



# EI ALERT

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## Major Airlines Agree to New & Costly Water Regulations



**O**n November 9, 2004, the government and twelve major U.S. Airlines struck a deal requiring increased testing of drinking water aboard aircraft after recent tests showed that 12.6 percent of the aircraft tested did not meet the Environmental Protection Agency's (EPA) standards. Of the 158 planes randomly checked, twenty tested positive for total coliform bacteria, which could signal the presence of a wide variety of other harmful bacteria. Two planes tested positive for E. Coli, which in a severe form, can cause gastrointestinal illness.

Although there were no reports concluding that passengers have directly become sick from airline drinking water, these recent findings did raise a red flag that the 18-year old regulations governing water on aircraft need to be re-evaluated.

Under the new agreement, the twelve major airlines must disinfect and flush each airplane's potable water system quarterly, flush out trucks, carts and hoses that carry the water monthly, and notify EPA immediately when an airplane tests positive for coliform bacteria. Additionally, airlines must notify the public or discontinue water service on aircraft that return coliform-positive test results. The airlines must disinfect all aircraft within 24-hours of positive test results, although extensions may be granted if the plane is outside of the United States. The EPA also announced that it would perform random water quality tests on 169 domestic and international aircraft at 14 airports throughout the United States and publish the results by the end of 2004.

Complying with the new protocol established in the wake of these findings is anticipated to be quite costly for an industry that is already on its collective heels financially. Grounding aircraft for testing and disinfection procedures, coupled with additional maintenance activities, inevitably equates to lost revenue at the end of the day. Added expense may also be incurred when planes will have to be flown to select airports that are capable of performing the flushing and testing requirements.

The EPA advises passengers with immune system problems to avoid drinking water from airplane galleys or lavatories. If you are a concerned flyer, follow these suggested hints to limit your exposure to potentially contaminated H<sub>2</sub>O while flying:

- Carry your own bottled water
- Use only bottled water to wash your hands & face and brush your teeth
- Avoid cups of water served by flight attendants
- Avoid ordering tea and coffee unless you can provide your own water

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While the industry had previously disputed the EPA's initial findings, the airlines' trade group, the Air Transport Association, released the following statement: "Our members wanted to address once and for all, questions the EPA raised about our airlines' drinking water." Signing the agreement with the EPA are *Alaska, Aloha, American, America West, ATA, Continental, Hawaiian, JetBlue, MidWest, Northwest, United* and *US Airways*. EPA officials note that separate agreements have been negotiated with two additional airlines, *Delta* and *Southwest*. Because *Southwest* only flies domestically, it will be held to slightly different requirements. *Delta*, meanwhile, has already agreed to a higher standard. *Delta* spokesman, Anthony Black said, "The airlines current water testing program exceeds the monitoring in the new agreement." While the 14 airlines represent the majority of U.S. carriers, the EPA is also working with regional and charter airlines to improve drinking water quality.

For more information on the regulation of water supplies aboard passenger aircraft, please don't hesitate to contact Mr. Mike Walker at 800-717-3472, ext. 245 or Ms. Renee Jeglinski at 800-717-3472, ext. 281. For additional information or to view publicly available testing data, go to <http://www.epa.gov/airlinewater>.

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# OSHA's Final Respiratory Protection Rule

OSHA recently announced the addition to its Respiratory Protection Standard of a new quantitative fit-testing procedure, referred to as the controlled negative pressure (CNP) REDON protocol. The protocol requires three test exercises followed by two redonnings of the respirator. The three test exercises, listed in order of administration, are normal breathing, bending over and head shaking. The procedures for administering the new protocol are as follows:

? **Facing Forward:** In a normal standing position, without talking, breathe normally for 30 seconds. Then while facing forward, hold breath for 10 seconds during sampling.

? **Bending Over:** Bend at the waist for 30 seconds and hold breath for 10 seconds during sampling.

? **Head Shaking:** Shake head back and forth vigorously several times while shouting for approximately three seconds, and while facing forward, hold breath for 10 seconds during sampling.

? **First Redonning:** Remove respirator, loosen all face-piece straps, and then redon the respirator mask. After redonning the mask, face forward and hold breath for 10 seconds during sampling.

? **Second Redonning:** Remove respirator, loosen all face piece straps and then redon the respirator mask again. After redonning the mask, face forward and hold breath for 10 seconds during sampling.

