

South Suburban Chicago Brownfield Coalition

**Brownfield Prevention Program:
Model Ordinance, Resources,
and Data**



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¹ Specific chemical data referenced in Tabs A through F has not been provided on this website. Pollutant release information can be accessed via the databases discussed in Tab 3 of the report.

Overview of Brownfield Prevention Program

Introduction

The South Suburban Chicago Brownfields Coalition (Brownfields Coalition) is interested in mechanisms for preventing future brownfields in their communities. The coalition recognizes that to prevent future brownfields, more attention must be paid to the way in which businesses and industry handle pollution in their communities. Thus, the coalition has focused on the need for greater commitment to pollution prevention, building the capacity within municipalities to provide technical assistance for pollution prevention, and to get an assurance from larger waste and chemical handling facilities that they have the financial ability to address contamination problems, should they occur.

A review of public data indicates that a significant amount of toxics and hazardous chemicals are made, used, handled, stored, and released each year in the five municipalities that are participating in the Brownfield Coalition (Chicago Heights, Lansing, Posen, Riverdale, and South Chicago Heights). Table 1-1 shows the cumulative amount of toxic chemicals by community that have been reported as releases or transfers under EPA's Toxic Release Inventory from 1987 to 2000.

Table 1-1 – Pounds of Toxic Releases: 1987 – 2000

Chicago Heights	39,493,559
Lansing	18,066,478
Posen	0
Riverdale	9,849,406
South Chicago Heights	1,305,462
Total	68,714,905

Source: U.S. EPA Toxic Release Inventory

These figures only represent companies reporting releases and transfers of 10,000 pounds per year of a single toxic substance, or a cumulative total of 25,000 pounds or more per year. In addition to these large facilities, there are several registered small companies that handle less than 2,200 pounds per calendar month of hazardous wastes in each of the five municipalities. There are no reporting requirements for these companies. Thus, the quantity and type of toxic substances they handle is not easily known. But the number of small companies working with toxic substances suggests that a significant amount of pollution is handled in each community in addition to the larger reporting facilities. Table 1-2 presents the number of these smaller companies in each community.

Table 1-2 – Registered Companies Handling Small Quantities of Toxic Substances

Chicago Heights/South Chicago Heights ²	186
Lansing	71
Posen	22
Riverdale	47
Total	326

Source: U.S. EPA Resource Conservation and Recovery Act (RCRAInfo)

The number of companies using numerous toxic substances in the five communities increases the potential that contamination problems could occur, leading to new brownfields and the burdens such sites place on a community.

In addition to facilities that manage toxic chemicals and wastes, the Brownfields Coalition identified commercial construction debris recyclers as a sector to be addressed in the brownfield prevention program. Construction debris handlers are a concern because they can potentially leave behind large quantities of debris that is costly to remove and dispose of if a company abandons the property or goes out of business.

The brownfield prevention program of the Brownfields Coalition has sought to develop a mechanism to address these situations. The focus of the effort to date has been to craft a brownfield prevention ordinance that focuses on pollution prevention planning.

Illinois has no pollution prevention legislation and requires nothing of its hazardous substance users and emitters on pollution prevention planning. Pollutants that are on inventories and reporting databases reflect the legal use and release of chemicals. As the data show, despite environmental regulations, there are significant volumes of pollutants that are handled in municipalities every day. Just because the regulations are in place does not mean that accidents won't occur causing contamination and potential brownfield problems.

The benefits of pollution prevention are significant. Toxics are prevented from being released in the environment and in communities, and companies benefit from cost savings from pollution prevention technologies and approaches that are deployed. Often the payback periods for pollution prevention investments are very attractive. Pollution prevention planning causes a company to consider its handling of toxics and typically leads to substantive and positive changes in a company's handling of toxic substances.

² Chicago Heights and South Chicago Heights are combined because the database does not differentiate the two based on zip code. See Tab F for company listings for each Chicago Heights and South Chicago Heights from the RCRAInfo database.

