land Disposal Restriction (LDR) notification/certification requirements.
- Ensure that offsite treatment, recycling, and disposal procedures meet LDRs.
- Ship waste to approved Treatment, Storage, and Disposal (TSD) facilities within time limits mandated by generator requirements (refer to requirement chart below).
- Maintain required records/documentation.
- Develop a program to minimize waste generation (RCRA requires hazardous waste generators to certify that they have waste minimization programs in place whenever they sign off on a manifest).
- Reimburse EPA and its agents for inspection costs.
- Cooperate fully and honestly during RCRA inspections.
- Submit to EPA a mixed waste inventory capacity report (if necessary).
- Respond to spills and leaks and make appropriate notifications.

One must determine if a waste is hazardous in order to determine which rules and regulations apply to waste generated at a facility. One must evaluate and identify physical and health hazards of the waste being generated. Federal regulations for hazardous waste determinations are codified in 40 CFR 260-261.

The following hazardous waste generator chart is provided to delineate hazardous waste requirements for each category of generator. APHIS will conform fully to all requirements.

Requirement	Conditionally Exempt Small Quantity Generator	Small Quantity Generator	Large Quantity Generator
EPA ID Number	Not required 40 CFR 261.5	Required 40 CFR 262.12	Required 40 CFR 262.12
Quantity Limits	Refer to Section 5, sub-section (n), of this document	Refer to Section 5, sub-section (n), of this document	Refer to Section 5, sub-section (n), of this document
Onsite Accumulation Quantity	≤ 1,000 kg ≤ 1 kg acute ≤ 100 kg acute spill residue 40 CFR 261.5(f)(2) and (g)(2)	≤ 6000 kg 40 CFR 262.34(d)(1)	No Limit
Accumulation Time Limit	None 40 CFR 261.5	≤ 180 days or ≤ 270 days	≤ 90 days 40 CFR 262.34(a)



Requirement	Conditionally Exempt Small Quantity Generator	Small Quantity Generator	Large Quantity Generator
		(if > 200 miles) 40 CFR 262.(d) and (e)	
Storage Requirements	None 40 CFR 261.5	Basic requirements with technical standards for tanks or containers 40 CFR 262.34(d)(2) and (3)	40 CFR 262 and 261.5(e)
Offsite Management	State approved or RCRA-permitted facility 40 CFR 261.5(f)(3) and (g)(3)	RCRA-permitted facility 40 CFR 262.20(b)	RCRA-permitted facility 40 CFR 262.20(b)
Manifest	Not required 40 CFR 261.5	Required 40 CFR 262.20	Required 40 CFR 262.20
Biennial Report	Not Required 40 CFR 261.5	Not required 40 CFR 262.44	Required 40 CFR 262.41
Personnel Training	Not Required 40 CFR 261.5	Basic training required 40 CFR 262.34(d)(5)(iii)	Required 40 CFR 262.34(a)(4)
Contingency Plan	Not required 40 CFR 261.5	Basic plan required 40 CFR 262.34(d)(5)(i)	Full plan required 40 CFR 262.34(a)(4)
Emergency Procedures	Not required 40 CFR 261.5	Required 40 CFR 262.34(d)(5)(iv)	Required 40 CFR 262.34(a)(4)
DOT Transport Requirements	Yes (if required by DOT)	Yes 40 CFR 262.30-262.33	Yes 40 CFR 262.30-262.33

The above chart reflects RCRA requirements. **State and APHIS requirements may differ and are often more stringent.**

Regardless of generator type, all hazardous waste containers will be marked “Hazardous Waste.” Indicate the start accumulation date, and exactly what is in the container (no chemical formulas, symbols, or abbreviations).

All APHIS facilities (at a minimum) will provide basic personnel awareness training, and will develop emergency procedures and compile a basic contingency plan, which will include release reporting requirements.

All APHIS facilities will provide secondary containment for all hazardous waste and will check containers weekly for corrosion, leaks, and bulging.

Some common hazardous waste generated by APHIS facilities includes:

- Paint: Thinners, paint residues and chips, solvent for cleaning equipment.
- Metal Working: Coolants, quenching oils, salt baths, plating solutions and rinses, degreasers.
- Electronic Maintenance: Heavy metals, solvents.
- Vehicle Maintenance: Spent cleaning solvents, rags, oil/solvent mixtures, used oils.
- Construction: Spent cleaning solvents, rags, used oils, paint thinners, paint wastes.



The Hazardous Waste/Pollution Prevention Coordinator will use Appendix 5, *Monthly Hazardous Waste (Generator) Activity Report* to document hazardous waste generation at each facility.