"Selecting the proper respirator is a vital step in protecting a user against potential over-exposures and adverse health effects," said OSHA Administrator John Henshaw. "The additional fit-testing protocol will help employers and employees to select the right respirator based on the conditions in their workplaces." Additionally, the agency noted that the new protocol is less time-consuming than current approved fit-testing protocols. That news certainly comes as a breath of fresh air for fit-testers and testees everywhere.



*For more information regarding OSHA's Final Respiratory Protection Rule, or for help complying with the new requirements, don't hesitate to contact Mr. George Elderbaum, EI's Director of Respiratory Surveillance Programs, at 800-717-3472, ext. 231.*

## The Hazards of Building Renovation

Most of us understand the normal hazards associated with building renovation. Based on the age of the facility, the building owners and contractors will evaluate items such as lead-based paint and asbestos. There are however a few other concerns which may surprise you.

In a recent study in the Greater Boston Area, polychlorinated biphenyls (PCBs) were found in building materials which exceeded the U.S. EPA limit of 50 parts per million (ppm). Materials with concentrations exceeding this limit are regulated as PCB bulk product waste. The materials included window caulking and foam board insulation, as well as HVAC components in buildings which were built or renovated prior to 1977. Some window caulking was found to contain PCBs in excess of 600 times the EPA limit. Similar studies were completed in several European countries where detectable levels of PCBs were also detected in indoor air samples and surface samples, including ventilation systems. PCBs are known animal carcinogens and probable human carcinogens and have also been associated with birth defects and effects on the reproductive system. Exposure can cause an acne-like skin rash, liver damage, as well as damage the nervous system. There are several compounding issues when dealing with PCB. Since PCB is a probable carcinogen, there is essentially no safe exposure level even though there are OSHA regulations concerning airborne exposure. Also, PCBs may permeate into the adjacent building material (brick or masonry). Unlike lead, asbestos, or mold, PCB contaminated caulking appears to be removed from suspect buildings without the use of proper containment, personal protective equipment, or other precautions designed to protect building occupants, renovation contractors, or the environment.

Additional hazards which are seldom evaluated for, are compounds containing mercury. Approximately 30% of interior latex paints manufactured prior to 1991 contained phenylmercuric acetate (a type of organic mercury). The presence of PMA in latex paints was used for increasing shelf-life as well as acting as a biocide (inhibit mold/bacteria growth). Based on current information, PMA is still allowed in exterior latex paints. Building managers and maintenance staff should be sure to not use older paints or those designated for exterior use as they could still contain mercury. Doing so could cause building occupants to be exposed to mercury during the drying/curing process.

Also, a majority of bleaches contain elemental mercury, similar to that found in thermometers and amalgam fillings. Due to the manufacturing process of sodium hypochlorite (bleach and other caustics), trace amounts of mercury make it into the end product. This is of special concern for mold remediation contractors who use bleach solution as a fungicide.

Little information is available with respect to exposure to these compounds during building occupancy. Research is underway to better assess these hazards. There is probably little hazard from these materials during normal occupancy. However, just as with lead-based paint, it is probably wise to be cautious, especially where there are young children in the home or whenever substantial renovation might take place that would disturb or release these materials.

*For more information on the hazards associated with building renovation, don't hesitate to contact Mr. Vince Maisto, Industrial Hygienist, at (704)-593-1640.*