Model Brownfield Prevention Ordinance Summary

The Brownfields Coalition developed a model brownfield prevention ordinance with the objective of creating an incentive for pollution prevention planning, and to establish an assurance that larger companies have the capacity to address contamination problems should they occur. The ordinance would make pollution prevention a requirement for doing business in each community. The text of the ordinance is presented in Tab 2 and is summarized as follows:

- A. Applicability. The ordinance applies to both large and small owners and operators of facilities that handle hazardous substances, materials, and wastes as defined by the U.S. Superfund Amendments and Reauthorization Act of 1986, the Resource Conservation and Recovery Act (RCRA), and the Illinois Environmental Protection Act, as well as facilities that reprocess construction and demolition materials.
- B. Purpose. The purpose of the ordinance is to require any relevant owner or operator to prepare and submit an annual pollution prevention plan as a condition of receiving a new or renewed business license.
- C. Fees. For larger companies that are required to report their handling of toxic substances to the federal government, a \$1,000 fee is required in addition to submitting a pollution prevention plan. If large reporting companies do not submit a pollution prevention plan, they must pay larger fees: \$5,000 for companies that use, handle, store, or release less than 50,000 pounds per year, plus \$.01 per additional pound used, handled, stored, or released above 50,000 pounds per year. The idea behind the fees is to create an incentive for companies to submit pollution prevention plans. Companies that handle small quantities of hazardous substances are not required to pay any fees, but they must submit a pollution prevention plan. Lastly, companies that manage and recycle construction and demolition debris are required to pay a flat fee and submit a pollution prevention plan.
- D. Pollution Prevention Requirements. The model ordinance requires that pollution prevention plans include a written policy demonstrating management commitment for the plan and its implementation; information on the substances uses; objectives and pollution prevention targets; updates on prior pollution prevention activities; upcoming activities; and an implementation schedule.
- E. Proof of Insurance. The model ordinance calls for owners and operators that report releases to the Toxic Release Inventory or are RCRA large quantity generators to provide the municipality with a proof of adequate pollution insurance as a condition of obtaining a new or renewed business license. The ordinance requires that the insurance policy have the equivalent effect of a general liability policy that “buys back” the standard pollution insurance

coverage as outlined in the 1992 Insurance Service Office commercial general liability insurance form that would normally be excluded.

The ordinance would begin to instill a culture of pollution prevention within south suburban communities. Based on recent data, the approximate number of pollution prevention plans that would be submitted by community is as follows:

Chicago Heights/South Chicago Heights	204
Lansing	75
Posen	22
Riverdale	53
TOTAL	354

Larger companies will typically already have pollution prevention plans in place and would likely have no difficulty complying with the ordinance. The ordinance would have an impact on smaller companies that that may not have ever considered pollution prevention. Technical assistance, guidance, and training from the municipalities and/or the South Suburban Mayors and Managers Association would have to be provided. Costs for this technical assistance would partially be defrayed through the fees collected as outlined in the ordinance.

Based on the most recent data, the effect of the fees provision of the ordinance would be as follows:

Scenarios

- A. Companies submit pollution prevention plans and pay \$1,000 fee.
- B. Companies do not submit pollution prevention plans and use, handle, store, or release less than 50,000 pounds per year
- C. Companies do not submit pollution prevention plans and use, handle, store, or release more than 50,000 pounds per year

Scenario	Chicago Heights		Lansing		Posen		Riverdale		So. Chicago Heights	
	#	\$	#	\$	#	\$	#	\$	#	\$
A	17	17,000	4	4,000	-	-	6	6,000	2	2,000
B	8	40,000	1	5,000	-	-	2	10,000	2	10,000
C	8	118,213	3	114,327	-	-	3	18,882	-	-

These numbers were derived by using the data in Tabs A through E to determine the companies that would be required to pay the \$1,000 fee, and the number of companies that use, handle, store, or release more and less than 50,000 of hazardous substances per year.³ Because of the impact of the fees in the ordinance, it is unlikely that Scenario C

³ In addition, construction and demolition material handlers have been included based on the *Chicagoland Construction and Demolition Site Recycling Directory* (1997). This directory lists only two companies, one in Chicago Heights, and one in Riverdale.

would ever occur. Rather, some funds would be generated through the fee structure, but more importantly, companies would be preparing, submitting, and updating pollution prevention plans that would demonstrate company efforts for managing and preventing pollution in each community. Based on these plans, the municipalities can identify pollution prevention technical assistance needs.

