

Hard to believe it was only 23 years ago

BY LARRY COFFMAN

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It is difficult today to believe that President Nixon signed OSHA into law in 1970 because statistics convinced Congress that more Americans were disabled and killed at work than in combat in Viet Nam.

It was a time when we commonly used lead in paint and gasoline, asbestos and PCBs, and arsenic and chlordane were commonly used insecticides. We dumped toxic chemicals in rivers and lakes in those days, and workers didn't use eye and respiratory protection. It was just a generation ago.

Five years later (1975), President Ford signed HMTA into law, and the very next year, he signed RCRA and TSCA into legislative history. HMTA — the Department of Transportation's Hazardous materials Transportation Act — RCRA, the Resource Conservation and Recovery Act, and TSCA — the Toxic Substances Control Act, formed the foundation for our current system of controls

Through the looking glass: Living with regulations in the '90s

over toxic chemicals. These laws required the proper packaging, labeling and documenting of hazardous materials for movement in interstate commerce, registration of toxic substances when created, and cradle-to-grave liability for hazardous materials to prevent their illegal disposal.

Then in 1977, President Carter signed the Clean Water Act into law and a totally new Clean Air Act into effect. These are the framework for the bulk of today's environmental controls. And, finally, in 1980, he signed CERCLA into law. CERCLA — the Comprehensive Environmental Response, Compensation and Liability Act — was assigned a toxic dump site cleanup fund popularly known as the "Superfund."

Ten years of radical new legislation brought opposition and President Reagan was elected on the theme to "get govern-

ment off the backs of the people" but during his two terms, an avalanche of new laws and amendments to existing laws came to pass. Most notable of these were the Solid Waste Disposal Acts and Safe Drinking Water Act, but the most significant were FIFRA and SARA.

FIFRA, the Federal Insecticide, Fungicide and Rodenticide Act and SARA, the Superfund Amendments Reauthorization ACT, were major new legislations and SARA was the most remarkable of them all. Title III of SARA was a separate and unique law — the Federal Emergency Planning and Community Right To Know Act of 1986, EPCRA. The habit for referring to this as SARA Title III is being relegated to the correct term, EPCRA.

It is not coincidental that the tide of regulations and their chemical lists and supportive data came about when the personal computer came upon the American scene, for without electronic processing, the task may never have begun. Remember, the PC became available in 1980. Before that revolutionary moment, we relied on typewriters.

The Federal database today is enormous and in North Carolina's Research Triangle Park, the new EPA Supercomputer is being developed. The government has progressed light years ahead of the private sector and the probably of escaping discovery and prosecution for errors is bleak.

In 1990, EPA and OSHA joined forces. The 1990 Clean Air Act Amendments included EPA "ordering" OSHA to enact its Process Safety management Standard for Hazardous Chemicals, but then again EPA's SARA hinges upon OSHA's Hazard Communication Standard (the one we all mistakenly refer to as "Right to Know").

Those Clean Air Act amendments took effect in January of this year and it's clear

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for anyone to see they are international in scope — the result of international accords, treaties and protocols — as part of the “new world order.” The HMTA was revised in 1990 under President Bush also. The new system, HMTUSA (Hazardous Materials Transportation Uniform Safety Act), is the United Nations

system that all “first world” nations must adhere to under the “new world order.” HMTUSA as HM181 in this country takes full effect this October.

The young manager faces a regulatory nightmare the remainder of this decade, and because our “information society” has neglected to inform us of these new and revised rules, we will find living with regulations in the 90s a very difficult task indeed, as the Clinton Administration turns to enforcement and penalty collection as a solution to the deficit.

The way for this took place Nov. 5, 1990, when President Bush signed FOBRA into law. FOBRA, the Federal Omnibus Budget Reconciliation Act of 1990 (Read My Lips) amended Section 17 of the 1970 OSHA Act raising penalties to \$7,000 per violation and gave

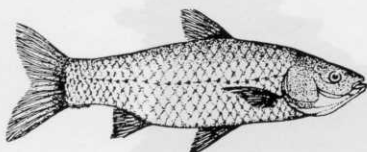
OSHA a penalty-collecting quota for its contribution to the national deficit. It’s happening today.