COURSE TITLE	JANUARY	FEBRUARY	MARCH	APRIL
<b>MOLD COURSES</b>				
<b>MOLD REMEDIATION WORKER (16-Hr) \$295</b>	24-25 (R)		17-18 (RTP)	25-26 (R) 28-29 (CLT)
<b>MOLD REMEDIATION SUPERVISOR (32-Hr) \$695</b>	24-27 (R)		7-10 (RTP)	25-28 (R)
<b>MOLD OPERATIONS &amp; MAINTENANCE (8-Hr) \$175</b>	31 (RTP)			
<b>MOLD RISK ASSESSMENT (20-Hr) \$750</b>	26-28 (RTP)			26-28 (GSC)
<b>MOLD PROJECT OVERVIEW (8-Hr) \$175</b>			11 (RTP)	25 (RTP)
<b>MOLD REGULATORY UPDATE (8-Hr) \$175</b>		18 (CLT)		15 (RTP)
<b>SAFETY &amp; HEALTH COURSES</b>				
<b>HAZWOPER (40-Hr) \$545</b>		7-11 (R)		
<b>HAZWOPER REFRESHER (8-Hr) \$145</b>		11 (R)		
<b>OSHA CONSTRUCTION SAFETY (10-Hr) \$245</b>		25 (RTP)		8 (CLT)
<b>OSHA CONSTRUCTION SAFETY (30-Hr) \$695</b>		21-24 (RTP)		4-7 (CLT)
<b>OSHA GENERAL INDUSTRY SAFETY (10-Hr) \$245</b>		21-24 (RTP)		
<b>OSHA GENERAL INDUSTRY SAFETY (30-Hr) \$695</b>		21-24 (RTP)		
<b>OSHA 7600 - DISASTER SITE WORKER (16-Hr) \$295</b>		3-4 (RTP)		
<b>CONFINED SPACE ENTRY (8-Hr) \$225</b>			19 (RTP)	
<b>FALL PROTECTION (8-Hr) \$250</b>			20 (RTP)	
<b>HEARING CONSERVATION &amp; AUDIOMETRIC TECHNICIAN (24-Hr) \$495</b>	24-26 (TFL)		16-18 (RTP)	20-22 (R)
<b>HEARING CONSERVATION REFRESHER (8-Hr) \$285</b>	25 (TFL)	11 (RTP)		21 (R)
<b>INDUSTRIAL NOISE MONITORING (8-Hr) \$425</b>		28 (RTP)		29 (RTP)
<b>NIOSH PULMONARY FUNCTION TECHNICIAN (16-Hr) \$445</b>	12-13 (RTP) 26-27 (TFL)	16-17 (CLT)	23-24 (RTP)	13-14 (R)
<b>PULMONARY FUNCTION TECHNICIAN REFRESHER (8-Hr) \$235</b>		10 (RTP)		
<b>RESPIRATORY PROTECTION &amp; FIT TESTING (8-Hr) \$195</b>			1 (RTP)	28 (RTP)
<p>KEY CODES: CLT-Charlotte, NC; RTP-Raleigh, NC; R-Richmond, VA; Ro-Roanoke, VA; TFL-Tampa, FL; HVa-Hampton, VA and GSC-Greenville, SC</p> <p>EI also offers additional regulated and non-regulated courses in support of business, general industry, construction, EPA, OSHA, DOT and other regulated programs. Don't see what you need? Want the above courses and more on-site at your location? - Call us today!</p> <p><b>FOR REGISTRATION, visit us at:</b></p> <p><b><a href="http://www.ei1.com">www.ei1.com</a></b></p> <p>or for more information:</p> <p>TELEPHONE: 888 . 872 . 4655      FAX: 804 . 378 . 9039      EMAIL: <a href="mailto:training@ei1.com">training@ei1.com</a></p> <p><i>Registration fees must accompany the registration form, or be paid prior to the first day of the course. Payment can be made by a check in US Funds made payable to EI, a company purchase order or a VISA or Mastercard number. Purchase order numbers will be invoiced when received. Credit cards will be charged at the time the registrations are received.</i></p> <p><i>Scheduled courses are subject to change up to two weeks from the start date. Changes may include date, location, availability and pricing. Please refer to our website, <a href="http://www.ei1.com">www.ei1.com</a>, for the most current information. Questions? Please call 1-800-717-3472 or email <a href="mailto:training@ei1.com">training@ei1.com</a>.</i></p>				

