

*Oakland Macomb
Fire Prevention Society*

November 22, 2016

Hazardous Materials Reporting

*Community Preparedness &
Firefighter Right-to-Know*

Presented by: *Asst. Fire Chief Chuck Riesterer,
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Objectives

- Discuss the Need for Hazardous Materials Inspections
- Explain Differences Between Standard and Hazardous Materials Inspections
- Identify Applicable Laws & Codes
- Identify High Hazard Locations
- Identify Required Documentation


HAZARDOUS MATERIALS INSPECTIONS

HOW DO INSPECTIONS DIFFER BETWEEN
STANDARD & HAZMAT LOCATIONS?

WHAT IS THE FUSS?



- LOOKS INTIMIDATING AND MYSTERIOUS
- THOSE HAZMAT FOLKS TALK AND LOOK FUNNY

⚠ DANGER	
	<p>Dihydrogen monoxide is colorless and odorless.</p> <p>Accidental inhalation of DHMO may be fatal.</p> <p>Prolonged exposure to its solid form causes severe tissue damage.</p> <p>Symptoms of DHMO ingestion can include excessive sweating and urination, and possibly a bloated feeling, nausea, vomiting and body electrolyte imbalance.</p>



HAZARDOUS MATERIALS INSPECTIONS

- DO THE CODES APPLY?
- CODES ARE DESIGNED FOR SAFETY
 - OCCUPANTS
 - COMMUNITY
 - FIREFIGHTERS
- SAME FOR HAZMAT

HAZARDOUS MATERIALS INSPECTIONS

... *BUILDING CONSIDERATIONS*

- CONSTRUCTION CLASSIFICATION
- HEIGHT AND AREA
- USE GROUP
- SAME FOR HAZMAT

HAZARDOUS MATERIALS INSPECTIONS

... *LIFE SAFETY CONSIDERATIONS*

- EGRESS
- SIGNS
- LIGHTING
- TRAVEL DISTANCES
- PROT. SYSTEMS / STRUCTURES
- SAME FOR HAZMAT*

HAZARDOUS MATERIALS INSPECTIONS

... *STORAGE CONSIDERATIONS*

- COMPATIBLE
- STURDY
- IN ORIGINAL CONTAINERS
- LABELED PROPERLY
- AMOUNTS
- SAME FOR HAZMAT*

STREET SMART HAZMAT

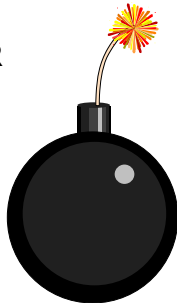
- MAXIMUM ALLOWABLE QUANTITY**
- AMOUNT LIMITED BY CODE - "SAFE"
- DESIGNED FOR A SINGLE CONTROL AREA
- CONTINGENT UPON THE HAZARD

STREET SMART HAZMAT

- EXCEEDING M.A.Q.
 - CAN YOU EXCEED THE AMOUNT ALLOWED BY CODE?
 - YES - CREATES HIGH HAZARD CONTROL AREAS
 - DOES IT CHANGE THE OCCUPANCY OF THE BUILDING? NO

HAZMAT PROBLEM

- TOO MUCH, OR
- IMPROPERLY USED OR STORED =



WHERE DO WE FIND HAZMAT STUFF?

- LABORATORIES
- WAREHOUSES
- HOSPITALS
- TRANSPORTATION CENTERS
- MANUFACTURING
- COMMERCIAL / INDUSTRIAL ...
- ... *EVERY WHERE YOU FIND PEOPLE!*

SO ***NOW*** WHAT DO WE DO?

- GATHER INFORMATION
- FOLLOW THE REQUIREMENTS FOR EMERGENCY PLANNING

WHERE DO WE FIND REQUIREMENTS?

- FEDERAL / STATE LAWS
 - OSHA / DEQ / EPA
 - EPCRA / HAZWOPER / SARA, TITLE III
 - MI-OSHA: PA 154
 - MDEQ / EPA
 - MICH. FIRE PREVENTION CODE: PA 207

WHERE DO WE FIND REQUIREMENTS?

- MODEL CODES / STANDARDS
 - INTERNATIONAL FIRE CODE
 - NFPA 400: HAZARDOUS MAT'L CODE
 - RESPONSE
 - COMPETENCIES & PROFESSIONAL QUALIFICATIONS
 - IDENTIFICATION & CLASSIFICATIONS

Overview: STATE LAWS

•MI-OSHA: PA 154

- Section 14i:
- “...requires that the chief of an organized fire department prepare and disseminate to each firefighter a plan where hazardous chemicals are used or produced.
- No exemptions based on the quantity of chemical at the site.
- Purpose: to ensure firefighter safety.

Overview: STATE LAWS

•MI FIRE PREV. CODE: PA 207

- Section 5p:
- “...requires that a firm handling hazardous chemicals provide the following information upon request of the fire chief:
- A list of the hazardous chemicals on site and a safety data sheet (SDS) for each chemical on the list.
- A description of the quantity and location of any hazardous chemical specified by the fire chief after a review of the list.

FIRE MARSHAL Bulletin 9

- Identifies the steps to take
- Non-Compliance
- Sample Forms

Overview: Bulletin 9

Requirements for emergency planning for fire departments come from:

- 1) SARA Title III
- 2) HAZWOPER
- 3) Firefighter Right-To-Know (FF RTK)

Superfund Amendments & Reauthorization Act
(SARA) Title III

What Does SARA Title III Do for Me?