EPA RCRA Regulations	
40 CFR 257	Criteria for Classification of Solid Waste Disposal Facilities and Practices
40 CFR 258	Criteria for Municipal Solid Waste Landfills
40 CFR 260	Hazardous Waste Management System: General Provision
40 CFR 261	Identification and Listing of Regulated Hazardous Waste
261.2	Definition of Solid Waste
261.3	Definition of Hazardous Waste
261.4	Exclusions
(b)(1)	Household Waste Exclusion
(b)(2)	Solid Wastes as Fertilizer
(d)	Sample Exclusion
261.21	Ignitability Characteristic
261.22	Corrosivity Characteristic
261.23	Reactivity Characteristic
261.24	Toxicity Characteristic
261.31	Nonspecific Source Wastes
261.32	Specific Source Wastes
261.33	Commercial Chemical Products
40 CFR 262	Standards for Generators of Hazardous Waste
262.11	Hazardous Waste Determination
40 CFR 263	Standard for Transporters of Hazardous Waste
40 CFR 264.16	Personnel Training
40 CFR 268	Land Disposal Restrictions
40 CFR 279	Standards for the Management of Used Oil

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

Many States have landfill bans on many common products. Those products include: lead acid batteries, tires, yard waste, used oil, white goods, all household hazardous waste, and household batteries. APHIS facilities are encouraged to recycle such items, but in no case dispose of them in a State landfill prohibiting such items.

k. Solid Waste Management Program.

The Agency will procure, use, and dispose of material in a manner that complies with all applicable regulations, minimizes waste production, conserves natural resources, and prevents adverse effects on health or the environment. Materials should be reused, recycled, or reprocessed to the maximum extent feasible. Pollution prevention measures should be utilized to the fullest, reasonable extent possible.

Objectives include:

- Disposal of unserviceable or excess material through procedures that will enable these commodities to be recovered and reintroduced into the



manufacturing process or reclaimed for other purposes. The Agency will follow appropriate Federal excess property regulations.

- Recycling and reusing solid waste and hazardous substances to the greatest extent feasible. Proper disposal of wastes that cannot be economically recovered is essential.
- Procurement of material to allow the end product or its components to be economically restored, reconstituted, or converted to other uses.
- Reduction of solid waste at the source whenever possible.

Facility Locations will:

- Recover and recycle solid waste to the maximum extent feasible.
- Develop contracts that include provisions for recycling and reusing solid waste, when locally available.
- Participate in local communities' recycling programs to a practical extent. (Facilities must dispose of their hazardous waste following Federal, State, and local codes, and should not participate in local communities' hazardous waste pickups. Federal facilities are responsible for the cost of properly disposing of hazardous waste.)
- Ensure that nonhazardous waste is disposed of in permitted sanitary landfills or through treatment by incineration in permitted facilities.
- Ensure APHIS-owned or controlled facilities and property will not be used to dispose of toxic, hazardous, radioactive, or medical waste that was generated at facilities other than those owned or controlled by APHIS.

In the absence of published standards, or for information on those standards, guidance on acceptable methods and maximum concentrations and quantities of hazardous substances to be discharged or disposed of should be obtained from the proper authorities.

1. **Safe Drinking Water.**

APHIS's primary objective is to provide safe drinking water for the public and all Agency personnel through compliance with all standards established by USEPA, State, and local authorities. All adopted measures will be consistent with current codes. Agency potable water treatment facilities will be managed in accordance with all applicable regulations. Federal SDWA requirements are codified in 40 CFR 141 through 149.

In cases where potable water quality falls outside of appropriate levels, all personnel will be notified, and another source of potable, drinkable, safe water will be provided



at the Agency’s expense. Where facilities are not in compliance, corrective measures will be applied, which may result in making drinking water unavailable for human consumption.

Designated APHIS employees and contractors will:

- Comply with all primary drinking water regulations and applicable underground injection control requirements.
- Immediately notify persons served by the water system if the system fails to meet primary drinking water standards.
- Ensure that only lead-free pipes are used in either installation or repair of potable water systems.
- Comply with State requirements and have State-certified water plant operators running plants, and performing appropriate effluent/influent tests as necessary.
- Ensure that there is an adequate available supply of chemicals necessary for treatment of water.
- Obtain permits and comply with all permit requirements.
- Comply fully with EPA and/or State inspectors.

EPA SDWA Regulations

National Primary Drinking Water Program

- 40 CFR 141 National Primary Drinking Water Regulations
- 40 CFR 142 National Primary Drinking Water Regulations Implementation
- 40 CFR 143 National Secondary Drinking Water Regulations

Underground Injection Control Program

- 40 CFR 144 Underground Injection Control (UIC) Program
- 40 CFR 145 State UIC Program Requirements
- 40 CFR 146 UIC Program: Criteria and Standards
- 40 CFR 147 State UIC Programs
- 40 CFR 149 Sole-Source Aquifers

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

m. Clean Water Act.

APHIS’s primary goals are to conserve water and protect water resources from contamination. APHIS personnel will control and abate all sources of pollutants according to applicable Federal, State, and local requirements. They will contribute to the attainment of the national goal to eliminate the discharge of pollutants.



Agency wastewater treatment facilities and nonpoint source activities will be managed to avoid creating health hazards, to restore or maintain the quality of characteristics of water resources, and to prevent future pollution.

When facilities or activities are not in compliance, corrective actions will be applied, which can include restricted use, temporary closure, or permanent closure.

