CUNY EHS News

Summer 2009

Upcoming Events:

EHSO Meeting
July 9, 2009
CUNY Law School
12:00 pm to 2:00 pm

September 10, 2009
NYCCT
12:00 pm to 2:00 pm

NYCER Meeting
August 18, 2009
Columbia University
12:00 pm to 2:00 pm

Inside this Issue:

Executive Order 4 - Report Form is In

By Brian Cabezas

Executive Order 4: Establishing a State Green Procurement and Agency Sustainability Program supersedes Executive Order 142. EO 4 was signed by Governor David A. Paterson in April 2008 to direct state agencies, public authorities and public benefit corporations to purchase environmentally-friendly products and implement sustainability initiatives. EO 4 is more comprehensive than previous waste and recycling reporting regulations and will require a more detailed analysis of our waste and recycling programs.

On June 9, 2009, OGS disseminated a survey link to the EO4 reporting form. To prepare campuses for completing the form, Michael Spath, Environmental Compliance Manager, delivered a presentation at the June 19, 2009 Recycling webinar in which he instructed campus recycling managers how to estimate waste and recycling

(*Continued on Page 2*)

Plastic Recycling

By Derek Lee

Anyone who has sorted plastic waste for the recycling bin knows that the process is never as straightforward as it should be. Although most of us have developed a general set of rules regarding plastic items that can and cannot be recycled, that understanding usually is only as comprehensive as the decals provided by the Department of Sanitation.

In New York City, those ubiquitous blue recycling signs make it clear that large soda bottles, lotion containers, milk jugs, and detergent bottles can be safely placed in the recycling bin. What isn't as clear, however, is whether other plastic items (e.g., yogurt or take-out containers) can be recycled, and why certain plastic items are deemed fit for recycling and others are not.

There are two key factors in determining which plastics are recyclable: market demand and the complexity of sorting and processing. Currently, there is a demand for PET (polyethylene terephthalate) products like water bottles and HDPE (high-density polyethylene) plastics, which are used in milk jugs and detergent bottles. As a result, there is an economic incentive to focus on PET and HDPE recycling. Just as importantly, plastic resins must be sorted by type before they can be "downcycled" into secondary products such as clothing or composite lumber. This is why plastic recycling is highly dependent on preventing the wrong types of plastics from being mixed in with those that are recyclable. Contaminated loads can often be too labor intensive to sort out and simply end up being thrown away.

One of the tools that can be useful in determining what is recyclable is the triangular numerical code stamped on most plastic items, which was put in place by the Society of the Plastics Industry in 1988. Although the symbol incorporates a recycling logo, it does not actually mean the item satisfies local recycling requirements. Rather it indicates the types of plastic resins contained in the product. NYC currently only accepts #1 (PET) and #2 (HDPE) plastic bottles and jugs; wide mouth containers and other items

(*Continued on page 2*)

Executive Order 4 (Cont.)

(*Continued from Page 1*)

for the 2009 Solid Waste Management portion submission. The guidance included information on estimating the amount of materials disposed of, estimating the quantity and size of bags or containers disposed of, determining weights and materials removed from a campus, and verifying estimates for next year. All Executive Order 4 forms should be submitted to the Office of EHSRM by July 10, 2009 so that CUNY-wide waste numbers can be compiled and Sustainable CUNY can submit a University-wide report. If you have any questions on the Solid Waste Management portion, please contact Michael Spath, michael.spath@mail.cuny.edu, and/or Neil Richardson, neil.richardson@mail.cuny.edu. Mr. Richardson may also be contacted if you wish to be invited to the ongoing Recycling webinars.

Energy and Environment in the Recovery Act of 2009

By Donna Williams, LaGCC

President Barack Obama signed the American Recovery and Reinvestment Act (Recovery Act) into law on February 17, 2009 and paved the way for a new look at how addressing environmental issues may be tied with job creation. The Recovery Act takes a multi-pronged approach to solving several critical development issues. The White House describes the Act as a "comprehensive plan to invest in alternative and renewable energy," reduce dependence on foreign petroleum products, contribute to the global effort to address the climate change crisis and "create millions of new jobs" (White House).

Among the measures to be implemented under the New Energy for America Plan are the manufacture and sale of "1 million plug-in hybrid cars by 2015" (White House) that will be made in America (resulting in job creation) and have a fuel efficiency level of 150 miles per gallon, the "creation of a new $7,000 tax credit for the purchase of advanced vehicles, the promotion of responsible domestic production of oil and natural gas, and the establishment of a National Low Carbon Fuel Standard."

