

# SUMMARY CONTENTS

Note that this is an **outline**; a detailed table of contents precedes each chapter.

## CHAPTER I INTRODUCTION: DECIPHERING THE REQUIREMENTS

A. The Structure of Environmental Protection	I 1
B. Current Trends in Environmental Protection	I 2
1. Alternatives to “Command and Control” Regulation	I 2
2. Pollution Prevention	I 3
3. Environmental Justice	I 4
4. Facility and Homeland Security	I 4
5. Evaluating the Nation’s Environmental Program	I 5
C. This Manual	I 6

Appendices

## CHAPTER II AIR QUALITY

A. Introduction	II A 1
B. Structure of Air Quality Regulation	II B 1
1. Federal Clean Air Act	II B 1
2. State Air Quality Laws	II B 6
C. Defining Conventional Pollutants and Ambient Air Quality	II C 1
1. Defining Conventional Pollutants	II C 1
2. Defining Ambient Air Quality	II C 2
3. Attainment and Nonattainment of Ambient Air Quality Standards	II C 3
4. Volatile Organic Compounds from Consumer and Commercial Products	II C 8
D. Permits for Stationary Sources	II D 1
1. Defining Key Terms	II D 1
2. Preconstruction Review for New or Significantly Modified Stationary Sources	II D 2
3. CAA Operating Permit Program (Title V)	II D 7
E. Regulating Routine Emissions of Air Toxics	II E 1
1. Introduction	II E 1
2. Regulating Hazardous Air Pollutants (Title III)	II E 1
F. Accidental Release Prevention	II F 1
G. Stratospheric Ozone Protection (Title VI)	II G 1
1. Regulated Substances	II G 1
2. Phaseouts for Class I Substances	II G 3
3. Phaseouts for Class II Substances	II G 4
4. Production and Consumption Allowances	II G 5
5. Record-keeping and Reporting Requirements	II G 5
6. Ban on Nonessential Products Containing CFCs	II G 6
7. Significant New Alternatives Policy	II G 7
8. Labeling of Products That Use Ozone-Depleting Substances	II G 8
9. Recycling and Emissions Reduction	II G 9

10. Servicing Motor Vehicle Air Conditioners	II G 10
11. Phaseouts for HFCs	II G 11
H. Acid Deposition Control (Title IV)	II H 1
I. Mobile Sources (Title II)	II I 1
1. Motor Vehicle Standards	II I 1
2. Fuel Standards	II I 3
3. Hydrogen Fuel	II I 5
J. Climate Change	II J 1
1. International Efforts	II J 1
2. U.S. National Efforts	II J 3
3. State Efforts	II J 7
K. CAA Administration and Enforcement	II K 1
1. Records, Monitoring, and Reporting	II K 1
2. EPA Oversight of States	II K 3
3. Inspections and Civil Enforcement	II K 4
4. Criminal Liability	II K 9
5. Awards for Assistance to Enforcement	II K 10
6. EPA Inspector General	II K 10

## Appendices

### CHAPTER III WATER QUALITY

Introduction	III 1
A. Protection of Water Resources	III A.1 1
1. Federal Clean Water Act	III A.1 1
2. Special Enforcement Provisions for Oil and Hazardous Substances	III A.2 1
3. Post Valdez—The Oil Pollution Act of 1990	III A.3 1
B. Safe Drinking Water	III B 1
1. Scope and Purpose	III B 1
2. Defining Public Water Systems	III B 2
3. Drinking Water Regulations	III B 2
4. Regulation of Public Water Systems	III B 7
5. Drinking Water Requirements for Bottled Water	III B 21
6. Bioterrorism Prevention	III B 22
7. Enforcement	III B 24
C. Great Lakes Protection	III C 1
1. Introduction	III C 1
2. Treaties and Agreements	III C 1
3. U.S.–Canadian Great Lakes Strategies	III C 2
4. CWA Requirements	III C 3
5. Prevention and Management of Invasive Species	III C 4
D. Ocean and Coastal Protection	III D 1
1. Introduction	III D 1
2. Federal Regulatory Requirements	III D 1
3. Federal Planning Requirements	III D 11