Data and Information

There is a wealth of publicly available data and information available from the U.S. Environmental Protection Agency and the Illinois Environmental Protection Agency on pollution issues by company in each municipality. This information can be used to gain a thorough understanding of the volumes of pollutants handled, types of pollutants, and reporting trends from year to year. The data and information can help a municipality target pollution prevention outreach activities. Tab 3 includes a description of the environmental databases and resources that are readily available and how to access the data. Tabs A through F includes actual data from these databases for each municipality.

Government and Technical Resources

There are several government agencies and technical resource providers that have a regulatory obligation with respect to chemical use and pollution, or are available to assist in pollution and brownfield prevention activities. Tab 4 identifies these agencies and provides contact information.

Model Brownfield Prevention Ordinance

Section I. Applicability and Purpose

The ordinance shall apply to owners and operators of facilities that use, handle, store or release hazardous materials, substances, or wastes; or reprocess construction/demolition material. The purpose of this ordinance shall be to prevent new brownfield sites through the adoption of pollution prevention measures, and the proof of pollution insurance to address any environmental damage that does occur through the use, handling, storage, or release of hazardous materials, substances, and/or wastes; or reprocessible construction/demolition material.

Section II. Definitions

1. Facility. “Facility” means all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person.
2. Hazardous Material. A “hazardous material” as defined by the United States Department of Transportation at 49 CFR 171.8.
3. Hazardous Substance. A “hazardous substance” as defined in section 3.215 of the Illinois Environmental Protection Act (the Act), 415 Illinois Compiled Statutes 5/3.215; “used oil” as defined in section 3.520 of the Act, 415 Illinois Compiled Statutes 5/3.520; a “pesticide” as defined in section 3.320 of the Act, 415 Illinois Compiled Statutes 5/3.320; “petroleum” as defined in the Federal Resource Conservation and Recovery Act, 42 USC 6991(8); “toxic and hazardous substances: as defined by the Occupational Safety and Health Administration at 29 CFR, part 1910, subpart Z (sections 1910.1000 through 1910.1500); and a “toxic substance” as defined in section 3(m) of the Illinois Toxic Substances Disclosure to Employees Act, 820 Illinois Compiled Statutes 255/3(m). A mixture containing, by weight or volume, five percent (5%) or more of hazardous substances combined shall itself be considered a “hazardous substance.”
4. Hazardous Waste. A “hazardous waste” as defined in section 3.220 of the Illinois Environmental Protection Act, 415 Illinois Compiled Statutes 5/3.220.
5. Persons. Any natural person or individual, firm, association, partnership, copartnership, joint venture, company, corporation (including a government corporation), joint stock company, trust, estate, state, local government, county,

commission, political subdivision, any interstate body, or any other legal entity, or their legal representatives, agents, or assigns and includes public or private utilities, governmental bodies or agencies, and common carriers.

6. Pollution Prevention. "Pollution prevention" means eliminating or reducing at the source the use, generation, or release of toxic pollutants, hazardous substances, hazardous materials, and hazardous wastes.
7. Release. Release means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous material, substance, and/or waste.
8. Reprocessable Construction/Demolition Material. "Reprocessible construction/demolition material" shall mean broken concrete, bricks, rock, stone or paving asphalt generated from construction or demolition activities.

Section III. Brownfield Prevention Fees

A. Any owner or operator who applies for a new or renewed business license in [municipality] and *is* subject to the reporting requirements of the Toxic Chemical Release Reporting: Community Right to Know program (also know as Title III of the Superfund Amendments and Reauthorization Act of 1986 and the Emergency Planning and Community Right to Know Act of 1986) or *is* considered to be a large quantity generator under the Resource Conservation and Recovery Act shall submit a pollution prevention plan as set forth in Section IV plus an annual \$1,000 brownfield prevention fee. In lieu of submitting a pollution prevention plan, the owner operator may choose to pay fees as set forth below.

