

# The Small Business Resource

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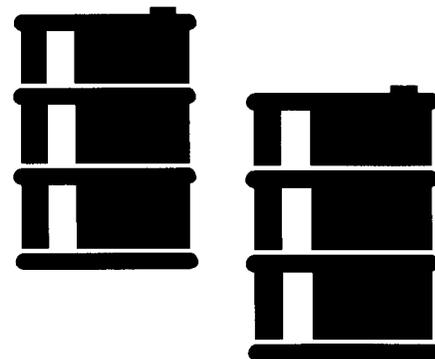
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## **Emergency Planning and Community Right-to-Know (EPCRA) Annual Reports Due March 1**

Your company may be required to complete reports under the EPCRA regulations. The EPCRA reporting requirements apply to companies that are subject to OSHA's Hazard Communication Standard and that use, produce or store the following substances:

1. **10,000** pounds or more of a hazardous chemical; or
2. The reportable threshold (one to 500 pounds, depending on the substance) or more of an extremely hazardous substance.

A hazardous chemical is any chemical covered by OSHA's Hazard Communication Standard. While there isn't a specific listing of hazardous chemicals, they include any chemical or chemical mixture that exhibits hazardous characteristics. Hazardous characteristics include: health, fire, or reactivity hazards or the potential for a sudden release of pressure. Examples of hazardous chemicals include gasoline, diesel fuel, paints, solvents and other chemicals.



An extremely hazardous substance is any one of 360 chemicals on a specific list in EPA's regulations. Examples of extremely hazardous substances include chlorine, ammonia and nitric acid.

If your company handles either hazardous chemicals or extremely hazardous substances in greater than threshold quantities, you must file a report to the State Emergency Response Commission (SERC), your county's local emergency planning committee, and your local fire department by March 1.

For more information on this reporting requirement, contact Ohio EPA's Right-to-Know Office at (888) 644-2260 or visit SERC's Web page at [www.epa.state.oh.us/derr/serc](http://www.epa.state.oh.us/derr/serc).

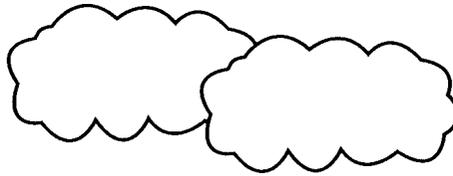
## Air Issues

### More Regulations Coming for Surface Coating Operations

Your small business could be subject to new federal regulations for controlling emissions of volatile organic compounds (VOCs) if you are involved in:

- Automobiles/light duty truck coating and manufacturing;
- Fabric coating, printing and dyeing;
- Coating of large appliances, metal furniture, cans or coils;
- Coating of miscellaneous metal parts and products;
- Coating of plastic parts, paper, film and foil;
- Wood building products manufacturing.

These new rules, to be issued by U.S. EPA on November 15, 2000, are part of the regulations known as National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The new rules will apply nationwide and are designed to limit the emissions of VOCs and Hazardous Air Pollutants (HAPs). The term "VOC" is a generic name for chemicals that evaporate quickly and includes many common paint and cleaning solvents. In addition, many VOCs are also hazardous air pollutants.



U.S. EPA is coordinating the development of these regulations in order to promote consistency and resolve overlapping requirements that may arise when a production line makes several products that could be subject to different regulations. To this end, U.S. EPA already has sponsored a series of meetings to get input from small businesses and trade associations on the rules.

For more information on these upcoming rules, contact Ohio EPA's Division of Air Pollution Control, Small Business Assistance Program at (614) 644-4830. Or, view the draft regulations and other information on EPA's Web site at [www.epa.gov/ttn/uatw/coat/coat.html](http://www.epa.gov/ttn/uatw/coat/coat.html).

*Special thanks to the Pennsylvania Small Business Assistance Program for their assistance with this article.*

## New Resources

### New Pollution Prevention Available for Vehicle Service Companies

A 14-minute video titled "Profit From Waste: New Strategies for the Vehicle Servicing Industry" is now available from Ohio EPA. Several Ohio companies explain how they have saved money and improved shop productivity by changing the ways in which they manage waste or by eliminating waste altogether. Copies of the tape are available on loan, free-of-charge from Ohio EPA's Small Business Assistance Office. Contact Kirk Nofzinger at (614) 728-8573 or (800) 329-7518 for more information.

### Ohio EPA Policy, Guidance and Fee Documents Published on Web Site

Are you interested in knowing if Ohio EPA has published guidance or a policy on a particular environmental compliance topic? If so, you should visit Ohio EPA's Web site for a comprehensive listing of policies and guidelines. Many of these can be directly downloaded from the site or can be obtained from the Agency's library. In addition, Ohio EPA recently published an Agency fee schedule which outlines permitting and other program related fees. For more information, visit Ohio EPA's web site at [www.epa.state.oh.us](http://www.epa.state.oh.us).

