



Lake Michigan States Section Air & Waste Management Association *Newsletter*®

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A Letter from the Editor

All the world is well aware of the tragedy that unfolded on Tuesday, September 11, 2001. We are confident that all of the members of the Lake Michigan States Section of A&WMA share our national shock and grief at the tragic loss of life in New York, Washington and western Pennsylvania. We all mourn our victims and take pride in our new heroes.

As with many people and organizations that were not in the areas of terrorist attack, LM-A&WMA's schedule was also affected. We had planned a seminar and an open Board meeting for September 11, 2001 hosted by Seyfarth Shaw at their offices in the Chicago Loop. These events were postponed, as the Board of Directors discovered that much of Chicago was being evacuated on that day. (As it happened, Seyfarth's offices were evacuated as well.) We did not wish to be responsible for asking people to risk traveling to or remaining in a major metropolitan area at that time while the threat of further terrorist activity was all too real. Moreover, we anticipated that many of our members would want to be with their families in that time of uncertainty.

The publication of this Newsletter was also delayed by the events of that day. In part, that reflected the personal priorities of the writer. As a former resident of the New York metropolitan area, I had a deeply personal reaction to the elimination of a symbol of national and regional prominence with which I had intimate familiarity and personal associations. Unfortunately, this delay prevented our notification to you of events that were scheduled for later in September. I apologize for the inconvenience and the delay in providing timely information to the membership.

In one sense, this Newsletter seems to be a very small thing compared with the events of the past weeks, when much larger and more ominous forces were unleashed on our world. On the other hand, our President and others have noted that one thing we all can do to minimize the impacts of terrorism in America is to carry on with our daily lives. In that spirit, let us continue the dialog that leads to achieving an environmental quality commensurate with our national values and our faith in a better life for our children.

Along those lines, we are pleased to announce that the Mold Conference scheduled for September 11, 2001 has been re-scheduled for October 17, 2001, again at 4:00 PM at the offices of Seyfarth Shaw. As before, the conference will be preceded by an open Board meeting and followed by a networking reception. Details are being provided in a separate e-mail and mailing, or contact LM-A&WMA's offices for registration information.

Even the small steps are important.

Sincerely,

Bob Wells, Secretary/Newsletter Editor

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**The Mold Conference
has been
reschedule
to 10/17/01.
See back.**

Upcoming Events . . . You're Invited

- October 12** AWMA/Union League Environmental Committee Luncheon - (page 3)
Guest Speaker - Renee Cipriano
- October 17** Mold Conference (see back page)
(rescheduled from 9/11/01)
Seyfarth Shaw, Chicago, Illinois 4:00 p.m.
- November 5** Air Compliance & Enforcement Conference
8:00 a.m. - 12:00 noon (page 3)
- December** Holiday Reception (date TBA)
- January 10** Air Primer Workshop (page 3)
7:00 p.m. - 10:00 p.m.
Willowbrook Holiday Inn
- January 11** 2001-2002 Air Quality Management Conference (page 3)
Willowbrook Holiday Inn

Board of Directors Meetings are open for all members to attend. Upcoming meeting dates and locations are:

October 17
2:00 p.m. downtown,
Seyfarth Shaw

November 13
4:00 p.m. suburbs,
location TBA

December 11
8:00 a.m. downtown,
location TBA

Contact Robin Pelsis at (847) 202-0418 or lm_awma@ameritech.net for exact location.

Volunteer Activities

The LM-A&WMA Section is seeking *volunteers* to participate in the following activities:

Environmental Issues Writers: Our LM-A&WMA Board Secretary, Bob Wells, is always looking for talented writers to contribute articles on current environmental issues to the quarterly Lake Michigan States Section Newsletter. If you have interesting information to share from industry, government, academia or consulting, please feel free to contact **Bob** at 847-228-0707 x103 or bob_wells@urscorp.com.

Teacher Training Workshops: We are actively seeking volunteers to run training workshops on air quality and pollution prevention topics for elementary and high school teachers as a way to increase their knowledge of environmental sciences. No experience necessary; we will train. For more information, contact **Jim Haried** at 630-574-2384.