Quota-minded inspectors are citing absurd little errors as serious violations and cashing in on the opportunity to impress their superiors. It has altered the image of OSHA as concerned about worker safety to an OSHA trying to impress the President’s budget director.

As if all this isn’t enough to disturb a young manager, within a very few short years, ISO will take over. What is ISO? Tune in next edition. It will stun you. Meanwhile, you’d better get started catching up with the rules that submerge you before they drown you.

Larry Coffman is president of Compliance-Masters, Inc.

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It may just be a status thing

72 ➡ presentations. I began to wonder if he should have been there at all if there was so much going on that needed his attention.

These phone and communication junkies need to find out the proper way to use their devices. There are beepers that pulse or vibrate rather than give off that loud beep alarm. Use it when you’re in a seminar or other indoor function. If you don’t have that type, upgrade and get one. Phone owners, turn your ring volume down, excuse yourself as if going to the restroom and make your call from the hall outside the meeting room. And

tell your office not to call unless it is a dire emergency. After looking at the agenda, you can tell them you will call at the breaks and lunch.

When these new devices are used properly, there is no doubt that they can enhance a person’s flexibility and productivity. Maybe I’m missing something. Maybe these people aren’t trying to be more productive. It may just be a status thing. Bottom line is these techno-toys can be used as effective tools or abused to the detriment of others on the road, in a meeting, or on the course.

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Techno-Supt takes to the field on his morning rounds. His Motorola two-way radio is nestled in the beverage holder of his converted golf cart/maintenance vehicle.

Clipped on his hip is a Bell South beeper set on pulse mode. And on the seat next to him is his latest gadget, his Novatel Mark IV Trans-Stellar Intergalactic cellular phone and coffee maker.

Our modern-day communicator can keep tabs on the crew, the family, and the stock market while scouting and mapping mole

cricket colonies on the back nine. If the superintendent doesn't have a secretary to take messages, he can hook up an answering machine or subscribe to voice mail to log those formerly missed calls while out in the field.

Ten years ago, the two-way radio proved a great timesaver by allowing the superintendent to locate his key staff members without chasing them around some of our new sprawling course layouts. It still remains an indispensable tool to discover and report emergencies, contact crew leaders, and relay information to the pro shop, starter, and rangers.

With the increasing role of superintendents in the course management business, it became beneficial to wear a beeper to get notice of important calls that needed prompt attention. I know of a couple of superintendents who took to wearing them as their wives entered the final weeks of pregnancy, so they could be summoned directly by mom for the blessed event.

Now the nineties have hit us with the

omnipresent cellular phone, a device that initially made the traveling sales person more productive. It soon started showing up in executives' cars so they could work 24 hours a day and keep the profits and stress levels up. No sense wasting all that driving time, but I wonder how attentive the driver can be while engrossed in a conversation that may be very important to his business. More and more, I am also seeing these phones show up on the golf course. And some superintendents have started using them as well.

While these phones do allow a convenient way to stay in contact with the office, there needs to be some common sense, courtesy, and etiquette involved in using these new devices. It used to be a matter of common golf etiquette that you remain quiet while your playing partners or others on the course are in the process of making a shot. I have witnessed golfers carrying on heated discussions over the phone while nearby golfers are trying to tee off. Or the phone rings while play is in progress.

If the phone allows some harried businessman the chance to get out and enjoy the outdoors, I'm happy. But I see it more as an intrusion... another interruption in an already fast-paced world. Golf wasn't meant to be played as "shots between deals."

Players on the course aren't the only ones being interrupted by these phone abusers. Seminar attendees are increasingly being annoyed by the beeping and ringing of these communication devices. The height of insensitivity is when the phone rings, the person answers, and carries on a conversation while the speaker gamely tries to go on and ignore this rude behavior. I was at a seminar recently where one gentleman received three calls during the

Please See IT MAY, Page 70 ◀

*Are our
techno-toys
REALLY
progress?*

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Side Up**