Designated APHIS employees and contractors will:

- Obtain a National Pollutant Discharge Elimination System (NPDES) permit and manage direct discharges in compliance with permit conditions.
- Manage discharges to a Publicly-Owned Treatment Works (POTW) in accordance with established Federal, State, and local pretreatment standards.
- Manage domestic treatment works in accordance with sludge requirements.
- Apply for Section 404 dredge and fill permits for construction and development projects (as necessary).
- Monitor, record, and report pollutant effluent concentrations to the appropriate authority.
- Develop, implement, and maintain stormwater pollution prevention plans and obtain necessary permits.
- Develop Spill Prevention, Control, and Countermeasure (SPCC) Plans which must be certified by professional engineers (NOTE: certain States may require the professional engineer to be licensed in the State that the oil storage is located) to meet the requirements of the CWA. (The SPCC Plan is required if facilities have aboveground non-transportation-related oil storage capacity of greater than 1,320 gallons, or total underground capacity greater than 42,000 gallons. If a facility is located near navigable waters and a release could be “reasonably” expected, an SPCC Plan also is required, regardless of storage capacities.)

EPA CWA Regulations

National Pollution Discharge Elimination System (NPDES)

- 40 CFR 112 Oil Pollution Prevention
- 40 CFR 122 EPA Administered Programs: The NPDES Program
- 40 CFR 123 NPDES State Program Requirements
- 40 CFR 125 Criteria and Standards for NPDES Permits

Stormwater Permitting

- 40 CFR 122 Stormwater Discharges

Toxic Pollutant Effluent Standards

- 40 CFR 129 Toxic Pollutant Effluent Standards



Water Quality Standards and Implementation Plans

40 CFR 130 Water Quality Management Plans
40 CFR 131 Establishment of Water Quality Standards; Federally
Promulgated Water Quality Standards

Dredged or Fill Discharge Permit Program

40 CFR 230 Dredged or Fill Permits
40 CFR 231 Section 404 Procedures

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

n. Oil Pollution Act (OPA).

APHIS will take all necessary action to prevent oil and petroleum spills. The program will enhance oil spill response procedures. APHIS is subject to and will adhere to requirements for storing or handling oil, fuel oil, petroleum, sludge oil, and oil mixed waste. OPA is codified in 40 CFR 110, 112, and 300, Subparts C, D, and E.

Designated APHIS employees and contractors will:

- Develop and update the facility's oil spill emergency response plans.
- Maintain required records/documents.
- Test emergency response equipment and perform mock spill response drills.
- Notify appropriate Federal, State, and local agencies in case of an incident.
- Mitigate all spills and discharges.
- Ensure employees have required training.

EPA OPA Regulations

40 CFR 110 Discharge of Oil
40 CFR 112.20 Non-Transportation-Related Onshore Facility
Response Plans
40 CFR 300 Subpart C Planning and Preparedness
40 CFR 300 Subpart D Operational Response Phases to Oil Removal
40 CFR 300 Subpart E Hazardous Substance Response

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.



o. Hazardous and Toxic Materials Control, and the Toxic Substances Control Act (TSCA).

This program is designed to control hazardous and toxic materials as to minimize hazards to health and damage to the environment. The following general applications will be followed:

- Products and facilities designed, constructed, and procured by APHIS will be managed to minimize health and environmental hazards during research, development, testing, production, use, storage, and disposal processes.
- APHIS will limit the use of toxic and hazardous materials to the minimum amount necessary to accomplish its mission.
- The utmost safety precautions must be applied during disposal, storage, and use.
- All toxic and hazardous substances should be examined to see if less toxic/hazardous materials can be substituted.
- Inherently hazardous or potentially dangerous materials must be identified and procedures must be developed for their use, storage, and disposal.
- Best management practices (BMPs) must be implemented in research, development, procurement, production, use, handling, storage, and ultimate disposal of hazardous and toxic materials.

Where facilities or activities are not in compliance, corrective actions will be applied which may include technical solutions and management actions that control hazardous and toxic materials in the environment.

Substances subject to restrictions under TSCA generally include polychlorinated biphenyls (PCBs), asbestos, lead, and certain hexavalent chromium compounds.

Older electrical equipment, i.e., transformers, capacitors, and fluorescent light ballasts, can contain PCBs. Pre-1987 structures typically used asbestos containing material (ACM). Paint containing lead was quite common in older structures. APHIS activities could include disposal of ACM, equipment containing PCBs, lead paint, or other lead components. APHIS will perform lead and asbestos abatement surveys and related activities, and manage locations with significant radon levels.

Designated APHIS employees and contractors will:

- Survey all equipment that may contain PCBs, and mark and label certain PCB and PCB-containing equipment. (PCBs at concentrations of 50 ppm or greater, or PCB items with PCB concentrations of 50 ppm or greater, sold before July 1, 1979, for purposes other than resale may be distributed in commerce only in a totally enclosed manner after that date).