LM-A&WMA Student Chapter: A student chapter has been formed at the Illinois Institute of Technology [IIT] and is open to students affiliated with the IIT Chicago Kent College of Law, School of Environmental Engineering and the Stuart School of Business. If you are interested in becoming active in the Student Chapter, please contact LM-A&WMA Membership Chair, **Lawrence Fieber**, at 630-990-0302 x237.

*NOTE: If you are a member and have any volunteer activities that you would like to post in our newsletter, please contact **Bob Wells** at 847-228-0707 x103 or bob_wells@urscorp.com.*

Upcoming Conferences

The New Director and Direction of IEPA

October 12, 2001
Union League Club
65 W. Jackson (Jackson & Federal)
Chicago, Illinois

Join the Lake Michigan States Section of the Air & Waste Management Association along with the Environmental Group of the Union League Club for a luncheon meeting featuring Renee Cipriano. Hear from the new Director what her plans are for the direction of IEPA.

The cost to attend is \$25.00 for AWMA members and \$30.00 for non-members. Contact Robin Pelsis at (847) 202-0418 or lm_awma@ameritech.net if you are interested in attending.

Air Compliance and Enforcement Conference

**Hosted by Jenner & Block
Chicago, IL**

**November 5, 2001
8:00 a.m. to 12:00 noon**

Please join us at this program to learn more about the current status of air compliance and enforcement. Hear federal and state decision makers and others discuss new enforcement issues and address future objectives. Specific sessions for this conference include:

Government Panel

What can the regulated community expect from enforcement in the next 12 months?

Private Practice Panel

How to avoid enforcement and what to do if it happens.

Case Studies

A look at two enforcement cases: what went right, what went wrong.

2001-2002 Air Quality Management Conference

**Willowbrook Holiday Inn
Willowbrook, Illinois**

January 11, 2002

The Lake Michigan States Section of the Air & Waste Management Association is pleased to announce the Midwest's most comprehensive annual conference on air quality management. The annual air conference has become an October tradition in the region – bringing together environmental professionals from industry, government, environmental services, and the legal community to learn about the hottest issues and most important developments in the rapidly evolving field of air quality management. *This year, we will be holding the conference at a different time – in January of 2002.*

This one-day conference will cover a variety of topics of local, regional and national interest. Issues to be discussed will include:

- The Bush US Environmental Protection Agency and what it means to you
- New environmental initiatives from the Lake Michigan States
- New Source Review: today's enforcement tool and tomorrow's reform
- Environmental Management Systems for Title V, ISO 14000 and cost-effective compliance in the 21st Century
- Evolving air toxics priorities: from MACT to Residual Risk to Persistent Bioaccumulative Toxic (PBT) pollutants
- Environmental enforcement: directions for the future

In addition to the seminar, LM-A&WMA will again present an Air Primer Workshop on Thursday evening prior to the conference in order to provide training opportunities for managers and professionals new to the air quality management field. As in the past, session breaks and a closing reception will create an opportunity for you to network informally with conference speakers and your fellow environmental professionals.

Mark your calendars for Friday, January 11, 2002 and watch for more information on the detailed conference program, seminar registration and new opportunities to promote your organization's environmental initiatives.

EPCRA COMPLIANCE ERRORS: *TOP TEN HIT LIST*

By E. Lynn Grayson, Jenner & Block

Understanding the regulatory nuances of the Emergency Planning and Community Right-to-Know Act (EPCRA) plagues even seasoned environmental professionals. EPCRA compliance uncertainties often result from the law's reliance on complex chemical lists to determine reporting obligations as well as never ending regulatory reforms to improve the clarity of new and existing requirements.

In 1986, Congress enacted the Superfund Amendments and Reauthorization Act (SARA) amending the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§ 9601 to 9675 (CERCLA). Title III of SARA established a new law known as the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. §§ 11001 to 11050 (EPCRA).

