

Environmental Regulations Guide Section 5 Hazardous Materials

5.0 Hazardous Materials: 15 USC chapter 30

Hazardous Materials are the products which might contain chemicals or for some other reason have hazardous properties. These should be distinguished from hazardous waste which might result after the products have been used.

Hazardous material regulations (TSCA and HSA) primarily impact manufacturers of products containing hazardous materials and retail sales, storage and display of hazardous materials. Manufacturers must supply Material Safety Data Sheets (MSDS) for any product which is a hazardous material.

Rural Metro Fire Department has primary jurisdiction over the quantity and manner in which hazardous materials are stored at any site in Scottsdale (Uniform Fire Code).

There are types of hazardous materials which have specialized requirements specific to those materials, i.e. PCBs and asbestos. Also, see the section on Underground and Aboveground Storage Tanks (USTs and ASTs).

All employers are required to provide Hazard Awareness Training and have a program to properly label hazardous materials stored, handled and used in the workplace (OSHA).

Other hazardous materials regulations include: citizen right-to-know laws which require businesses which store large quantities of hazardous materials to disclose inventories of those materials (EPCRA); safe transportation of hazardous materials requirements (HMTA); and specific requirements for the storage, handling, sale and use of pesticides of all kinds (FIFRA).

5.1 Toxic Substances Control Act of 1974: 40 CFR 700-799; 15 USC chapter 53; UFC Article 80

Purpose

- To prevent, control and mitigate dangerous conditions related to storage, dispensing, use and handling of hazardous materials.
- To provide information about hazardous materials to emergency-response personnel (Rural/Metro Fire Department).

"Hazardous materials" are defined in the Uniform Fire Code, Article 80, 1991 edition.
See Hazardous Materials Permit for further information.

Helpful Details

Rural/Metro Fire Department is responsible for:

- Emergency response containment and the final disposition of all involved materials.
- Perpetuating a maintenance inspection program for the public welfare.

City of Scottsdale's Quality Compliance Department reviews applications for development and incorporates stipulations for compliance with these requirements.

Agency Contacts

Rural/Metro Fire Department
Quality Compliance
7447 E. Indian School Rd., Suite 125
Scottsdale, AZ 85251
(480) 312-7070

Actions Required

REMINDERS: *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) *pay fees;*
- 2) *write and submit plans and applications;*
- 3) *file reports;*
- 4) *make notifications;*
- 5) *conduct testing and monitoring;*
- 6) *obtain facility and individual certifications and licenses;*
- 7) *train staff; and various other requirements.*

Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.

- Permits from Rural/Metro and the City of Scottsdale are required in order to store, dispense, use or handle hazardous materials.
- A Hazardous Materials Management Plan will be required as part of the hazardous materials permit application.
- Hazard identification signs must be placed at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit.
- Applicant or permit holder must submit a plan to Rural/Metro to terminate storage, dispensing, handling or use of hazardous materials, at least 30 days prior to closure of facility. Violation of Scottsdale Revised Code, Chapter 36 is subject to a civil sanction.

Fees

None at this time.

Best Numbers to Call

Rural/Metro Fire Department: (480) 312-7070

5.2 EPCRA - Emergency Planning and Community Right-to-Know Act

42 USC chapter 116; 40 CFR parts 350-399; ARS 26, chapter 2, Article 3

Purpose

- To disclose information about chemicals in the facilities of a community, readily available to citizens of that community.
- To provide chemical inventory information to emergency planning and response agencies in the community.

Helpful Details

Every year in March any company or organization that uses, stores or handles chemicals above certain quantity thresholds are required to submit inventories of those chemicals to 3 local emergency planning agencies. The inventories are submitted to the Local Emergency Planning Committee (LEPC), Arizona Emergency Response Commission (AERC) and the local fire department. For Scottsdale, the local fire department is Rural/Metro. Citizens can access this information by contacting the LEPC or AERC.