- Properly store, package, and dispose of PCBs and PCB-containing equipment.
- Prepare and maintain annual document logs for facilities managing over 45 kilograms or 99.4 pounds of PCBs, one or more PCB transformers, or 50 or more PCB large, high-, or low-voltage capacitors.
- Prepare and maintain PCB disposal manifests, certificates of destruction, and exception reports.
- Comply with training standards for personnel engaged in asbestos abatement activities as established by the Model Accreditation Plan and State authorities.
- Conduct lead abatement projects using properly trained and certified contractors in conformance with documented methodologies appropriate to lead-based paint activities.
- Maintain records and documentation.
- Provide disclosure at time of sale, transfer, or lease of properties built before 1978.
- Provide proper training and licensing prior to performing lead-related activities.
- Conduct inventory and assessment of asbestos-containing material at the facility.
- Properly handle, store, transport, and dispose of asbestos.
- Conduct a study in all APHIS-owned buildings to determine the extent of radon contamination, and mitigate conditions as warranted.

EPA TSCA Regulations

40 CFR 702	General Practices and Procedures
40 CFR 704	Reporting and Recordkeeping Requirements
40 CFR 710	Inventory Reporting Regulations
40 CFR 712	Chemical Information Rules
40 CFR 761	PCBs Manufacturing, Processing, Distribution in Commerce And Use Prohibitions
40 CFR 763	Asbestos
40 CFR 792	Good Laboratory Practice Standard
40 CFR 799	Identification of Specific Chemical Substances and Mixture Testing Requirements

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.



p. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

This program will provide APHIS support of the national policy to prevent the uncontrolled release of oil and hazardous substances and provide for a prompt, coordinated response to contain and cleanup releases should they occur. The following general applications will be followed:

- Hazardous substances and petroleum products must be transported, stored, handled, and disposed of in a safe and environmentally acceptable manner.
- An alert and reporting procedure responsive to the requirements must be developed so facility personnel can rapidly respond to contain and cleanup spills.
- APHIS will identify and evaluate potential problems associated with inactive hazardous waste disposal sites at Agency facilities and will minimize potential hazards to the environment which may result from these facilities.
- Reporting and responding to releases of hazardous materials or waste and oil or petroleum products at APHIS facilities that threaten personnel, facilities, and the environment, must be consistent with the National Contingency Plan.

Designated APHIS employees and contractors will:

- During Hazardous Substance Releases...
 - ✓ Manage hazardous substances properly to avoid spills and releases.
 - ✓ Report hazardous substance releases to the National Response Center.
 - ✓ Establish necessary contracts, cooperative agreements, or interagency agreements to conduct cleanup activities.
- During Cleanup Activities...
 - ✓ Conduct site investigations, assessments, and cleanup actions.
 - ✓ Perform required community relations activities throughout the cleanup process.
 - ✓ Implement operations and maintenance activities as necessary.
 - ✓ Negotiate and maintain cleanup schedules.
 - ✓ Conduct 5-year reviews of remedial actions.
 - ✓ Maintain institutional controls, such as land and water use restrictions and well drilling prohibitions.
- During Property Transfer and Disposal Activities...
 - ✓ Identify “uncontaminated” property with concurrence of USEPA or the State.



- ✓ Provide notice of storage, release, or disposal of hazardous substances as required by 40 CFR 373.
- ✓ Warrant that all necessary remedial action has been taken.
- ✓ Warrant any response action or corrective action found necessary after the date of sale or transfer.
- ✓ Retain access rights to the property for purposes of conducting required response action or corrective action.

EPA CERCLA Regulations

40 CFR 300	National Oil and Hazardous Substances Pollution Contingency Plan
40 CFR 302	Designation, Reportable Quantities, and Notification
40 CFR 307	CERCLA Claims Procedures
40 CFR 310	Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases
40 CFR 311	Worker Protection
40 CFR 373	Reporting Hazardous Substance Activity When Selling or Transferring Federal Real Property

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

(Also refer to EPCRA regulations section.)

q. **Underground Storage Tank (UST) Management.**

Agency personnel will meet the requirements for USTs by:

- Monitoring/testing storage tanks to ensure that they are not leaking.
- Removing, repairing, or replacing storage tanks found to be leaking.
- Correcting conditions caused by overfills or leaking systems.
- Removing, replacing, or upgrading storage tanks to meet established regulatory requirements.
- Identifying storage tanks and maintaining all records related to the storage tank program.
- Educating and training personnel on the storage tank program.
- Complying with Federal, State, and local legislation, orders, rules, and regulations pertaining to storage tanks.

Designated APHIS employees and contractors will:

- Register underground storage tanks with the appropriate State authority.
- Ensure proper installation of tanks to meet new tank standards.



- Upgrade or replace older tanks by December 22, 1998, to meet new standards including spill/overflow and corrosion protection. (This should have already been performed. If not, submit appropriate budget request.)
- Perform release detection on most types of tanks, either manually or with the aid of automatic equipment.
- Respond to spills and leaks, and make appropriate notifications.
- Perform corrective actions (cleanups) where releases have occurred.
- Properly close tanks to avoid future site issues.
- Maintain required UST records/documentation.
- Comply with all applicable Federal, State, and local laws and regulations concerning the construction of new USTs.