1. \$5,000 if less than 50,000 pounds of hazardous material(s), substance(s), and/or waste(s) are used, handled, stored, or released at a facility on a yearly basis.
2. \$5,000 plus \$.01 per each additional pound of hazardous material, substance, and/or waste above 50,000 pounds that is used, handled, stored, or released at a facility on a yearly basis.

B. Any owner or operator who applies for a new or renewed business license in [municipality] and uses, handles, stores, or releases hazardous materials, substances and/or wastes and is *not* subject to reporting requirements of the Toxic Chemical Release Reporting: Community Right to Know program and is *not* a large quantity generator under the Resource Conservation and Recovery Act shall submit a pollution prevention plan as set forth in Section IV, but is not required to pay a fee.

C. Any owner or operator who applies for anew or renewed business license and handles reprocessible construction/demolition material shall submit a pollution prevention plan as set forth in Section IV plus and annual \$1,000 brownfield prevention fee.

D. Fees required under this section must be paid to the [municipality] by [date]. The fees shall be credited to the [municipal] brownfield prevention fund.

Section IV. Pollution Prevention Requirements

Owners or operators submitting pollution plans must include the following specific elements.

1. Written policy demonstrating management and corporate support for the pollution prevention plan and a commitment to implement the planned activities and achieve the established goals.
2. A list of hazardous materials, substances, and/or wastes used, handled, stored, or released at each facility, and/or reprocessible construction/demolition material handled at each facility; and a map, floor plan, or site plan identifying where such materials are handled at each facility
3. A description of the objectives and pollution prevention targets.
4. An update of pollution prevention activities implemented and progress made toward the prior year's targets.
5. A description of activities planned for the current year.
6. An implementation schedule.
7. The plan must be submitted by [date] each year to [municipality] where it will be made available for public review.

Section V. Proof of Pollution Insurance

An owner or operator who *is* subject to reporting requirements of the Toxic Chemical Release Reporting: Community Right to Know program or *is* a large quantity generator under the Resource Conservation and Recovery Act must provide proof of adequate pollution insurance when applying for a new or renewed business license. A copy of the active policy covering the owner or operator must be provided to [municipality]. The policy must provide:

1. The policy must have the equivalent effect of a general liability policy that "buys back" pollution insurance coverage that would be excluded under the 1992 Insurance Services Office commercial general liability insurance form.
2. The policy must be effective prior to the application of a new or renewed business license.

3. The policy must provide that the insurer may not cancel, terminate or fail to renew the policy except for failure to pay the premium.
4. In lieu of an insurance policy, the owner and operator may submit evidence of self-insurance.

Section VI. Effective Date

This ordinance being deemed of immediate importance shall become effective upon passage and publication.

Section VII. Inspection

Municipality shall have the right to inspect the site to insure compliance with the provisions of this ordinance.

Data and Information

Accessing Environmental Information

The following provides information about the environmental databases used in this analysis. A description as well as access information is provided for each database. All of the databases used are considered public information and are readily available via the Internet. More specific facility information, such as permits, compliance status, and enforcement actions, are accessible from the U.S. EPA and the Illinois EPA through a Freedom of Information Act request. A FOIA can be submitted via the Internet at the following websites:

U.S. EPA Region 5: <http://www.epa.gov/region5/answers/foia/efoia-form.htm>

IL EPA: <http://www.epa.state.il.us/foia/index.html>

A FOIA letter can also be submitted to the following addresses:

U.S. EPA Region 5:

Freedom of Information Officer

U.S. EPA Region 5 (MI-9J)

77 West Jackson Blvd.

Chicago, IL 60604-3590

IL EPA: (Send your FOIA request to the appropriate bureau)