# 2005 Schedule At-a-Glance



COURSE TITLE	JANUARY	FEBRUARY	MARCH	APRIL
<b>ASBESTOS COURSES</b>				
<b>ASBESTOS WORKER (32- Hr) \$425</b>	18-21 (RTP)	21-24 (R)	15-18 (RTP)	
<b>ASBESTOS WORKER REFRESHER (8-Hr) \$115</b>	10 (R) 29 (RTP)		18 (R) 24 (RTP)	14(R)
<b>ASBESTOS SUPERVISOR (40-Hr) \$625</b>		7-11 (R)	7-11 (RTP)	4-8 (R)
<b>ASBESTOS SUPERVISOR REFRESHER (8-Hr) \$150</b>	14 (R) 28 (RTP)	4 (Ro) 25 (HVa)	11 (R) 25 (RTP)	15 (R)
<b>ASBESTOS OPERATIONS &amp; MAINTENANCE (16-Hr) \$245</b>	26-27 (RTP)	28 - Mar 1 (R)	28 - Mar 1 (R) 22-23 (RTP)	
<b>ASBESTOS ROOFING WORKER (8-Hr) \$145</b>			29 (RTP)	
<b>ASBESTOS ROOFING SUPERVISOR (16-Hr) \$225</b>			29-30 (RTP)	
<b>NIOSH 582 EQUIVALENT (40-Hr) \$800</b>		28-Mar.4 (RTP)	28-Mar.4 (RTP)	18-22 (R)
<b>ASBESTOS INSPECTOR (24-Hr) \$450</b>	17-19 (R)	7-9 (CLT)		18-20 (R)
<b>AB INSP/MGT PLANNER REFRESHER (8-Hr) \$100 EACH OR \$175 BOTH</b>	12 (R) 17 (RTP)		14 (CLT)	11 (R)
<b>ASBESTOS MANAGEMENT PLANNER (16-Hr) \$350</b>	20-21 (R)	10-11 (CLT)		21-22 (R)
<b>ASBESTOS PROJECT DESIGNER (24-Hr) \$450</b>		28-March 2(R)	28-March 2(R)	
<b>AB PROJECT/MONITOR/CLEARANCE AIR MONITOR (16-Hr) \$350</b>		17-18 (R)	3-4 (R)	
<b>ASBESTOS PROJECT DESIGNER REFRESHER (8-Hr) \$190</b>	6 (R)		21 (RTP)	7 (R)
<b>ASBESTOS PROJECT MONITOR REFRESHER (8-Hr) \$150</b>	7 (R)			8 (R)
<b>WV CLEARANCE AIR MONITOR REFRESHER (4-Hr) \$125</b>	7 (R)			8 (R)
<b>LEAD COURSES</b>				
<b>LEAD ABATEMENT WORKER (16-Hr) \$375</b>		1-2 (RTP) 2-3 (R)		5-6 (CLT)
<b>LEAD WORKER REFRESHER (8-Hr) \$190</b>		4 (R) 4(RTP)		1 (RTP)
<b>LEAD ABATEMENT SUPERVISOR (32-Hr) \$625</b>		14-17 (CLT)	7-11 (R)	11-14 (RTP)
<b>LEAD SUPERVISOR REFRESHER (8-Hr) \$190</b>	14 (R)	3 (RTP) 18 (R)	31 (RTP)	
<b>LEAD ABATEMENT PROJECT DESIGNER (8-Hr) \$190</b>	12 (R)	18 (CLT)		15 (RTP)
<b>LEAD ABATEMENT PROJECT DESIGNER REFRESHER (4-Hr) (VA) \$190</b>	13 (R)		30 (R)	
<b>LEAD PROJECT DESIGNER REFRESHER (8-Hr) \$190</b>			28 (RTP)	
<b>LEAD IN CONSTRUCTION (8-Hr) \$140</b>		3 (RTP) 18 (R)		
<b>LEAD INSPECTOR (24-Hr) \$475</b>	17-19 (R)	21-23 (CLT)	21-23 (R)	18-20 (RTP)
<b>LEAD INSPECTOR REFRESHER (8-Hr) \$190</b>	6 (R) 24 (RTP)		14 (R)	7 (CLT)
<b>LEAD RISK ASSESSOR (16-Hr) \$350</b>	20-21 (R)	24-25 (CLT)	24-25 (R)	21-22 (RTP)
<b>LEAD RISK ASSESSOR REFRESHER (8-Hr) \$190</b>	7 (R) 25 (RTP)		15 (R)	8 (CLT)



## Recordkeeping & HIPAA Concerns

OSHA has warned employers not to manipulate the latest health insurance privacy rule, (part of the new Health Insurance Portability and Accountability Act (HIPAA)) as a way to avoid recording employee names on injury and illness reports. Employers across the United States have cited the privacy laws as justification for removing employee names from recordkeeping logs before releasing the documents to local unions.

In a letter of interpretation written in August, 2004, Keith Goddard, head of OSHA's Directorate of Evaluation and Analysis, states "Even if HIPAA is

implicated by the employer's disclosure of the OSHA log, the statute and implementing regulation expressly permits the disclosure of protected health information to the extent required by the law. In this case, recordkeeping regulations require that employees and employee representatives are given access to the complete injury and illness log."