## Appendices

**CHAPTER IV  
REGULATION OF TOXIC CHEMICALS**

Introduction	IV 1
A. Pesticide Regulation	IV A 1
1. The Federal Insecticide, Fungicide, and Rodenticide Act	IV A 1
2. Pesticide Registration	IV A 2
3. Regulation of Pesticide Operations	IV A 5
4. Additional FIFRA Requirements	IV A 14
5. Preventing Contamination by Pesticides	IV A 15
6. Exemptions from FIFRA Requirements	IV A 17
7. Enforcement	IV A 18
B. Toxic Substances Control Act	IV B 1
Introduction	IV B 1
1. TSCA Title I	IV B 2
2. Asbestos Hazard Emergency Response Act—TSCA Title II	IV B 12
3. Indoor Radon Abatement—TSCA Title III	IV B 14
4. Lead Exposure Reduction—TSCA Title IV	IV B 15
C. Storage of Petroleum and Hazardous Substances	IV C 1
Introduction	IV C 1
1. Defining Terms	IV C 1
2. Tank Registration	IV C 4
3. UST Construction Standards	IV C 4
4. UST System Operating Standards	IV C 7
5. Requirements for Contractors	IV C 8
6. Closure	IV C 8
7. Release Reporting and Corrective Action	IV C 9
8. Financial Responsibility for Petroleum UST Cleanup	IV C 10
9. Regulation and Enforcement	IV C 13
D. Regulation of Labeling of “Hazardous Substances”	IV D 1
1. Definitions	IV D 1
2. Prohibited Acts	IV D 3
3. Administration and Enforcement	IV D 4
4. Civil and Criminal Penalties	IV D 5
E. Advertising: Limitations on Environmental Marketing Claims	IV E 1
1. Scope and Purpose	IV E 1
2. FTC “Green Guides”	IV E 2
3. Enforcement	IV E 6
4. State Limitations	IV E 6
F. Abatement of Lead in Housing and Other Buildings	IV F 1
1. Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X)	IV F 1

Appendices

**CHAPTER V  
WASTE MANAGEMENT**

Introduction	V 1
A. Hazardous Waste Management—Federal Resource Conservation and Recovery Act	V A 1
1. Authorization of State Programs by EPA	V A 1
2. Hazardous Waste Defined	V A 2
3. Hazardous Waste Generators	V A 15
4. Transportation of Hazardous Wastes	V A 20d
5. Hazardous Waste Transporters	V A 20j
6. Treatment, Storage, and Disposal Facilities	V A 21
7. Land Disposal Restrictions	V A 29
8. SARA Capacity Assurance Plan	V A 32h
9. Regulation of Underground Storage Tanks	V A 32h
10. Inspections	V A 32h
11. Enforcement	V A 33
B. Non-Hazardous Waste Management	V B 1
1. Introduction	V B 1
2. Federal Solid Waste Disposal Act	V B 1
C. Medical Waste Management	V C 1
1. California State and Local Regulatory Program	V C 2
2. California Definition of Medical Waste	V C 3
3. California Requirements for Medical Waste Generators	V C 6
4. California Permits for Common Storage Facilities Used by Small Quantity Generators	V C 8
5. Medical Waste Transportation in California	V C 8
6. Medical Waste Treatment Facilities in California	V C 11
7. California’s Containment, Storage, and Treatment Standards	V C 12
8. California’s Trauma Scene Waste Management Act	V C 15
9. Enforcement in California	V C 16

Appendices

**CHAPTER VI  
FEDERAL TOXICS CLEANUP LAW (SUPERFUND)**

Introduction	VI 1
A. Overview	VI A 1
B. Locating and Characterizing Hazardous Sites	VI B 1
1. Defining Hazardous Substances	VI B 1
2. The Petroleum Exclusion	VI B 1
3. Setting Reportable Quantities	VI B 2
4. Notification of Contamination	VI B 3
C. Cleanup	VI C 1
1. In General	VI C 1
2. National Oil and Hazardous Substance Pollution Contingency Plan	VI C 2
3. State Involvement in Response Actions	VI C 3
4. Removal and Remedial Actions	VI C 3
5. Site Evaluation, Remedial Action Selection, and Cleanup Standards	VI C 7
6. Cleanup Contractors	VI C 8

D. The Superfund	VI D 1
1. In General	VI D 1
2. Claims Against The Superfund	VI D 1
E. Responsible Parties and Their Liabilities	VI E 1
1. Responsible Parties	VI E 1
2. Liabilities	VI E 3
3. Contribution and Cost Recovery	VI E 3
4. Immunities and Defenses	VI E 4
5. Limits on Liability	VI E 13
F. Settlement Procedures	VI F 1
G. Citizen Suits	VI G 1
H. Financial Responsibility Requirements for Vessel Operators	VI H 1
I. Public Participation Opportunities	VII I 1
J. Brownfields Redevelopment and Funding	VI J 1
1. Brownfield Site Defined	VI J 1
2. Brownfield Site Revitalization Funding and Assistance	VI J 2
3. Additional Brownfields Legislation	VI J 2
K. Enforcement and Penalties	VI K 1

Appendices

**CHAPTER VII  
POLLUTION PREVENTION**

Introduction	VII 1
A. Federal Programs	VII A 1
1. Federal Pollution Prevention Act	VII A 1
2. Regulatory Requirements for Hazardous Waste	VII A 2
3. Regulatory Requirements for Air Quality	VII A 4
4. Regulatory Requirements for Water Quality	VII A 5
5. Agricultural Pollution Prevention	VII A 5
B. State Programs	VII B 1
1. New Jersey Pollution Prevention Act	VII B 1
C. Pollution Prevention Information and Funding Programs	VII C 1
D. Pollution Prevention Programs Imposed on Federal Agencies by Executive Order	VII D 1
1. President Clinton's Executive Orders	VII D 1
2. President Bush's Executive Orders	VII D 2
3. President Obama's Executive Orders	VII D 4