There is also a phased plan to ensure that 10 percent of the electricity supply of the US is generated from renewable resources by 2012 and that 25 percent will come from renewable resources by 2025. The plan includes "funding to insulate domestic and public buildings; tax breaks and loans for solar and wind power firms; investment in a new electric grid; and expansion of subways and inter-city trains" (Goldberg).

The programs developed under the Recovery Act will also pave the way for the development of a US carbon market by implementing a cap-and-trade system. (Climate Science)

These initiatives are expected to lead to savings, help transform the economy (to low carbon and sustainable), lead to lower costs in general and provide a more efficient supply of energy. On the job side, by being world pioneers in the research and development of clean energy technology, a whole new industry with high-paying jobs can be created (Climate Science). This statement is supported by the recently released Energy [R] evolution Report (Greenpeace), which states that investments in alternative and renewable energy would create more jobs than investments in traditional sources of energy.

White House. "Energy and the Environment." White House. 2009. Web. 8 Mar. 2009.

Goldberg, Suzanne. "Great Clean-up – Can Economic Rescue Plans also Save the Planet?" Guardian Online. 24 Feb. 2009. Web. 8 Mar. 2009.

Climate Science Watch. "Climate Change and Sustainable Energy in President Obama's Proposed FY 2010 Budget." Climate Science Watch 26 Feb. 2009. Web. 12 Mar. 2009.

Greenpeace. Energy [R]evolution: A Sustainable U.S.A. Energy Outlook. Greenpeace. 11 Mar. 2009. Web. 21 Mar. 2009.

Plastic Recycling (Cont.)

(Continued from page 1)

stamped with a 1 or 2 cannot be accepted because of melting point issues. It is worth noting, however, that plastic bags are now collected in large retail and chain stores as part of Gov. Paterson's Plastic Bag Reduction, Reuse, and Recycling Act. Finally, some #5 (polypropylene) plastics such as yogurt containers and Brita filters can be recycled at participating Whole Foods locations.

You can find more information on recycling in NYC at: http://www.ci.nyc.ny.us/html/nycwasteless//html/recycling/recycling_nyc.shtml

Aerosol Can Disposal

By Michael Spath

There is some confusion on how to handle empty aerosol cans that once contained materials that have the RCRA characteristic of "ignitability" or that contain EPA-listed hazardous waste. The EPA has issued a guidance letter to the Chemical Specialties Manufacturers Association on "empty" aerosol cans. A copy of this letter can be found on the CUNY EHSRM website. The portion of the letter that is relevant to our operations is as follows:

However, a steel aerosol can that does not contain a significant amount of liquid would clearly meet the definition of scrap metal (40 CFR 261.1 (c)(6)), and thus would be exempt from RCRA regulation under 40 CFR 261.6 (a)(3)(iv) if it were to be recycled. Therefore, a

(Continued on page 3)

Changes to the NYSDEC Petroleum Bulk Storage Program

By Tamar Soroker

The New York State Law for the Petroleum Bulk Storage (PBS) program was modified July 21, 2008, and included two major areas of change from the previous program:

1. Certain tanks and facilities that had not previously been regulated by the New York State Department of Environmental Conservation (NYSDEC) under the PBS program were added to the program due to changes in the definitions of "petroleum" and "facility."

2. Changes were made to comply with requirements mandated by the federal Energy Policy Act of 2005, such as requiring operator training, possessing the authority to prohibit deliveries in certain situations, and requiring secondary containment for the entire tank system.

The definition of petroleum was broadened to include all fractions of crude oil and synthetic forms of lubricating oil, dielectric oils, insulating oils, hydraulic oils and cutting oils. The principal adjustment CUNY had to make because of these changes is the registration of hydraulic fluid storage tanks. Additionally, the definition of facility was changed to include both a single tank whose capacity is greater than 110 gallons where 10% or more of the volume of the tank is underground and one or more stationary tanks used singularly or in combination for the storage of more than 1,100 gallons. Newly regulated tanks must now be registered with NYSDEC and must comply with existing Petroleum Bulk Storage Regulation requirements by July 21, 2009.

For more information visit: http://www.dec.ny.gov/chemical/53278.html.

Implementing Your Environmental Management System

(*Taken from a presentation delivered by Michael Spath on May 14, 2009 at Queens College*)

As part of the 2003 audit agreement between CUNY and the EPA, CUNY was required to implement an Environmental Management System (EMS). An EMS ensures continual improvement by incorporating ongoing monitoring, review, and revision of environmental procedures. It defines the roles and responsibilities for all parties, specifies lines of succession and measures performance against objective metrics.

The current version of the EMS was last revised November 12, 2008 and may be found on the EHSRM home page, http://www.cuny.edu/ehs.