EPA UST Regulations

40 CFR 280	Technical Standards and Corrective Action Requirements for Owner/Operators of Underground Storage Tanks (USTs).
40 CFR 281	Approval for State Underground Storage Tank Programs
40 CFR 282	Approved Underground Storage Tank Programs

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.

r. **Superfund Amendments and Reauthorization Act (SARA), and the Emergency Planning and Community Right-to-Know Act (EPCRA) - Also referred to as Title III of SARA.**

APHIS facilities personnel and management officials will encourage and support emergency planning efforts at the State and local levels. Facilities will provide the State Emergency Response Commissions (SERC) and Local Emergency Planning Committees (LEPC) information on potential chemical hazards present in their communities. Specific requirements include emergency planning, release notification, hazardous chemical inventory, and material safety data sheet reporting.

Designated APHIS employees and contractors will:

- Notify the SERC, LEPC, and local fire department of releases of EHSs and CERCLA hazardous substances that are not Federally permitted, exceed current reportable quantities (RQ), and have the potential to result in exposure to persons offsite.



- Notify the SERC if a facility is producing, using, or storing any extremely hazardous substances (EHS) in amounts equal to or greater than the established threshold planning quantity (TPQ).
- Designate a representative to participate in the LEPC process as the emergency response coordinator (if a TPQ is exceeded).
- Provide written followup emergency notice to the SERC and LEPC within appropriate timeframes.
- Submit copies of Material Safety Data Sheets (MSDSs) or a list of its hazardous chemicals grouped by hazard category to the SERC, LEPC, and local fire department.
- Submit a Tier I emergency and hazardous chemical inventory form (or Tier II, if requested by the SERC or LEPC) to the SERC, LEPC, and local fire department.
- Submit an electronic Toxic Release Inventory reporting form (Form R) to EPA and the State.
- Develop a facility pollution prevention plan for each covered facility. Covered facilities are those facilities that:
 - ✓ Have EHSs at or above TPQs (EPCRA Section 302).
 - ✓ Release an EHS or CERCLA hazardous substance above an RQ (EPCRA Section 302).
 - ü Have a presence of 10,000 pounds of a hazardous chemical, unless an EHS, then 500 pounds or the TPQ, whichever is lower (EPCRA Section 311-312)
 - ü Manufacture or process over 25,000 pounds, or otherwise use listed toxic pollutants requiring the facility to submit a Form R.

EPA EPCRA (CERCLA) Regulations

40 CFR 300.2	Title III Local Emergency Response Plans
40 CFR 302.4	List of Hazardous Substances and Reportable Quantities
40 CFR 355.30	Emergency Planning
40 CFR 355.40	Emergency Release Notification
40 CFR 355	Appendix A - List of Extremely Hazardous Substances (TPQs and RQs)
40 CFR 370.21	Material Safety Data Sheet Reporting
40 CFR 370.25	Hazardous Chemical Inventory
40 CFR 372	Toxic Chemical Release Reporting: Community Right-to-Know
40 CFR 372.65	List of Toxic Chemicals

Special Note: The aforementioned sections are not exclusive. This chart is only intended to identify the most relevant sections.



s. **Personal Protective Equipment (PPE).**

The Agency must provide equipment and clothing for personal protection during assigned tasks. The Agency will provide a safe and healthful workplace for employees by applying engineering controls or work practices which prevent worker exposure to levels of materials considered dangerous to the health and safety of employees. When manipulation of the work environment or administrative controls do not provide adequate worker protection or are not feasible, APHIS will provide, maintain, and require PPE in accordance with 29 CFR 1910, Subpart 1. Refer to APHIS Safety and Health Manual, Chapter 11.

t. **Agricultural Worker Protection (also referred to as the Pesticide Worker Protection Standard).**

EPA issued a standard to protect agricultural workers from toxic pesticides and to regulate pesticide usage (codified as 40 CFR 170). The standard includes requirements for pesticide labels and training, establishes restricted-entry intervals (when one can reenter a pesticide-treated area safely), decontamination and personal protective equipment, and notification of pesticide applications.

Programs are enforced at the State and/or local level. Requirements can vary greatly. APHIS employees will comply with all applicable Federal, State, and local codes to minimize risks to employees, the general public, domestic animals, wildlife, and the environment.

The Pesticide Docket, Office of Pesticide Programs Home Page, and Office of Prevention, Pesticide and Toxic Substances Homepage are all EPA web sites.



Appendix 1. Environmental Hotlines, Clearinghouses, and Other Environmental Information