Agency Contacts:

City of Scottsdale Environmental Planning & Design 7447 E. Indian School Rd., Suite 300 Scottsdale, AZ 85251 (480) 312-7990	Dan Roe, Executive Director Arizona Emergency Response Commission 5636 E. McDowell Road Phoenix, AZ 85008 (602) 231-6326 or 1-800-441-2336
Tom Skowronski, Executive Director Maricopa County Local Emergency Planning 2035 N. 52nd Street Phoenix, AZ 85008 (602) 273-1411	EPCRA Reporting Center, U.S. EPA P.O. Box 23779 Washington, DC 20026-3779 Attn: Toxic Chemical Release Inventory - 313

Actions Required

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The City of Scottsdale submits inventories for approximately 45 city sites annually. The primary chemicals reported by the city are chlorine, pool chemicals, gasoline and a few other water treatment chemicals. The city also has an Emergency Response Plan and a contingency plan for each of the facilities required to submit to EPCRA. These plans require city staff to establish and maintain safe handling, storage and disposal practices for these chemicals. Each facility must also pre arrange with Rural/Metro emergency response procedures and assist the fire department with knowledge of the layout of the facility, specific location and volume of chemicals and coordination of emergency response procedures.

Fees

None

Best Numbers to Call

Arizona Emergency Response Commission; (602) 231-6326 or 1-800-441-2336
 Maricopa County Local Emergency Planning: (602) 273-1411

5.3 Hazardous Materials Transportation Act (HMTA): 49 CFR; 49 USC chapter 51; Uniform Fire Code Article 80, 1991 edition.

Purpose

The federal laws governing the transportation of hazardous materials are "to protect the Nation adequately against the risks to life and property which are inherent in the transportation of hazardous materials in commerce." [49 U.S.C. 5101]. These regulations are also applicable to the transportation of hazardous wastes. Federal inspectors and enforcement staff determine compliance with the safety standards by inspecting entities which offer hazardous materials for transportation; for companies which manufacture, rebuild, repair, recondition, or retest packaging used to transport hazardous materials; and for intermodal transfers of hazardous materials.

Helpful Details

There is a federal inspection program for motor carriers.
Arizona State Patrol can enforce motor carrier requirements on interstates and freeways.
Scottsdale Police Department can enforce motor carrier requirements on city streets.

Agency Contacts

Scottsdale Police Department
9065 Via Linda
Scottsdale, AZ 85258
(480) 312-5000

Actions Required

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Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.

- City vehicles must not carry large quantities of hazardous materials or hazardous waste without appropriate permits (never more than 50 pounds of solid hazardous waste or 5 gallons of liquid hazardous waste)
- Vehicles carrying hazardous materials/waste must have appropriate placards, accurate shipping papers and MSDS, and use approved routes through Scottsdale

Fees

Applicable if licensing a vehicle to transport hazardous materials and/or hazardous waste

Best Number to Call:

Scottsdale Police Department: (480) 312-5000

5.4 Federal Insecticide, Fungicide and Rodenticide Act (FIFRA): 7 USC chapter 6; 40 CFR parts 150-189; ARS 49-301; AAC title 18, chapter 6

Purpose

FIFRA regulates pesticide registration, labeling, exports, storage and disposal.

Helpful Details

FIFRA applies to companies that manufacture, store, export or dispose of pesticide products. OSHA has requirements for worker safety when handling or using pesticides. There is an Arizona Water Quality Pesticide Contamination Prevention program (A.R.S. 49-301).

The term "pesticide" for city operations is used in its broadest sense, to include pesticides, pre-emergents, soil sterilents, weed-killers, fertilizers, etc., etc.

Agency Contacts

U.S. Environmental Protection Agency (EPA) Office Pollution Prevention, Pesticides and Toxic Substance 401 M Street SW Washington, DC 20460 (202) 554-1404	City of Scottsdale "Qualifying Party" Bill Sturgill, Community Maintenance & Recreation Contracts and Projects Team Civic Center Library Basement 3839 N. Drinkwater Blvd. Scottsdale, AZ 85251 (480) 312-4410
Arizona Department of Agriculture Hazardous Waste Section 1688 West Adams Stree Phoenix, AZ 8500 (602) 542-4373	Arizona Structural Pest Control Commission 9545 E. Doubletree Ranch Road Scottsdale, AZ 85258 (480) 255-3664

Actions Required

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Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.

All procurement, storage, handling, use and training for pesticides in city operations are strictly controlled under the city's Pesticide Program. The program is administered by the city's "Qualifying Party" under Arizona Structural Pest Control Commission requirements. No city employee is authorized to apply pesticides unless they conform to the Qualifying Party's supervision and program requirements. The city program complies with all federal and state requirements.

Fees

The City's Qualifying Party and Registered Applicators must be licensed and pay appropriate fees.

Best Numbers to Call

City of Scottsdale Qualifying Party (480) 312-4410
 Arizona Structural Pest Control Commission (480) 255-3664