## Waste Issues

### Identifying Hazardous Waste at Your Business

As a business owner, it is important to know if you generate a hazardous waste. Under Ohio EPA's regulations, all wastes generated from a business must be evaluated to see if they are hazardous or not. Ohio EPA has specific regulations for handling and disposing of hazardous waste. For businesses that generate hazardous waste, there are also record keeping requirements to comply with.

***If you do not know whether your business generates a hazardous waste, or if you are not properly managing hazardous wastes, you could face a violation or penalty.***

#### What is a hazardous waste?

If you have a material that can no longer be used, it is considered a waste. There are two ways in which your waste can be classified as a hazardous waste:

#### Listed hazardous wastes

If your waste appears on any one of the lists published in Ohio's hazardous waste regulations, it is a hazardous waste. These lists are published in the Ohio Administrative Code (OAC), rules 3745-51-31 through 3745-51-33. There are four different lists of wastes. Each waste on the list is assigned a hazardous waste code.

##### F listed wastes:

These wastes come from general processes such as cleaning, degreasing, manufacturing and metal finishing.

##### K listed wastes:

These wastes come from specific industrial processes, such as chemical or pesticide production, petroleum refining and metal manufacturing.

##### U listed wastes:

These wastes include old, off-specification or discarded commercial chemicals. For example, if you have a process or lab chemical that has exceeded its shelf life and can't be used, this chemical may be a U waste.

##### P listed wastes:

Like U wastes, these wastes are also old, off-specification or discarded commercial chemicals. The P wastes are, however, more toxic than U wastes.

Hazardous waste codes for the above wastes include either an "F," "K," "P," or "U" followed by three digits (e.g., F001, K062, U122, P018).

#### Characteristic hazardous wastes

If you find that your waste does not appear on the F, K, P or U lists in Ohio EPA's regulations, your waste may still be regulated as hazardous waste if it possesses a hazardous characteristic. Under the regulations, there are four characteristics that could cause a waste to be regulated as hazardous:

##### Ignitability:

The waste has a flash point of less than 140 degrees F (60 degrees C) or could catch fire under certain circumstances. Examples include: solvents, mineral spirits and paint waste.

Ignitable hazardous wastes carry the EPA waste code of D001.

##### Corrosivity:

The pH of the waste is very low (2 or less) or very high (12.5 or greater). Or, the waste can corrode metal.

Examples include: acids or alkali cleaning baths and battery acid.

Corrosive hazardous wastes carry the EPA waste code of D002.

##### Reactivity:

The waste is unstable, reacts violently, explodes or produces toxic vapors under certain conditions. Examples: cyanide or sulfide wastes and peroxides. Reactive hazardous wastes carry the EPA waste code of D003.

##### Toxicity:

The waste has specific toxic contaminants present in high enough concentrations to be harmful to humans or the environment. The toxic contaminants and their threshold levels are included in Ohio's hazardous waste regulations (OAC rule 3745-51-24). Examples include wastes that contain heavy metals (e.g., lead, chromium, mercury, cadmium) or certain chemicals (e.g., benzene, MEK, pesticides). Toxic hazardous wastes carry the EPA waste codes of D004 through D043, depending on the contaminant(s) present.

Knowing the EPA waste codes that apply to your wastes is important because these waste codes identify the specific type of waste generated by your company. They also help identify the waste as it is being transported, treated and disposed of. The waste codes are put on drum labels, the generator notification form, hazardous waste shipping manifests and other records.

## Do small businesses generate hazardous wastes?

Yes! Many small businesses are hazardous waste generators. Even if a business **generates only a small amount of waste, the waste must still be evaluated and, if it is hazardous, properly managed.**

Some of the small businesses that commonly generate hazardous waste include:

- auto repair shops
- auto salvage yards
- body shops
- construction contractors
- dry cleaners
- laboratories
- machine shops
- manufacturers
- medical clinics
- metal finishers
- painters
- photographers
- printers
- sandblasting
- wood refinishers

## How do I evaluate my waste?

First, you must know about ALL the wastes that come from your business. Go through your business and make a list of all your wastes (include even those that you think are not hazardous). Go through the list and carefully evaluate each waste stream. Some wastes are excluded from the hazardous waste regulations. These include, for example, certain wastes that are recycled. You should see if any of your wastes fall under these exclusions in the hazardous waste regulations (OAC 3745-51-04). For wastes that aren't excluded, you need to be able to answer the following questions:

## Is the waste on Ohio EPA's F, K, P or U lists of hazardous wastes?

**Note:** Any waste that is mixed with or derived from a listed waste is also considered listed — and hazardous. An example of “mixed with” is mixing an F-listed solvent with antifreeze. An example of “derived from” includes distillation bottoms from distilling an F-listed solvent. Used solvent wipers containing an F-listed solvent are also hazardous wastes.

## Does the waste have any of the hazardous waste characteristics?

Collect information that might be helpful to you in evaluating your waste. This may include information from your vendor, supplier or Material Safety Data Sheets (MSDS) with product information. Keep any information that you use to make your waste evaluation in your files. If your business is ever inspected by a hazardous waste inspector, the inspector will want to review this information.