<u>Clean Air Act Resources</u>	<u>Telephone Nos.</u>	<u>Internet Addresses</u>
EPA Control Technology Center. Provides general assistance and information on the CAA.	919-541-0800	www.epa.gov/oar/oaq_ttn.html
Emission Measurement Technical Information Center. Provides information including air emissions testing methods, monitoring guidance, and testing and monitoring requirements.	919-541-1060	
Acid Rain Hotline. Records questions and documents requests covering all areas of the Acid Rain Program. Assists callers with specific technical or policy questions.	202-564-9620	
National Air Toxic Information Clearinghouse. Collects, classifies, and disseminates air toxic information, and promotes awareness of published air toxic information.	919-541-0888	
Asbestos Ombudsman. Provides the public with information on handling, abatement, and management of asbestos in schools, the workplace, and the home.	703-305-5938 1-800-368-5888	
RCRA, Superfund, and EPCRA Hotline. Provides information on aforementioned programs. Responds to factual questions and provides regulatory information.	703-412-9810 1-800-424-9346	www.epa.gov/epaoswer/hotline
Office of Air Quality Planning and Standards Home Page. Provides information on air quality issues.		www.epa.gov/oar/oaqps
Office of Air and Indoor Radiation Home Page. Provides information on radon and other indoor radiation subjects.		www.epa.gov/oar/
Acid Rain Program Homepage. Provides information on acid rain.		www.epa.gov/gov/airmarkt/arp/index.html



Clean Water Act Resources

Telephone Nos.

Internet Addresses

Water Docket. Consists of materials used to develop water regulations.

202-260-3027

EPA's Permit Compliance System. Computerized management information system that contains data on NPDES permits.

202-564-7277

www.epa.gov/NPDES

Office of Water Home Page. Provides information on Safe Drinking Water Act.

www.epa.gov/ow/

Oil Spill Program Homepage. Provides information on spill prevention and related oil-spill activities.

www.epa.gov/oilspill/index.htm

CERCLA Resources

RCRA, Superfund, and EPCRA Hotline Provides information on aforementioned programs. Responds to factual questions and provides regulatory information.

703-412-9810
1-800-603-9232

Superfund Docket. Responds to requests for access to docket files and provides copies of publications involving Superfund program.

703-603-9232

Hazardous Waste Docket. Contains information concerning Federal Facilities and their compliance activities. Makes certain resource documents available.

703-603-9232

Public Information Center. Information retrieval system containing information and data on alternative treatment technologies for hazardous waste.

www.epa.gov/epahome/pic.htm

National Response Center. Receives all reports of oil, hazardous chemical, biological, and radiological releases. The NRC reports to the Federal On-Scene Coordinator, who coordinates cleanup efforts.

1-800-424-8802

Office of Solid Waste and Emergency Response Home Page. Provides information on EPCRA, RCRA, and other waste and emergency response and reporting requirements.

www.epa.gov/swerrims/

Superfund Homepage.
Federal Facilities Restoration and Reuse Office Home Page.

www.epa.gov/superfund/
www.epa.gov/swerffrr/



EPCRA Resources

Telephone Nos.

Internet Addresses

RCRA, Superfund, and EPCRA Hotline.
Provides information on aforementioned programs. Responds to factual questions and provides regulatory information.

703-412-9810
1-800-424-9346

Chemical Emergency Preparedness Prevention Office Homepage. Provides information on EPCRA, Clean Air Act Amendments, Oil Pollution, and other chemical emergency protocols, regulations, etc.

www.epa.gov/swercepp/crtk.html

Office of Pollution Prevention and Toxics -- Toxics Release Inventory Home Page.
Provides information on pollution prevention and EPCRA, Section 131, Form R requirements. Clearinghouse for source reduction/replacement activities.

www.epa.gov//opptintr/tri/

FIFRA Resources

National Pesticide Information Center.
Provides toxicological profiles and additional resources on pesticides.

1-800-858-PEST
(general public)
1-800-858-7377
(Govt. Personnel)
703-305-5805

Pesticide Docket. Provides access to documents supporting FIFRA rulemaking and can direct caller to other resources.

Pesticide Registration. Obtains information on registering pesticides.

703- 305-5446

Office of Pesticide Programs Home Page.
Provides information on pesticides.

Office of Prevention, Pesticides, and Toxic Substances Home Page. Provides information of toxic substances.

www.epa.gov/oppts



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Appendix 2. Facility Environmental Inventory Report





Appendix 3. Individual Discovery Report



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Appendix 4. Pollution Prevention Goals and Objectives

The following goals and objectives are designed to reduce waste and pollution, illustrate stewardship in natural resource management, provide employees healthier workplaces, minimize pollutants, prevent an accidental release of a hazardous chemical, and to comply with a number of Executive Orders.

1. **GOAL:** To perform Environmental Compliance Audits for all APHIS facilities within a three year rotation. Once the audit program is established, conduct EMS audits in lieu of Environmental Compliance Audits at selected facilities as warranted.
 - 1.1 **OBJECTIVE:** Write auditing plan and associated documentation and include it in the Environmental Protection Program.
 - 1.2 **OBJECTIVE:** Perform a minimum of eight environmental audits per calendar year.
 - 1.3 **OBJECTIVE:** Have an impartial third-party perform an environmental audit on APHIS-owned "major properties" by December 31, 2004.

2. **GOAL:** For those facilities required to report under Section 313 of EPCRA, reduce total releases for that particular toxic pollutant by 40% by December 31, 2006. Base year 2001.
 - 2.1 **OBJECTIVE:** Identify those facilities during the Environmental Inventory process.
 - 2.2 **OBJECTIVE:** Ensure that all reporting is done electronically.
 - 2.3 **OBJECTIVE:** Examine alternatives to chemical use or use of an alternative chemical.
 - 2.4 **OBJECTIVE:** Examine processes for possible source reduction initiatives.
 - 2.5 **OBJECTIVE:** Discuss initiatives with people performing tasks and obtain ideas or buy-in for use reduction.