Some colleges have had difficulty effectively implementing the EMS. Common difficulties include determination of metrics, tracking of metrics, incomplete submissions of *Program Responsibility and Accountability Tracking Forms*, and incomplete submission of records to EHSRM.

To address these issues, Michael Spath, Environmental Compliance Manager, convened a meeting of the Environmental Health and Safety Officers. The presentation reviewed EMS requirements including materials that must be provided to the EHSRM Office (e.g., various NYC DEP, NYS DEC, and US EPA permits and reports) and materials that EHSRM must provide CUNY institutions (e.g., CUNY's environmental compliance calendar, EMS reports, and university-wide Standard Operating Procedures). Coordination of the EMS effort will help promote environmental quality and faster CUNY-wide compliance. For more information on proper EMS compliance, contact Michael Spath at Michael.Spath@mail.cuny.edu.

Aerosol Can Disposal (Cont.)

(Continued from Page 2)

determination of reactivity or any other characteristic would not be relevant. Aerosol cans that have been punctured so that most of any liquid remaining in the can may flow from the can (e.g., at either end of the can), and drained (e.g., with punctured end down), would not contain significant liquids.

It should be noted that since the process of emptying the aerosol cans is part of a recycling process (i.e., scrap steel recycling), this activity would be exempt from RCRA regulation under 40 CFR 261.6(c) (except as specified in 40 CFR 261.6(d)).

If you have a can puncturing device (see the one at http://www.dawginc.com/waste-minimization-products/aerosolv-can-puncturing.php for an example) you could recycle the cans. Keep in mind that a waste determination still must be made on any material collected in the drum and on spent carbon filters. These materials may then have to be handled and disposed of as a hazardous waste.

Howard Apsan receiving a speaker recognition plaque from Mark Drozdov, AIHA NY President.

Environmental Compliance Subcommittee

The Environmental Compliance Subcommittee has recently undergone a change in management. Outgoing subcommittee chair William Graffeo, Environmental Health and Safety Officer at Queens College is succeeded by Judith O'Toole, Chemical Hygiene Officer at LaGuardia Community College. The announcement came from former chair and remaining Environmental Compliance Manager at CUNY, Michael Spath at the May 14, 2009 EHSO Council Meeting at Queens College. We welcome Ms. O'Toole to her new position and thanks Mr. Graffeo for his service..

By Judi O'Toole

Minutes of the subcommittee meeting covered the following topics:

Waste Management

- Universal waste and hazardous waste service providers
  - Flammable container storage
  - Venting and discharge control
  - Secondary containment
  - Labeling requirements

Risk Management Plan

- DEP compliance within 30 days if letter is received

SPCC Plans

Training & Professional Development

- RCRA Training
- LEED Training
- CHMM Training
- Air Emissions Training
- Radiation Safety Training

Program Updates

- Chemtracker
- Greenhouse Gas Program

Drills and Exercises

Updates

The CUNY Office of EHSRM would like to congratulate Abner Felix, the new full-time Environmental Health and Safety Officer at Bronx Community College. Mr. Felix will be building the EHS system established by Professor Martin Pulver. Mr. Felix comes to BCC after serving as Environmental Health and Safety Specialist at Hunter College for more than three years. Prior to his work at CUNY, Mr. Felix worked at Moog, Inc. and Clean Harbors.

EHSRM News

On December 5, 2008, Howard Apsan, University Director of EHSRM gave a presentation at the 28th Annual North-East Regional Tri-Sectional (NY-NJ-PA) Industrial Hygiene Conference and Exposition. The American Industrial Hygienist Association (AIHA) invited him to speak on the global horizons of environmental health and safety. The presentation was titled "Understanding Risk Management through an EHS Template – a CUNY Case Study." It discussed how the CUNY EHS system was used as a template for the centralized risk management program. Information on the conference may be found at http://www.metnyaiha.org/announcements.html. (*Picture to the left*)

Contributing Authors

(in order of appearance)

- Brian Cabezas
  Assistant, CUNY EHSRM
- Derek Lee
  EHSO, NYCCT
- Donna Williams
  Student, LaGCC
- Michael Spath
  Environmental Compliance Manager, CUNY EHSRM
- Tamar Soroker
  Intern, CUNY EHSRM
- Judi O'Toole
  Chemical Hygiene Officer, LaGCC

CUNY Environmental, Health, Safety and Risk Management

Howard N. Apsan, Ph.D.
University Director
CUNY EHSRM
The City University of New York
535 E 80 Street, 3rd floor
New York, New York 10075

Address comments & inquiries to:
Sheryce Woolery
Administrative Assistant
CUNY EHSRM
Phone: 212-794-5630
Fax: 212-794-5397
Email: EHS@mail.cuny.edu
Website: http://www.cuny.edu/ehs