If you do not have enough process information to evaluate a waste, you may need to have the waste sampled and sent to an environmental testing lab for analysis. Keep any lab results you have on your waste in a file.

## What are some options for reducing the amount of waste my business generates?

There are many opportunities for businesses to reduce the amount of hazardous waste they generate, even for small businesses. These options can range from simply improving housekeeping practices to making process changes.

Reducing waste can save your company money, reduce your environmental liability and regulatory burden. To find out more about pollution prevention options for your business, contact Ohio EPA's Office of Pollution Prevention at (614) 644-3469.

## Where can I get more help?

If you have any questions about how to evaluate wastes from your business, or any other questions about Ohio's hazardous waste regulations, contact either office listed below. You can also contact your local Ohio EPA District Office, Division of Hazardous Waste Management.

Ohio EPA,  
Division of Hazardous Waste  
Management  
tel: (614) 644-2956  
[www.epa.state.oh.us/dhwm/welcome.html](http://www.epa.state.oh.us/dhwm/welcome.html)

Ohio EPA,  
Small Business Assistance Office  
tel: (800) 329-7518 or (614) 728-8573  
[www.epa.state.oh.us/other/sbao/sbaindex.html](http://www.epa.state.oh.us/other/sbao/sbaindex.html)

## Water Issues

### Storm Water Regulations Expanded

Referred to as phase II, U.S. EPA made three major changes to the stormwater regulations on December 8, 1999. Ohio EPA will be adopting the new phase II requirements as well.

Under the new rules, municipal separate storm water systems serving populations under 100,000 will be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for all storm water discharges. Permit waivers are available for these newly regulated municipal systems. Also, exemptions for certain municipal activities that are currently available will be revoked. Municipalities will have to obtain permit coverage by March 10, 2003.

Under the previous requirements, operators/owners of construction sites disturbing five or more acres had to obtain a stormwater (NPDES) permit. The revised rules will now apply to construction sites disturbing one or more acres. On March 10, 2003 operators/owners of these construction sites must have an NPDES permit for their storm water discharges.

Finally, the no exposure permit exemption (no exposure of industrial materials and activities to storm water) is now available to all categories of industrial activity (except construction activity). Previously, this exemption was available only to businesses in the light industry category.

No exposure can exist if you adopt practices to prevent your operations from contaminating storm water. Such practices may include, for example, covering industrial or process operations under a storm resistant shelter. Under the exemption, industrial operators must submit written certification every five years of no exposure at their facility. This

certification requirement will apply to all industrial categories, including the light industrial category facilities. Ohio EPA is developing the procedures that will allow industries to take advantage of the no exposure permit exemption and it's expected the exemption will be available later this year.

If you have any questions about these changes to the storm water regulations, please call Ohio EPA's Division of Surface at (614) 644-2034. For businesses in Central Ohio, contact Harry Kallipolitis at (614) 728-3844. Information is also available on U.S. EPA's Web site at [www.epa.gov/owm/sw/phase2/index.htm](http://www.epa.gov/owm/sw/phase2/index.htm). ☞

## Pollution Prevention Issues

### What is Waste Costing Your Company?

When small business owners are asked this question, some of the usual answers include:

- It costs our company \$200 to dispose of a 55-gallon drum of hazardous waste;
- Our solid waste disposal cost is just \$60 a ton;
- Our wastewater disposal costs are only \$0.10 per gallon; or,
- Our parts cleaning solvent is replaced every month for \$50.

Most companies can calculate their annual waste disposal costs easily. However, disposal costs are just the tip of the iceberg because they account for only about 15 percent of a company's total waste costs. And, just as an iceberg sunk the Titanic, the hidden waste costs could be sinking your company's profit margins.

Unfortunately, too many companies only consider disposal costs as their total waste costs. By focusing all their resources and basing business decisions on reducing disposal costs, these companies are missing significant cost saving opportunities. They

may also be missing an opportunity to reduce their regulatory burden. Why should you want to know your company's total waste costs? For the same reason you should know any other business costs: so they can be managed and reduced.

How can you determine your company's total waste costs? Understanding your company's processes is the crucial first step in determining your total waste costs. To determine your total waste costs, you need to look at raw material, labor and waste management costs for each step in the process. Commonly when a company calculates its waste cost, it overlooks raw material and labor costs.

It is not necessary to quantify all these costs down to the nearest penny. The goal is to more broadly look at your total waste costs and to use this information in your decision making. By identifying the total waste costs for your business, you can develop more effective strategies to reduce these costs and save money.

If you have questions about calculating the total waste costs for your business, contact Ohio EPA's Office of Pollution Prevention at (614) 644-3469, or contact Kirk Nofzinger of Ohio EPA's Small Business Assistance Office at (800) 329-7518. ☞



*Our services are FREE and CONFIDENTIAL*

If you need help understanding the regulations and how to comply with them, give us a call at 1-800-329-7518 or 614-728-8573.

Are you a small business owner? Do you have questions about environmental regulations?

**SBAO**  
Small Business Assistance Office  
Ohio EPA

## The Small Business Resource

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