IEPA, Bureau of Land #24

1021 North Grand Avenue

P.O. Box 19276

Springfield, IL 62794-9276

IEPA, Bureau of Air #11

East 1340 North Ninth Street

P.O. Box 19506

Springfield, IL 62794-9506

IEPA, Bureau of Water,

Division of Public Water Supplies #13

1021 North Grand Avenue East

P.O. Box 19276

Springfield, IL 62794-9276

IEPA, Office of Emergency Response #29

1021 North Grand Avenue East

P.O. Box 19276

Springfield, IL 62794-9276

Managing and Updating Data

The publicly available environmental databases used in this project are readily available via the Internet. Because the information is public, the same data is sometimes presented in different formats on multiple websites maintained by public agencies, non-governmental organizations, and/or private associations (e.g. trade association or company websites). The difference between the data presented at one website versus another is user interface. Some websites, such as OMB Watch's www.rtk.net, present the

data in a raw format with little or no interpretation while other websites, such as Environmental Defense Chemical Scorecard (www.scorecard.org) provide a high level of user interface and data interpretation. The user interface, or data format, one chooses depends on the purpose for collecting the data, level of detail needed, and the ability of the user to manage and interpret the information.

Data available in a raw format (e.g. all the data is downloadable to a spreadsheet) allows the user more freedom to interpret, compare, and customize the data for a specific purpose. Generally, raw data is presented in a greater level of detail allowing the user to customize the information and draw specific conclusions. Raw data, however, requires the user to be knowledgeable about the data set and to be familiar with spreadsheet programs, such as Excel. For instance, the tables showing TRI, BRS, and ERNS information, presented in Tabs A through F, were developed using raw data downloaded from the OMB Watch website (www.rtk.net) to an Excel spreadsheet. Raw data was used in this analysis to make comparisons and show trends for a large number of facilities.

Information that has been pre-interpreted for the user facilitates access to information by users with limited knowledge of data interpretation or spreadsheet use. Websites such as the U.S. Environmental Protection Agency TRI Explorer (www.epa.gov/triexplorer) and the Environmental Defense Chemical Scorecard (www.scorecard.org) are two such sites. While information from these sites is easy to access, the ability to customize the data for a specific purpose is often limited. Depending on the website, users of this type of data should be cognizant of biases that may inherently be present in the interpretation. For comparative purposes, data from the Chemical Scorecard and TRI Explorer website is presented for the City of Riverdale and is included in Tab D.

Ultimately, the website and data used depends on the questions that need to be answered. The usefulness of publicly available data, however, depends on the ability of the user to manage and interpret the information in order to evaluate problems communities now face. Guidance manuals are available at most of the websites used for this analysis; however, communities may want to seek outside services to help with data management and interpretation.

Database Quick Reference Chart

TRI	BRS	RCRAInfo	ERNS	RMP	LUST	SRP
Releases and transfers of toxic chemicals .	Tracks generation, shipment, and receipt of hazardous waste .	Provides information about regulated RCRA hazardous waste handlers -including small quantity generators.	Record of reported toxic spills/releases .	Risk management plan for facilities using certain chemicals over specific threshold quantities.	Record of reported underground storage leaks .	Status of all voluntary site remediation projects .
www.rtk.net	www.rtk.net	www.epa.gov/enviro/	www.rtk.net	//epa.gov/ceppo	www.epadata.epa.state.il.us/land	www.epadata.epa.state.il.us/land

Environmental Database Resources

Toxic Release Inventory (TRI)

Description: TRI is a database of information about releases and transfers of toxic chemicals from manufacturing facilities. The TRI chemical list consists of 582 separate chemicals and 30 chemical categories. Data is currently available from 1987 to 2000.

Reporting

Criteria: Facilities meeting the following criteria are required to report under TRI:

- Manufacturing Facility (Primary SIC code in 20-39).
- Equivalent of 10 full-time workers.
- Manufacture or process 25,000 lbs. of a reportable chemical or use more than 10,000 lbs. of a reportable chemical during the year.
- Chemical must be on the TRI list of over 600 specific toxic chemicals or chemical categories.

Significance: TRI information is an indicator of the size of a company since the TRI reporting threshold for most of the chemicals is high. Also, TRI can be used an indicator of the environmental intensiveness of on-site operations since the chemicals listed on TRI are typically the more hazardous compounds.