Even though CERCLA release reporting provisions have been in place since 1980, EPCRA significantly strengthened and expanded federal authority involving chemical release incidents. Given the complexity of release reporting requirements, errors routinely occur in the aftermath of hazardous material incidents. Helpful insight can be gained by an evaluation of the "top ten list" of common compliance errors.

1. **Unnecessary reporting of historical contamination to federal or state authorities.** Historical contamination refers to soil and/or groundwater found to be adversely impacted by a site's past operations. More often than not, the source of the contamination is unknown. Despite the difficulties these matters present in due diligence negotiations, emergency release reporting provisions rarely apply to situations involving historical contamination.
2. **Reporting of oil releases.** Unless an oil release causes a sheen on a water of the United States, an oil release probably does not need to be reported under CERCLA or EPCRA. 40 C.F.R. § 110.10.
3. **Failure to provide a timely written follow-up report under EPCRA § 304(c).** Following an initial telephone notification, all efforts focus on a speedy resolution of any HAZMAT incident. While not uncommon in state laws, EPCRA also requires a written follow-up report detailing further information about the incident.
4. **Misunderstanding the intent of "release into the environment" under CERCLA versus offsite impact under EPCRA.** This issue is a fine distinction between CERCLA and EPCRA release reporting obligations. Under CERCLA, applicable "releases to the environment" must be reported. EPCRA release reporting obligations impose a higher standard requiring the presence of a potential or actual offsite impact.

Continued on page 6.

**M.S. in
Environmental
Management**

**Stuart Graduate
School of Business
Illinois Institute of
Technology**

Open House

**Tuesday, October 16th
5:30 p.m.**

This top-ranked program, developed with IIT's Department of Environmental Engineering and Chicago-Kent College of Law, provides the knowledge and skills required to evaluate, plan and manage technical, economic, legal and regulatory interests. A 14-course interdisciplinary program consisting of law, management and environmental courses, with an emphasis on IT and sustainability concepts.

Meet with faculty, alumni and admissions staff, view the facilities, get help with the admission process and discuss career opportunities.

The open house will be held at IIT's Downtown Campus, 575 W. Adams, Chicago, one-half block from Union Station and two blocks from Ogilvie Transportation Center (Northwestern Station).



1,4-Dioxane: Another Constituent of Concern at Chlorinated Solvent Sites

By: Lawrence Fieber, PG and Stephen L. Meek
Burns & McDonnell Engineering Company, Inc.

If you are investigating a site that is impacted with 1,1,1-Trichloroethane you should know about 1,4-Dioxane. Here are the basic facts about 1,4-Dioxane:

- It is a volatile organic compound that was primarily used as an acid scavenger and stabilizer in 1,1,1-Trichloroethane (about 90% of historic production for this purpose)
- It was used as a solvent in paint strippers, varnishes, stains and various other applications
- 1,4-Dioxane is a probable human carcinogen
- It readily leaches from soil and does not readily degrade in groundwater
- U.S. production of 1,4-Dioxane began before 1951
- Standard volatile organic compound (VOC) laboratory analyses such as USEPA method 8260 do not provide adequate detection limits for investigating 1,4-Dioxane. USEPA method 8270M will yield acceptable detection limits, however, laboratory costs for this method are high.

Environmental regulators have established some groundwater quality guidance for 1,4-Dioxane. Existing guidance is summarized in the table below:

Summary of Groundwater Quality Guidance For 1,4-Dioxane		
Regulatory Agency	Type of Guidance	1,4-Dioxane Concentrations in ug/l
USEPA		
Headquarters	Health Advisory	7
Region III	Risk Based Concentration	6.1
Region IX	Preliminary Remediation Goal	6.1
States		
California	Action Level	3.0
Florida	Guidance Level	5.0
Massachusetts	Guidance Level	50
Maine	Guidance Level	70
Michigan	Guidance Level	3
North Carolina	Guidance Level	7

The main concerns surrounding 1,4-Dioxane are its mobility in soil, negligible degradation in groundwater and categorization as a probable human carcinogen. Given these factors, investigators should expect to find 1,4-Dioxane in locations well beyond identified 1,1,1-Trichloroethane plumes. The State and Federal guidance levels for 1,4-Dioxane may result in 1,4-Dioxane driving remediation, where it is identified.