- Establishes L.E.P.C.'s
- Requires "Site Specific Response Plans" for Extremely Hazardous Substances (EHS)
- Requires Site Owners to cooperate
- Defines who manages the Reporting & Notification of SARA Title III requirements

MIOSHA HAZWOPER

- Michigan Occupational Safety & Health Act (MIOSHA) P.A. 154 of 1974, enacted Jan. 1, 1975
- "An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment ...
- HAZWOPER – Hazardous Waste Operations and Emergency Response

Firefighter Right-To-Know

- What information can I obtain?
 - Hazardous Chemicals on site*
 - Description of quantity & location*
 - SDS Info, if requested*
- What authority do I have to ask for/obtain this information?

Firefighter Right-To-Know:
Steps for Implementation

- Fire Chief surveys all sites that may have hazardous chemicals on site.
 - Gather information on chemicals*
 - Determine if they use or produce*

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- The survey form lists the following:
 - Chemical types & quantities*
- Determine General plan vs. Site-specific plan
- Fire Chief must make every effort to obtain completed forms from each site.

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- Refusal to comply should bring:
 - 2nd Notice letter
 - Referral to MI-OSHA

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- The Fire Chief should keep a copy of each completed survey
 - Including *"No chemicals on site", and,*
 - *No Response*
- Surveys cannot be older than 5 years
- Survey new or changed sites "... as they occur."

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- Completed survey forms should be separated into 2 groups:
 - *Those that use/produce hazardous chemicals*
 - *Those that do not use/produce hazardous chemicals*

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- Further separation would include:
 - Those sites that use/produce hazardous chemicals ABOVE specified quantities

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- For these sites, the Fire Chief must develop a site specific plan
- This should become the Chief's planning priority!

Firefighter Right-To-Know:
To Comply with FF RTK

- Develop a site specific plan for each site
- Obtain information about each site as necessary
 - Request authorized under PA 154 & 207
 - SARA Title III Reporting Requirements
- Fire Chief should work with the LEPC to develop emergency response plans for certain sites

Firefighter Right-To-Know:
To Comply with FF RTK (Continued)

- Inform all firefighters
- Train all affected firefighters

Firefighter Right-To-Know:
To Comply with FF RTK (Continued)

- The fire chief can incorporate those sites which use/produce hazardous chemicals below the specified quantities into a general plan.

Firefighter Right-To-Know:
To Comply with FF RTK (Continued)

- What does initial response training include?
 - Utilizing:
 - DOT Guidebooks
 - Community Response Plans
- Where can I find other training requirements?
 - SARA Title I & Title III
 - MIOSHA STANDARDS

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- Am I obligated to provide a mutual aid haz-mat team this information? **YES**
- When do I provide it? **When they respond**
- Distribution of the plan prior to response is not necessary.

Firefighter Right-To-Know:
Steps for Implementation (Continued)

- Survey forms that show the site is neither a user or producer must be retained as evidence of response.
- It is not mandatory to follow these steps. The Fire Chief may follow another method, but ...
 - *The goal is compliance with the law!*

Firefighter Right-To-Know:
FREEDOM OF INFORMATION ACT

- DOES THE PUBLIC HAVE A RIGHT TO KNOW?
- IS AN HMIS PROTECTED FROM RELEASE?
 - **YES** – PA 207: Section 29.5p
- The information obtained by a fire chief under this subsection may be made available to a public official, agency, or employee, *but is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.*

Summary

- Three emergency planning requirements come from:
 - Michigan Fire Prevention Code
 - Michigan FF RTK (MIOSHA)
 - SARA Title III

Summary - *Continued*

- Attachment B (Bulletin 9) – Chemicals Survey
- Attachment E (Bulletin 9) – Specific list of required planning elements

Summary - *Continued*

- Develop the following documents and ensure training:
 - Site-specific firefighter safety plans
 - For all sites that **use/produce** hazardous chemicals at/above the specified quantity
 - Good internal departmental SOP's

Summary - *Continued*

- Participate with the LEPC
- Ensure all plans are consistent with the EOP
- Retain a file copy of the survey form (min. 5 Yrs.)

Where to Get More Information

- http://www.michigan.gov/documents/cis/Bulletin_Web_Titile_Page_184556_7.pdf Resource for Bulletin 9. Includes all MSP-FM Bulletins.
- <https://www.epa.gov/emergency-response/nrt-1-hazardous-materials-planning-guide> - National Response Team HAZMAT Planning guide
- <http://www.ilpi.com/msds/index.html> - Where to find SDS documentation

Continued ...

Where to Get More Information

- <http://www.michigan.gov/lara/0,4601,7-154-11407---00.html> - Michigan OSHA Website: Safety Standards for General Industry
- <http://www.osha.gov> - Federal OSHA Web Site
- <https://www.fema.gov> - Federal Emergency Management Agency
- <http://martindalecenter.com/> - Martindale's "The Reference Desk"

*Thank you for your
attention.*

*Are there any additional
questions?*

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Vocabulary

•What does 29 CFR 1910.120 mean?

“29” = LABOR – DIVISION OF CFR (50 CODIFIED SECTIONS)

“1910” = OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

“120” = HAZWOPER - HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

Vocabulary – (Continued)

- BFS – Bureau of Fire Services
- CFR – Code of Federal Regulations
- DOT – Department of Transportation
- EHS – Extremely Hazardous Substance
- FF-RTK – Firefighter Right-To-Know
- HazMat – Hazardous Materials
- HAZWOPER – Hazardous Waste Operations & Emergency Response
- LEPC – Local Emergency Planning Committee

Vocabulary - (Continued)

- MIOSHA – Michigan Occupational Safety & Health Act (PA 154 of 1975)
- MSP – Michigan State Police
- PA 154 – Michigan Occupational Safety & Health Act (MIOSHA)
- PA 207 – Michigan Fire Prevention Code
- SDS – Safety Data Sheet (formerly: Material Safety Data Sheet - MSDS)
- SOP – Standard Operating Procedures