Limitations: TRI data does have certain limitations.

- TRI data does not include all chemicals used by industry.
- Only a select cross-section of industry is required to report under TRI.
- TRI data is self-reported by the facility.
- TRI data reflect releases and other waste management of chemicals, and not exposures of the public to those chemicals.

Website: TRI data can be accessed from the following websites:

- www.rtk.net
- www.epa.gov/triexplorer

Guidance: Guidance for using the downloadable data from the OMB Watch website (www.rtk.net) can be accessed via the Support tab on the website homepage. Information is provided about each database accessible via rtk.net and importing data into spreadsheets.

Guidance for using the U.S. EPA TRI Explorer website is provided at the TRI Explorer homepage (www.epa.gov/triexplorer). Links from the homepage provide information about covered industries, chemicals, and federal and state contacts.

Biennial Reporting System (BRS)

Description: The BRS tracks the generation, shipment, and receipt of hazardous waste as defined by the Resource Conservation Recovery Act (RCRA). BRS is a national system that collects data on the generation, management, and minimization of hazardous waste. This system captures detailed data on the generation of hazardous waste from large quantity generators and data on waste management practices from treatment, storage, and disposal facilities. The biennial data provide a basis for trend analyses. Data about the previous year's hazardous waste activities is reported on even years by the facilities to EPA. 1999 total waste generated data is currently available but not 1999 EPA waste codes.

A large quantity generator is defined as:

- Generates in any single month more than 1,000 kg (2,200 lbs) or more of a RCRA hazardous waste.
- Generates in any single month, or accumulates at any time, 1 kg (2.2 lb) or a RCRA acute hazardous waste.
- Generates or accumulated at any time more than 100 kg (220 lbs) of spill cleanup material contaminated with RCRA acute hazardous waste.

Reporting

Criteria: Facilities meeting the following criteria are required to report under BRS:

- Facility is a large quantity generator of RCRA hazardous wastes; or
- Facility treats, stores, disposes (TSD) RCRA hazardous waste on site in units subject to RCRA permitting requirements.

Significance: BRS reporting is an indication of the size of a company since only the largest quantity generators are required to report under BRS. Also, BRS can be used an indicator of the environmental intensiveness of on-site operations since RCRA listed or characteristic wastes are typically the more hazardous compounds.

Limitations: BRS data does have certain limitations.

- BRS data is only reported every other year.
- BRS does not include small quantity generators that are generally more commonly found in communities.
- BRS data is self-reported by the facility.

Website: BRS data can be accessed from the following websites:

- www.rtk.net
- www.epa.gov/enviro/index_java.html

Biennial Reporting System (BRS)- continued

Hazardous waste information can be accessed via the U.S. EPA Envirofacts database via links to Biennial Reporting System and Hazardous Waste. The Biennial Reporting System provides information on large quantity generators while the Hazardous Waste link provides general large and small quantity RCRA generator data; however, this information is not typically chemical specific. Data can be viewed on a state, county, or facility basis.

Guidance: Guidance for using the downloadable data from the OMB Watch website (www.rtk.net) can be accessed via the Support tab on the website homepage. Information is provided about each database accessible via rtk.net and importing data into spreadsheets.

Guidance for using U.S. EPA Envirofacts data can be obtained via the First Time User link at the Envirofacts homepage (www.epa.gov/enviro/index_java.html).

Envirofacts Database (RCRAInfo)

Description: Envirofacts is a single point of access to select U.S. EPA environmental data. This website provides access to several EPA databases containing information about environmental activities that may affect air, water, and land anywhere in the United States. Information can be retrieved by entering a specific ZIP Code, City and State, or County and State.