More information concerning 1,4-Dioxane is contained in the following useful publications:

1. US Department of Health and Human Services *9th Report on Carcinogens*, January 2001.
2. USEPA Office of Pollution Prevention and Toxics *1,4-Dioxane Fact Sheet*, EPA 749-F-95-010a, February 1995

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EPCRA COMPLIANCE ERRORS:

TOP TEN HIT LIST (con't.)

5. **Inconsistent release reporting versus CAA reports.** Heavy manufacturing operations, including refineries and chemical companies, need to be cautious that release reporting is consistent with various CAA reports.
6. **Failure to notify Local Emergency Planning Committees (“LEPCs”) of EPCRA releases.** While parties correctly notify the National Response Center and State Emergency Response Commission of a chemical release, many fail to notify the less well-known LEPCs as required under EPCRA.
7. **Overlooking unique state/local release reporting statutes.** Understanding CERCLA and EPCRA seems like enough but parties must consult state and local release reporting requirements as well. Many jurisdictions have HAZMAT incident reporting provisions that pre-date CERCLA and EPCRA and impose additional obligations on responsible parties.
8. **Comprehensive compliance with EPCRA § 313.** By far, EPCRA § 313 Form Rs requiring annual reporting of toxic chemical releases pose the greatest potential for compliance errors. Failure to observe current guidance or to properly document offsite releases are common problems.
9. **Failure to designate appropriate releases as “continuous.”** Repeated reporting of the same released chemical draws unnecessary regulatory attention to a facility. All releases that qualify should be designated as continuous.
10. **The inability to recognize EPCRA § 311/312 obligations in nonchemical industries.** EPCRA § 311/312 chemical storage requirements apply regardless of the nature of the released business. Compliance problems traditionally arise when chemical storage occurs in unseen areas (i.e., ammonia in refrigeration units or sulfuric acid in batteries).

Despite its complexities, EPCRA provisions ensure that emergency planning and emergency response remain utmost priorities for all concerned parties.



New Members

Eugene Bernstein

Thomas Blaszak
Clean World Eng., Ltd.

Phillip Bowman
Defrees & Fiske

Mark Calmes
Archer Daniels Midland Co.

Mary Carpenter
McIlvaine Company

Patrick Doyle
Louisiana Pacific Corp.

Betty Gajewski
Steelcase

Daniel Guido
URS Corporation

David Guntz
Advanced Transformer Co.

Bryce Harthoorn
Deere & Company

Duane Hattem

James Hoyt
A. E. Staley Mfg. Co.

Steven Klafka
Wingra Eng., S.C.

Jeffrey Langbehn
Lake County Solid Waste
Management District

David Michaud
Wisconsin Electric Power

Michael Myszka
DENSO Mfg. Michigan, Inc.

Daniel Nagorsen
Alliant Energy

Daniel Nally
Grayling Generating
Station

Baramée
Navanopparatskul

Pixie Newman
CH2M Hill, Inc.

George Nicholas
G Nicholas & Assoc.

Daniel Nickolie

Stephen Niehaus
Fleis Vandenbrink Eng., Inc.

Brett Niemi
Louisiana Pacific

Michael Peterson
Waste Management, Inc.

Robert Runkle
STV, Inc.

Steven Siros
Jenner & Block

Theodore Slavik
General Mills Operations, Inc.

Sonia Slemrod
Wisconsin DNR

Warren Slodowske
Navistar Int'l. Trans. Corp.

Albert Smith
Argonne National Lab.

Member News

MOSTARDI PLATT

On March 20, 2001, GE acquired the air emissions testing and monitoring businesses of Mostardi Platt Associates, Inc. (MPA), one of the largest independent, multi-disciplined environmental firms in the U.S.