 - 2.6 **OBJECTIVE:** Track and compile toxic pollutants for APHIS facilities and report reduction progress to the Department for annual report.

3. **GOAL:** Reduce the use of Mercury and other "Priority Chemicals" (Appendix 8) by 40% by December 31, 2006. Base year 2001.
 - 3.1 **OBJECTIVE:** Identify facilities that use Priority Chemicals (Appendix 8).
 - 3.2 **OBJECTIVE:** Identify source reduction, chemical substitution, and other pollution prevention techniques to reduce their use.
 - 3.3 **OBJECTIVE:** Make all employees aware of the Priority Chemical list and all associated reduction goals.
 - 3.4 **OBJECTIVE:** Track and compile Priority Chemical lists for APHIS facilities and report reduction progress to the Department for annual report.

4. **GOAL:** Develop a facility centralized procurement and distribution center using a pharmacy approach.
 - 4.1. **OBJECTIVE:** Identify facilities that employ over 25 people.
 - 4.2. **OBJECTIVE:** Examine current procurement and distribution techniques at those facilities having over 25 employees.
 - 4.3 **OBJECTIVE:** Make employees aware of the benefits, including cost savings, of a prescription-type chemical distribution system.
 - 4.4 **OBJECTIVE:** Pilot test at one of the APHIS-owned "major facilities."
 - 4.5 **OBJECTIVE:** Share information with others and implement in select facilities.

5. **GOAL:** By 2008, use biodiesel fuel (where available) as an alternative to motor fuel in 50% of our electrical generators, pickup trucks, ride-on lawn mowers, buses, and other diesel-powered equipment at APHIS-owned "major facilities."
 - 5.1 **OBJECTIVE:** Identify sites that use diesel fuel, have an APHIS-owned underground or aboveground tank to provide fuel to those vehicles, and have availability to



biodiesel fuel delivery service. (It is anticipated that the Defense Logistics Agency will become a supplier of blended B20 in the near future.)

- 5.2 OBJECTIVE: Create a biodiesel demonstration project at an APHIS-owned site by December 31, 2005.
 - 5.3 OBJECTIVE: Substitute biodiesel fuel for all diesel fuel used at APHIS-owned and operated sites, and vehicles when economically feasible and practical, by December 31, 2008.
6. GOAL: Develop a Plan to Eliminate Class I Ozone Depleting Substances (ODS).
- 6.1. OBJECTIVE: Amend personal property management policies and procedures to preclude disposal of removed or recovered ODSs from refrigeration equipment.
 - 6.2 OBJECTIVE: Maximize the use of safe alternatives.
 - 6.3 OBJECTIVE: Identify any future uses of ODSs.
 - 6.4 OBJECTIVE: Make procurement and contracting aware of policies and procedures for the procurement of items that contain, use, or are manufactured with ODSs, in accordance with FAR section 23.8.
 - 6.5 OBJECTIVE: Develop an Ozone Depleting Substance Plan by December 2004.
 - 6.6 OBJECTIVE: Inform every facility that they must notify DOD ODS Reserve Program Office, 800 Jefferson Davis Highway, Richmond, VA 23297, telephone 804-279-4525, if they wish to reclaim or remove ODSs.
7. GOAL: Champion the use of environmentally benign adhesives once benign pressure sensitive adhesives for paper products become commercially available.
- 7.1 OBJECTIVE: Determine where product use is cost effective and practical.
 - 7.2 OBJECTIVE: Increase awareness of benefits to contracting and procurement personnel.
 - 7.3 OBJECTIVE: Instruct procurement to order paper products using those adhesives whenever technically practical and cost effective.
8. GOAL: Implement beneficial landscaping techniques in APHIS procurement.
- 8.1 OBJECTIVE: Develop procurement and landscaping practices conforming to the Presidential memorandum on Environmental and Economic Landscaping.
 - 8.2 OBJECTIVE: Implement practices in all our construction projects and examine ways to make management and facility managers aware of cost savings associated with beneficial landscaping.



Appendix 5. Weekly Hazardous Waste (Generator) Activity Report
(For Conditionally-Exempt and Small Quantity Generators)



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Appendix 6. SHEWB Reporting Requirements

Send all information to: Environmental Protection Specialist
Safety, Health, and Employee Wellness Branch
4700 River Road, Unit 124
Riverdale, MD 20737