The information presented herein is from the U.S. EPA RCRAInfo database, accessible through Envirofacts. The RCRAInfo system allows tracking of many types of information about the regulated universe of RCRA hazardous waste handlers- including small quantity generators. RCRAInfo characterizes facility status, regulated activities, and compliance histories and captures detailed data on the generation of hazardous waste from large quantity generators and on waste management practices from treatment, storage, and disposal facilities. For information purposes:

A large quantity generator is defined as:

- Generates in any single month more than 1,000 kg (2,200 lbs) or more of a RCRA hazardous waste.
- Generates in any single month, or accumulates at any time, 1 kg (2.2 lb) of a RCRA acute hazardous waste.
- Generates or accumulated at any time more than 100 kg (220 lbs) of spill cleanup material contaminated with RCRA acute hazardous waste.

A small quantity generator is defined as:

- Generates between 100 kg (220 lbs) and 1,000 kg (2,200 lbs) of a RCRA hazardous waste per month.

A conditionally exempt small quantity generator is defined as”

- Generates less than 100 kg (or 220 lbs) of a RCRA hazardous waste per month.

Reporting

Criteria: Facilities meeting the following criteria are included in RCRAInfo:

- Facilities that have a hazardous waste handler identification number.

Significance: RCRAInfo provides information about companies that handle RCRA hazardous wastes.

Envirofacts Database (RCRAInfo)- continued

Limitations: RCRAInfo data does have certain limitations.

- Limited information about the quantity and type of RCRA hazardous waste handled.
- Limited information about the current status of the facility.
- Data is not readily downloadable into a spreadsheet format.

Website: RCRAInfo data can be accessed from the following website:

- <http://www.epa.gov/enviro/>

Guidance: Guidance for using U.S. EPA Envirofacts data can be obtained via the First Time User link at the Envirofacts homepage (www.epa.gov/enviro/index_java.html).

Emergency Response Notification System (ERNS)

Description: The ERNS database is a record of phone calls made to the National Response Center (NRC) concerning spills or releases of toxic substances, including oil spills. The ERNS database has information for reporting years 1989 to 1997 for certain communities.

Reporting

Criteria: The ERNS database includes any spill reported to the NRC.

Significance: ERNS information is a general indicator of the quality of operations at a facility. For instance, operational issues may exist at a facility that reports a large number of spills in a short timeframe. Also, the quantity of chemical, type of chemical, and response action are indicators of potential on-site contaminations.

Limitations: Limitations associated with ERNS data include:

- Facilities are often unsure of the threshold reporting quantities so every spill, no matter how small, is reported.
- Database is not updated in a timely manner.
- ERNS information is self-reported by the facility.

Website: ERNS data can be accessed from the following websites:

- www.rtk.net

Guidance: Guidance for using the downloadable data from the OMB Watch website (www.rtk.net) can be accessed via the Support tab on the website homepage. Information is provided about each database accessible via rtk.net and importing data into spreadsheets.

Information about the ERNS data can also be found at the U.S. EPA website- <http://www.epa.gov/ceppo/ap-chan.htm>. The data, however, is not accessible from this website.

U.S. EPA Risk Management Planning

Description: Owners or operators of a stationary source with more than a threshold quantity of a regulation toxic and/or flammable substance are required to submit a risk management plan. The plan contains three elements: a hazard assessment, a prevention program, and an emergency response program.

RMP data is currently not available due to the events of September 11, 2001.

Reporting

Criteria: Facilities subject to Clean Air Act Section 112 (r) are required to submit an RMP. Owners or operators of a stationary source with more than a threshold quantity of a regulated substance (one of the 140 listed toxic substances in 40 CFR 60.130) in a process as determined in 40 CRF 60.115 must submit a Risk Management Plan and comply with RMP requirements.

Significance: RMP requirements are an indication of the hazard and flammability level of the chemicals used on-site. RMP information is especially important to first-responders and Local Emergency Planning Councils (LEPC).

Limitations: The primary limitation with RMP is the ability to access the data due to the events of September 11, 2001.

Website: When available RMP data can found at the following website:

- www.epa.gov/ceppo/

Guidance: Information about access and using the RMP data can be found at the U.S. EPA website www.epa.gov/ceppo/acc-pre.html. The data, however, is not accessible from this website.

Illinois EPA Leaking Underground Storage Tanks

Description: The Illinois Environmental Protection Agency LUST database identifies the status of all Illinois LUST incidents reported to the Illinois Emergency Management Agency (IEMA) and to the Illinois EPA. The LUST database is updated periodically as incidents are reported. Data provided herein is as of July 2002.

