

Appendix F3.19

Public Safety and Health

Hazardous Materials Definitions

- Substances covered under Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (29 Code of Federal Regulations [CFR] 1910.1200): There are many types of materials that may be used in the proposed activities that would be subject to these regulations including fuels, oil, solvents, paints, cleaning chemicals, and other chemical products.
- "Hazardous materials" as defined under U.S. Department of Transportation (USDOT) regulations at 49 CFR, Parts 170-177: The types of materials that may be used in the proposed activities that would be subject to these regulations including fuels, oils, explosives, cement, some paints and coatings, and other chemical products.
- "Hazardous substances" as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and listed in 40 CFR, Table 302.4: The types of materials that may contain hazardous substances that are used in the proposed activities that would be subject to these requirements would include solvents, solvent-containing materials (e.g., paints, coatings, degreasers), acids, and other chemical products.
- "Hazardous wastes" as defined in the Resource Conservation and Recovery Act (RCRA): Definitions and procedures in 40 CFR 261 and 262 are used to determine whether a waste is a hazardous waste. The types of materials used in the proposed activities that most likely could be subject to these requirements could include liquid waste materials with a flash point of less than 140 degrees Fahrenheit (°F), spent and solvent containing wastes and corrosive liquids. Hazardous wastes are regulated under the Nevada Division of Environmental Protection (NDEP) regulations at NAC 444.850 – 444.874b.
- Any "hazardous substances" and "extremely hazardous substances" as well as petroleum products such as gasoline, diesel, or propane, that are subject to reporting requirements (threshold planning quantity [TPQs]) under Sections 311 and 312 of the Superfund Amendments and Reauthorization Act (SARA): The types of materials that may be used in the proposed activities that could be subject to these requirements would include fuels, oils, coolants, acids, and solvent-containing products such as paints and coatings.
- Petroleum and non-petroleum products defined as "oil" in 40 CFR 112 and the Oil Pollution Act of 1990: The types of materials used in proposed activities that would be subject to these requirements include fuels, lubricants, hydraulic oil, mineral oil, and transmission fluids.

Databases Reviewed to Identify Potential Hazardous Material Releases or Solid Waste Activities

- The Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database contains data on potentially hazardous waste sites that have been reported to the U.S. Environmental Protection Agency (USEPA) by states, municipalities, private companies, and private persons, pursuant to Section 103 of the CERCLA (USEPA 2009a). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. CERCLIS classified as No Further Remedial Action Planned are sites that have been removed from the inventory of CERCLIS sites. Archived status indicates that, to the best of USEPA's knowledge, assessment at a site has been completed and that USEPA has determined no further steps will be taken to list this site on the NPL, unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.
- NPL or Superfund. The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program (USEPA 2009a). NPL sites may encompass relatively large areas. The NPL database also identifies sites that have been de-listed where the USEPA has determined that no further action is needed.
- Enforcement and Compliance History Outline (ECHO) is a USEPA database that provides enforcement and compliance information on thousands of regulated sites and facilities (USEPA 2009b). ECHO contains information on permit, inspection, violation, enforcement action, and penalty information covering the past 3 years. The site includes facilities regulated as Clean Air Act (CAA) stationary sources, Clean Water Act (CWA) direct dischargers, and RCRA hazardous waste generators/handlers.
- Envirofacts Data Warehouse (USEPA 2009c) contains a database that lists sites that have reported to USEPA programs.

- The NDEP Project Tracking (PT) Database for active sites was reviewed (NDEP 2009a,b). The PT data base includes leaking underground storage tank sites and other Corrective Action sites not involving underground storage tanks.

References

- U.S. Environmental Protection Agency (USEPA). 2009a. Superfund (CERCLIS). Internet website: http://www.epa.gov/enviro/html/cerclis/cerclis_query.html. Accessed July 30, 2009.
- _____. 2009b. Enforcement and Compliance History (ECHO). Internet website: http://www.epa-echo.gov/echo/compliance_report.html. Updated July 7, 2009. Accessed July 29, 2009.
- _____. 2009c. Envirofacts Data Warehouse. Internet website: http://oaspub.epa.gov/enviro/ef_home2.facility. Updated July 30, 2009. Accessed July 30, 2009.
- Nevada Division of Environmental Protection, (NDEP). 2009a. Leaking Underground Storage Tanks (LUST), Bureau of Corrective Actions, Active Cases, April 6, 2009. Internet website: <http://ndep.nv.gov/bca/data.htm>. Accessed July 29, 2009.
- _____. 2009b. Leaking Underground Storage Tanks (LUST), Bureau of Corrective Actions, Confirmed Release Cases Closed between January 1, 1990 to April 6, 2009. Internet website: <http://ndep.nv.gov/bca/data.htm>. Accessed July 29, 2009.