GE Mostardi Platt and GE Energy Environmental Research Corporation (GE EER) provide the foundation for future growth of GE Power System's new Air Quality Systems and Services business. GE Mostardi Platt is headquartered in Elmhurst, Illinois and also operates out of locations in Griffith, Indiana and Eagan, Minnesota. The emissions testing groups of GE EER located in Irvine, California and Morrisville, North Carolina have been integrated to provide nationwide emissions testing capabilities.

In October, 2001, the GE Mostardi Platt headquarters office will be moving to:

GE Mostardi Platt
888 Industrial Drive
Elmhurst, Illinois 60126

Phone: 630-993-9000
Fax: 630-993-1694
Contact: Dave Ozawa
www.gepower.com/aqs/index.shtml

MPA's environmental consulting businesses (which were not acquired by GE) will continue to operate as Mostardi Platt Environmental. MPE provides environmental consulting services in the areas of permitting, site assessment, remediation, noise, environmental management and industrial hygiene. The new address for MPE is:

Mostardi Platt Environmental
1520 Kensington Road, Suite 204
Oak Brook, Illinois 60523-2139

Phone: 630-993-2100
Fax: 630-993-9017
Contact: Pete Gabrek (630-993-2684)
www.mostardiplattenv.com

PSI

PSI is pleased to announce the appointment of **Thomas S. Palansky**, P.E. as Vice President of Operations in the Chicago Region. Palansky will oversee construction services, geotechnical engineering and facilities engineering for the Chicago Region. He will be located in the PSI office in Hillside, Illinois.

Palansky has more than 20 years of experience in civil and environmental engineering, project management, client development and marketing. He holds a Bachelor of Science degree in Civil Engineering from the University of Illinois and is a registered Professional Engineer in the state of Illinois. He is a member of the Illinois Society of Professional Engineers, Consulting Engineers Council of Illinois, Air & Waste Management Association and the Society for Marketing Professional Services.

PSI is a national market leader in the fields of Geotechnical Engineering, Construction Materials Testing, Environmental Consulting, Industrial Hygiene Services and Facilities Engineering and Consulting.



Air Solutions, Inc.

The Air-Quality Consulting team previously affiliated with Air Solutions, Inc. will be moving to join forces with the multi-media

environmental, engineering and information management firm of Bradburne, Brilller & Johnson, LLC (BB&J).

The air consulting team of **Therese Dorigan**, Julie Johnson, Chris Hooker, Jaime Larson, Nancy Pignotti and Phil Gilbert will be joining BB&J at its Chicago facility.



Lake Michigan States Section
Air & Waste Management Association
11 Pleasant Hill Blvd.
Palatine, IL 60067

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James Myers
ERM

George Nassos
Illinois Institute of Technology
Stuart Graduate School of Business

Peter Scheff
Univ of Illinois at Chicago
Env'l & Occup Health Sciences

Tom Tramm
Exelon



**Mold Conference and
Kick Off Networking Reception
October 17, 2001 - 4:00 p.m.**

Human exposure to molds has emerged as a highly visible and controversial environmental matter. Over 70,000 species of mold have been identified and can be found everywhere on the planet. Exposure can cause health effects that range from mild allergic-like symptoms to death. Some molds produce metabolites that are considered to be among the most toxic of chemicals. News stories about mold are becoming a regular event.

This seminar will provide a 'short course' on mold. Background information, health effects of exposure, populations at risk, assessment methods, corrective actions and regulatory guidance will be reviewed. Illustrations and case studies will be presented. This session is directed toward environmental practitioners and other interested professionals and managers seeking to improve their understanding of the topic.

Conference Speakers:

Jack Barnette, Chief
Radiation and Indoor Air Section,
Region V U.S. EPA

Robert Safe, CIH, LIH, QEP,
Safe Technology, Inc.

Conference Cost: \$25 for A&WMA members \$30 for non-members.
Beer, wine and soda will be available during the
Networking Reception.

Location: Seyfarth Shaw, 55 E. Monroe, 45th Floor, Chicago

Conference Chair: Eric Boyd, Seyfarth Shaw