Due to SHEWB by:	Reporting Requirement
January 20 (Annually)	"Covered Facilities" under EPCRA must send copy of Tier I or II Report that was sent to the Local Emergency Planning Committee; the local fire department(s), and the State Emergency Response Commission; and any Form R (Toxic Release Inventory) Report that is sent to the EPCRA Reporting Center and the State contact.
January 20 (Annually)	"Covered Facilities" under EPCRA must submit a report with measurable results, showing reduction of TRI chemicals, toxic chemicals, and "Priority Chemicals." Results should be shown in percentage of reduction and pounds.
January 20 (Annually)	The following facilities must submit a report that outlines their pollution prevention activities, i.e., recycling, ODS replacement or substitution; chemical elimination, substitution, or reduction; environmental audits; secondary containment activities; replacement or reduction of "Priority Ames, IA; Mission, TX; Gulfport, MS; Niles, MI; Beltsville, MD; and other facilities having or requiring a pollution prevention program.
January 20 (Annually)	Hazardous Waste/Pollution Prevention Advisors (or Safety and Health Officers) will submit verification that all Hazardous Waste Accumulation Inspection Reports were completed.
January 20 (Annually)	The following facilities will report on their progress for implementing an EMS: Mission, TX; Gulfport, MS; and Beltsville, MD.
January 20 (Annually)	Employees can nominate an employee for the Individual Award for Environmental Excellence and a facility/port manger/director for the Facility Award for Environmental Excellence. Nominations for the previous year will be accepted up to January 31 of the following year. (Example: nominate a person for 2003, by January 31, 2004.)
Within 72 hours of notification	Submit copies of all environmental actions: Warning Letters, Notice of Violations, Administrative Actions, and RCRA/CERCLA Corrective Actions.
Within 14 days of receipt	Submit copies of environmental air and water permits -- include permit conditions.
For an environmental hazard that cannot be corrected within 30 days.	Submit an action plan for mitigating the environmental hazard.
Within 24 hours of occurrence.	Report any reportable release to SHEWB at 301-734-6116. (Refer to Section 7. E. for reporting requirements to Federal, State, and local authorities.)



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Appendix 7. Hazardous Waste Accumulation Inspection Form
(Includes Satellite Hazardous Waste Accumulation Sites, if permitted by the State)



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Appendix 8. Priority Chemical List (EO 13148 Section 503 Chemical List)

Use	Chemical	Suggested Proposed/Draft Alternatives	Proposed Limitations/Exceptions	Proposed Reporting Threshold Limitations	Reporting Measurements
Temperature and pressure measuring devices (medical and industrial)	Mercury	Aneroid manometers – digital and electronic temperature measuring devices	Except where called for in third-party specification or certification (ASTM, NIST, EPA)	0 pounds	Pounds of Mercury
Switches	Mercury	Electronic thermostats – mechanical switches, ultrasonic and photoelectric sensors	ONLY for new construction, renovation in facilities, and replacement in hardware, etc.	0 pounds	Pounds of Mercury
Electroplating processes	Cadmium	Alternative metal coatings, metal deposition, flame coating, limited area plating		0 pounds	Pounds of Cadmium used
Electroplating processes	Chrome (chromium VI)	Alternative metal coatings, metal deposition, flame coating, limited area plating, Chromium III sputtering	Exempt plates and dies for BEP and Mint for official currency and coins based on commitment to review alternatives	100 pounds	Pounds of Chromium used
Wastewater Disinfection	Chlorine (solid)	Ozone treatment, UV light, sodium hypochlorite	For new construction and renovations – to be reviewed for feasibility in cases of non-renovation replacement	100 pounds	Pounds of Chlorine used
Wastewater Disinfection	Chlorine (gaseous)	Ozone treatment, UV light, sodium hypochlorite	For new construction and renovations – to be reviewed for feasibility in cases of non-renovation replacement	100 pounds	Pounds of Chlorine used
Biocide in cooling towers	Chlorine (solid)	Ozone treatment		100 pounds	Pounds of Chlorine used
Biocide in cooling towers	Chlorine (gaseous)	Ozone treatment		100 pounds	Pounds of Chlorine used
Photographic Operations	Silver	Digital photographic processes	Calculate number of units or silver recovered	100 pounds	Number of photo units
Radiography (medical and industrial)	Silver	Digital computer radiography	Calculate number of units or silver recovered	100 pounds	Number of X-ray units, number of X-rays developed
Tin/Lead Soldering (Electrical & electronic components)	Lead	Tin copper eutectic, Tin silver eutectic	Repair and rework operations only	5 pounds	Pounds of lead solder used
Medical/General Sterilizer	Ethylene Oxide	Gamma, electron beam radiation, vapor phase hydrogen peroxide, peracetic acid		100 pounds	Pounds of EtO ₂ used
Pesticide/Insecticide	Methoxychlor	Integrated Pest Management including process changes		100 pounds	Pounds of Methoxychlor used
Pesticide	Naphthalene	Integrated Pest Management including process changes		100 pounds	Pounds of Naphthalene used
Pesticide	Pentachlorobenzene	Integrated Pest Management including process changes		100 pounds	Pounds of Pentachlorobenzene used
Insulating material (dielectric fluids in transformers and ballasts)	PCBs	Early retirement of existing PCB containing equipment	<i>“PCB contaminated: 50-499 ppm; PCBs: 500 ppm+; not regulated by TSCA: less than 50 ppm. Inventoried info: transformers, capacitors, PCB-containing items & gallons of fluid is reported”</i>	0 pounds	Pounds of PCBs in fluid



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