At this time the data is not available from the Illinois EPA website in a downloadable format. A Freedom of Information Act Request must be submitted to the Illinois EPA to receive electronic data files.

Reporting

Criteria: After a facility reports an incidents the Illinois EPA and IEMA the facility has to follow-up with a 20 day report showing human health affects were mitigated, a 40 day report containing information on the nature of site and spill and beginning abatement efforts, a site classification report and finally a corrective action report.

Significance: LUST data can provide trend information on whether a company has multiple leaks over the years. Leaking storage tanks can be an indicator that the company is not properly caring for its facility, it may be a sign of company dumping, or that the company is leaving the area.

Limitations: One of the limitations with the LUST database is that is only accounts for those facilities that actually reported their leaks to the appropriate agency. The database does not account for residential leaks or some cases of heating oil leaks.

Website: LUST data can be accessed from the following websites
www.epadata.epa.state.il.us/land/ust/index.html

Guidance: Information about the data presented on the Illinois EPA LUST website is provided on the LUST homepage-
www.epadata.epa.state.il.us/land/ust/index.html. Additional information can be obtained by contacting the Illinois EPA Bureau of Land.

Illinois EPA Site Remediation Program (SRP)

- Description:** The Illinois EPA SRP database identifies the status of all voluntary remediation projects administered through the pre-notice Site Cleanup Program (1989 to 1995) and the SRP (1996 to present). Data provided herein is as of July 2002.
- Reporting Criteria:** Voluntary enrollment in Illinois SRP. Once enrolled must complete the following reports: site investigation, remediation objectives, remedial action, and remedial action completion.
- Significance:** A site entered into the site remediation program is likely, undergoing, remediation and, possibly, redevelopment.
- Limitations:** Because the program is voluntary, site owners can opt-out of the program at any time or not enter the program at all. This would, however, preclude the site owner from obtaining a No Further Remediation letter from the Illinois EPA.
- Website:** SRP data can be accessed from the following websites:
- www.epadata.epa.state.il.us/land/site-remediation
- Guidance:** Information about the data provided on the Illinois EPA website is provided on the SRP homepage- www.epadata.epa.state.il.us/land/site-remediation. Additional information can be obtained by contacting the Illinois EPA Bureau of Land.

Government and Technical Resources

Role of Government

This section lays out the relationship between the U.S. Environmental Protection Agency (EPA) Region V, the Illinois Environmental Protection Agency, Cook County governmental agencies, and local government agencies with respect to permitting, compliance, and pollution prevention.

Below is an excerpted section from “Customer Service in Permitting: a toolkit for regions, state, tribes, and local permitting authorities” U.S EPA 1999 (<http://www.epa.gov/customerservice/permits/>). This summarizes, generally, the different responsibilities at each level of government and is graphically represented in the attached figure. The organizational structure of both the U.S. EPA and the Illinois EPA have also been included at the end of this section.

Headquarters

- promulgate permit regulations that are understandable, written in plain English, and workable.
- write guidance materials that clarify the intent behind the permitting requirements, and the rationale leading to final regulatory decisions.
- make interpretations on a case-by-case basis whenever questions arise.
- stress consistency in application to take the guess work out of implementation.

Regions

- write guidance in plain English.
- tailor training programs to meet the needs of delegated permitting authorities.
- make permit oversight reviews productive and to the point, taking into account circumstances specific to the permit.

State/Tribal/Local Government

- write permits that reflect the unique nature of the permit applicant’s situation.
- seek input from the permit applicant and other interested and impacted parties.
- make permit decisions after carefully weighing all of the input from the permit applicant and the interested and impacted parties...”

Table 4-1, the Role of Government Agencies, explores in greater detail the responsibilities of each bureau or division.

Technical Assistance Providers

Table 4-2 provides information both locally and in some cases nationally for where to find resources and services related to pollution prevention. Contact information is given and at the bottom of the chart is a listing of extra websites that may be of use.

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