Organized labor groups claim that access to employee names on the recordkeeping logs allow unions to better understand workplace conditions associated with specific injuries.

*For more information on HIPAA statutes and OSHA's recordkeeping standards, please visit [www.osha.gov](http://www.osha.gov), or call Mr. Lindsay Cook, CIH, CSP, EI's Senior Vice President, at 800-717-3472, ext. 246.*

## OSHA's Top Ten Violations

### Rank OSHA Violation

- 1 General Requirements for Scaffolding
- 2 Fall Protection
- 3 Hazard Communication
- 4 Lockout/Tagout
- 5 Machines Guarding
- 6 Electrical, Wiring Methods, Components
- 7 Respiratory Protection
- 8 Powered Industrial Trucks
- 9 Mechanical Power Transmission
- 10 Ladders

## Industrial Boiler MACT Standards . . . Substantial Impact Anticipated

EPA issued the final rule on September, 13<sup>th</sup> 2004 that establishes **Maximum Achievable Control Technology (MACT)** standards, for reducing emissions of hazardous air pollutants (HAPs) from industrial, commercial and institutional boilers and process heaters.

For existing sources (construction on units commenced prior to January 13, 2003), the first compliance deadline is March 12, 2005, when initial notifications are required to be filed, and the deadline for compliance with emission limitations and all other requirements of the rule is September 13, 2007. For new sources (construction or reconstruction of units commenced on or after January 13, 2003), the deadline for initial notification was November 12, 2004 or within 15 days of startup, and November 12, 2004, or upon startup, for all other requirements of the rule.

In order to be affected by the rule, the boiler and process heater must be a major source of hazardous air pollutants (HAP). Typical HAP emitted by boilers and process heaters are fuel-based HAP which includes arsenic, cadmium, chromium, hydrogen chloride, hydrogen fluoride, lead, manganese, mercury and nickel.

The Boiler MACT rule affects a large population of covered sources; therefore, for ease of interpretation, USEPA has divided covered sources into four basic populations.

- ????? **POPULATION 1:** No Requirements: Existing units < 10 MMBtu/hr (all fuels), and New units < 10 MMBtu/hr (gas)
- ? **POPULATION 2:** Initial Notification only: Existing units > 10 MMBtu/hr (liquid), new units > 10MMBtu/hr (gas), and New units < 10 MMBtu/hr (distillate oil only or distillate oil combined with gaseous fuel)
- ? **POPULATION 3:** Required to control CO: New units > 10 MMBtu/hr (solid, liquid, gas)
- ? **POPULATION 4:** Required to control PM (or TSM), HCl and Hg: Existing > 10 MMBtu/hr (solid), New, all sizes (solid), New, all sizes, (liquid, except d\* 10 MMBtu/hr distillate oil only or distillate oil combined with gaseous fuel)

The rule allows for sources to meet emission limits through a combination of compliance alternatives, which include fuel selection, fuel analysis, and HAP control technology and also includes alternatives such as emissions averaging for existing sources and eligibility provisions for a low public risk alternative.

*The Boiler MACT rule is a complex piece of regulation that provides for several compliance alternatives to be used each unit. A units' compliance strategy should be determined after thoroughly reviewing the options and assuring the proper interpretation for each boiler or process heater. EI is staffed with experienced, knowledgeable air pollution professionals familiar with the Boiler MACT regulatory requirements and are prepared to assist you in the development of a compliance strategy that would be appropriate for your situation. Copies of the rule and other materials are available at [www.epa.gov/ttn/atw/boiler/boilerpg.html](http://www.epa.gov/ttn/atw/boiler/boilerpg.html). For additional information, don't hesitate to contact Mr. Mike Walker, EI's Manager of Environmental & Engineering Services, at 800-717-3472, ext. 245.*



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Phillip Fincher, CIH, CSP has recently joined EI as Branch Manager for Roanoke, VA. The addition of an office in Southwest Virginia will allow EI to provide Comprehensive Loss Prevention Services to organizations throughout the region. The office is currently staffed with Industrial Hygienists, Safety Professionals, Environmental Scientists, and Professional Trainers to meet your organization's needs. Your one and only call for comprehensive loss prevention services in Roanoke, Virginia is 540-343-9595. Many thanks to our clients for helping EI continue to grow into 2005!

## EI Opens Office in Roanoke, VA



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January - April Training Schedule Enclosed!!

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