Appendices

## **CHAPTER VIII EMERGENCY PLANNING AND PREVENTION**

Introduction	VIII 1
A. Emergency Planning and Community Right-to-Know Act	VIII A 1
1. Emergency Planning Involving Extremely Hazardous Substances	VIII A 1
2. Reporting Spills and Leaks of Extremely Hazardous Substances	VIII A 2b
3. Reports of Hazardous Chemicals in the Workplace	VIII A 4
4. Toxic Chemical Release Reporting	VIII A 7
5. Administration and Enforcement	VIII A 14
B. Accidental Release Prevention	VIII B 1
1. Regulated Substances and Threshold Quantities	VIII B 2
2. Regulated Stationary Sources	VIII B 4
3. ARP Compliance Requirements	VIII B 5
4. Chemical Safety and Hazard Investigation Board	VIII B 9
5. Limitations on Public Access to OCA Information	VIII B 10
6. Administration and Enforcement	VIII B 11

Appendices

## **CHAPTER IX WORKER PROTECTION: OCCUPATIONAL SAFETY AND HEALTH**

Introduction	IX 1
A. Statutory and Regulatory Structures	IX A 1
1. Federal Occupational Safety and Health Act	IX A 1
2. State Occupational Safety and Health Laws and Regulations	IX A 6
B. Employers' General Duty Clause	IX B 1
C. Standards Applicable to Routine Operations	IX C 1
1. Hazard Communication Standard	IX C 1
2. Chemicals Subject to Specific Standards	IX C 9
3. Bloodborne Pathogen Standard	IX C 11
4. Laboratory Standard	IX C 15
5. Process Safety Management Standard	IX C 16
6. Respiratory Protection Standard	IX C 18
D. Emergency Planning and Prevention Standards	IX D 1
1. Emergency Action Plan Standard	IX D 1
2. Fire Prevention Plan Standard	IX D 2
3. Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard	IX D 3
E. Administration and Enforcement	IX E 1
1. Employer Record Keeping	IX E 1
2. Inspections and Investigations	IX E 4
3. Citations and Abatement	IX E 5
4. Injunctions	IX E 7
5. Civil Penalties	IX E 8
6. Criminal Sanctions	IX E 9
7. Policy Encouraging Voluntary Self-Audit Programs	IX E 9
8. Whistleblower Protections	IX E 10

Appendices

**CHAPTER X  
TRANSPORTATION OF HAZARDOUS MATERIALS**

Introduction	X 1
A. Scope and Purpose	X A 1
1. Defining Key Terms	X A 2
2. Exceptions for “Materials of Trade”	X A 4
3. Federal Preemption	X A 5
B. Routine Compliance	X B 1
1. Defining Hazardous Materials	X B 1
2. Packaging	X B 2
3. Markings, Labels, and Placards	X B 2
4. Shipping Papers	X B 3
5. Emergency Response Information	X B 4
6. Training Hazmat Employees	X B 5
7. Regulation of Hazardous Materials Shipments	X B 6
8. Security Plans	X B 14
C. Reporting Transportation Incidents	X C 1
D. Administration and Enforcement	X D 1
1. Record Keeping and Inspections	X D 1
2. Civil Enforcement and Liability	X D 1
3. Criminal Enforcement and Liability	X D 2

Appendices

**CHAPTER XI  
FACILITY AND HOMELAND SECURITY**

Introduction	XI 1
A. Approaches to Facility Security	XI A 1
1. Conducting a Safety and Security Analysis	XI A 1
2. Facility and Organizational Security Programs	XI A 2
B. Evaluating and Preparing for Potential Terrorist Threats	XI B 1
1. Defining Terrorism	XI B 1
2. Ideological Motivations for Terrorism	XI B 2
3. Evaluating Potential Targets	XI B 3
4. Taking Basic Precautions	XI B 4
5. Specific Counterterrorism Programs	XI B 5
C. Regulatory Requirements	XI C 1
1. Handlers of “Select Agents” of Potential Use in Bioterrorism	XI C 1
2. Public Water Systems	XI C 2
3. Entities Transporting Hazardous Materials	XI C 4
4. Maritime Security Activities Required by the Coast Guard	XI C 7
5. Chemical Facility Antiterrorism Standards	XI C 8

Appendices

## INDICES

Index A	Acronyms and Abbreviations
Index B	Plaintiff/Appellant; Defendant/Appellee
Index C	United States Code
Index D	Code of Federal Regulations
Index E	State Codes
Index F	State Regulations
Index G	Miscellaneous Authorities