

Violating hazardous materials laws

BY MARK LESLIE

Maintaining a hazardous materials safety and waste disposal program correctly is expensive, but it's "much more expensive to handle it wrongly," an expert told lawn care professionals in Ohio in December.

Spending time and money to do the job right may save a golf course superintendent big money, time and headaches that could last for years, Mary Malotke told an audience at the Ohio Turfgrass Conference and Show.

"Some violations can bring a \$25,000 fine and three years in prison, or both, for the owner of the business or for the employee who mismanages chemicals," said Malotke, president of Tencon, Inc., a technical environmental consulting firm in Cincinnati, Ohio.

People who handle chemicals have to worry about breaking the hazardous waste laws, Malotke said.

"Once you can get caught you get on what I call the National Hit List," she said. "Soon the EPA, immigration, sewer inspectors, will all pay a visit... Even if you have no violations, you must lose time with them and with lawyers in the process."

Malotke said the Occupational Safety and Health Administration's

most issued citations in hazardous communication are handed down for:

- 1) No written program.
- 2) No employee training.
- 3) No material safety data sheets (MSDS).
- 4) No in-plant labels on containers storing chemicals.
- 5) MSDS files not up-to-date.
- 6) No chemical inventory.
- 7) No written chemical hazardous determination.

Malotke said superintendents and other managers must train existing employees as soon as possible and new employees be-

fore they start work. "And you must retrain when new chemicals or new hazards are added to the workplace," she said.

Keep a log of training and have the employees sign a statement that they were at the training, she suggested. Also maintain records of any employee exposure, test each employee, and make a note of any questions along with your answers.

While saying that regulations regarding hazardous materials, hazardous substances, hazardous chemicals and hazardous waste are "a maze we don't really know how

to walk our way through or that takes a tremendous amount of time to walk through," it must be done. Or the superintendent might face dire consequences.

"Become familiar with the laws dealing with hazardous wastes," she recommended. "Learn to recognize hazardous materials and situations. Learn how to protect yourselves."

The Department of Transportation regulates transportation of hazardous materials, labeling, quantity size and packaging.

OSHA deals with how people use materials in the workplace;

Federal and state emergency response numbers:
Federal Spill Response 800-424-8802; DOT 202-426-1830.

how to keep the workers safe and how to store the materials; administers compliance with the federal right to know ordinance; and is a place employees can contact to get safety help.

And, once chemicals are used and no longer useful (such as outdated pesticides or chemicals a superintendent doesn't like) they become a waste and are regulated

Anhydrous ammonia not poisonous

The Department of Transportation has announced that it will not classify anhydrous ammonia as a poisonous gas, as it had originally proposed nearly two years ago.

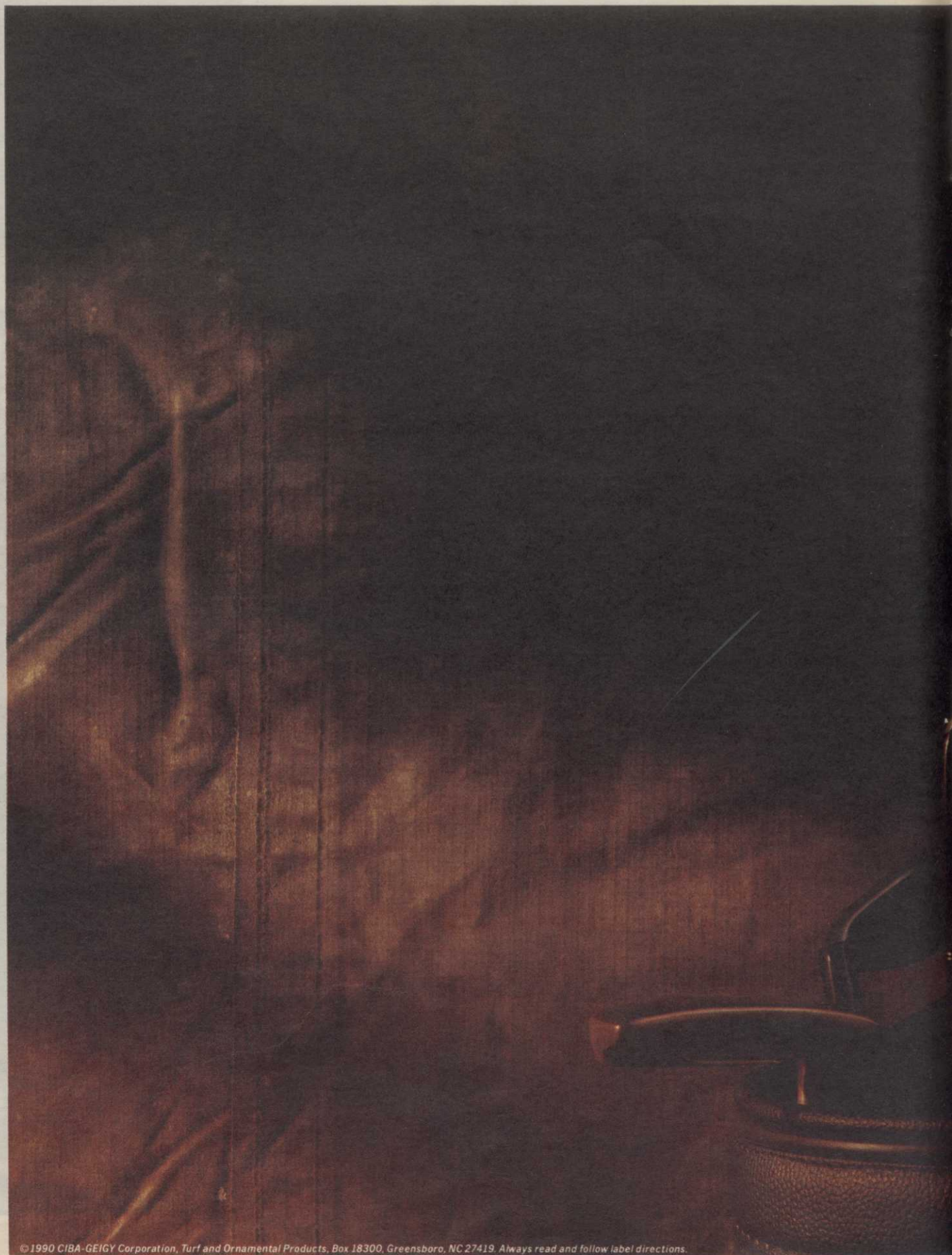
DOT's plan to alter the classification of this key agricultural nitrogen source had been opposed by farm groups and congressional leaders serving on the House and Senate Agriculture committees.

The agency said ammonia will retain its current "nonflammable gas" designation, but it also announced a proposed rule that all ammonia transport tanks must bare the words "inhalation hazard" to underscore the need for special handling precautions necessary to ensure safe transport.

Anhydrous ammonia is a popular source of nitrogen fertilizer containing the highest nutrient value of any commercial nitrogen. For decades, its use, handling and transport have been based on recommended safety practices, the Fertilizer Institute said.

DOT's earlier plan to impose the highly provocative poison label would have meant higher shipping and insurance costs, inclusion of the skull-and-crossbones symbol for this essential plant food, and elevated costs for growers.

Although ammonia has long been termed a nonflammable gas and an inhalation hazard, transport vessels have not carried the inhalation precaution. The proposed rule adds this labeling requirement to the existing standard.



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