



Fall 2005

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## Art Mabbett Honored by UMass Boston

The University of Massachusetts at Boston (UMB) has awarded Art Mabbett, President of Mabbett & Associates, Inc. and Chairman of Mabbett & Associates Ltd,



The Mabbett family at the UMass Boston gala, from left to right: Chris, Sandra, Art, Beverly, and Arthur

Glasgow, UK, with the Chancellor's Medal for Exemplary Leadership at its "Building One Community" Gala to benefit student scholarships. The award was presented by Interim Chancellor J. Keith Motley who stated, "Arthur is a great friend to the university and an international leader in environmental consulting

and engineering. He never hesitates to share with people the life-directing undergraduate experience he had at UMass Boston, which prepared him for the great successes he has achieved."

Art, a member of the 1969 Charter Class at UMB, has continued to serve the university in a number of areas including annual fund chair and as a member of the Science Advisory Board.

## EU Directives Impact U.S. Industry

The European Union (EU) Directives on Waste Electronics and Electrical Equipment (WEEE) and the Restriction of Hazardous Substances (RoHS) have become de facto international product regulations. The recently published Energy-using Products (EuP) Directive will follow suit, considering that energy efficiency is one of its corner stones. These Directives are in response to increasing concern over the volume, environmental impact and toxicity of the ever increasing stream of waste electronic products. The WEEE/RoHS Directives are having a profound impact on the Electronics and Electrical Equipment (EEE) industry by requiring producers to be responsible for the end-of-life of their products and by restricting the use of certain hazardous materials.

These Directives apply to any Producer who sells EEE products in the EU. The Directives impact all companies in the EEE supply chain. With one of the important WEEE dates, August 13, 2005, behind us, the RoHS date of July 1, 2006 is rapidly approaching. Non conforming products are prohibited from being sold in the EU. M&A has the expertise and resources both in the USA and the UK/EU to help affected companies meet these challenges. For more information, please contact Stephen Greene at [green@mabbett.com](mailto:green@mabbett.com).

## Line Items

### Universal Waste

Mercury-containing fluorescent lamps, computer monitors, and certain batteries must be disposed of properly and not be disposed of as normal trash. Under the Federal and MA DEP hazardous waste regulations these waste streams are considered "Universal Waste" which requires that certain storage and disposal requirements be met. Safe and proper recycling is encouraged.

### Hazardous Waste Violation Penalties on the Rise

Recently the U.S. Environmental Protection Agency proposed a \$255,000 fine against a very small biotech manufacturing company in Massachusetts for hazardous waste violations including improper labeling, recordkeeping, lack of inspections, and generator status requirement violations.

### OSHA Proposes Revised Rule on Hexavalent Chromium (CrVI)

The U.S. Department of Labor's Occupational Safety and Health Administration published a Notice of Proposed Rulemaking (NPRM) for occupational exposure to hexavalent chromium in the Oct. 4, 2004 Federal Register. OSHA is proposing three separate standards that cover exposure to hexavalent chromium (CrVI) in general industry, construction, and shipyards. OSHA is proposing to lower its permissible exposure limit (PEL) for hexavalent chromium and for all CrVI compounds in construction, shipyards, and general industry from 52 to 1 microgram of CrVI per cubic meter of air as an 8-hour time weighted average (TWA).

### Wastewater pH Adjustment Systems

Even small scale pH adjustment systems used in biotech, hospitals, and other applications must be approved by the Massachusetts DEP and be operated by state licensed industrial wastewater operators. These requirements are in addition to local regulations. Companies failing to comply are being cited by the DEP. Contact Susan Smits for more information.

## Paul Steinberg Promoted to Vice President

**Paul D. Steinberg**, P.E., LSP, and Director of Operations (DOO) of the firm was recently promoted to Vice President. As Vice President, Paul is responsible for the day-to-day management of the firm's staff, projects and related marketing/business development activities. In his new position, Paul will assume additional responsibility to help ensure that the firm's business growth and development objectives are met. He will play a key role as the firm grows its new Federal Services Group as a Service Disabled Veteran Owned Small Business. Paul is a 1985 graduate of Worcester Polytechnic Institute (WPI) with a B.S. in Chemical Engineering and is currently completing his master's degree in Marketing and Technological Innovation also from WPI.

## Susan Smits Promoted to Senior Project Manager

**Susan S. Smits**, TURP, CESHT, EIT, has been promoted to Senior Project Manager in the firm's Environmental Engineering Group. Susan's responsibilities at M&A include environmental permitting, reporting, auditing, training programs development and implementation, and regulatory agency liaison. Susan has an active role on the firm's behalf with the Massachusetts Biotechnology Council to further develop services focused to meet the growing needs of the biotechnology sector.

## Bill Simons Achieves LSP

**William F. Simons**, recently passed the qualification examination as a Massachusetts Licensed Site Professional (LSP). Bill is a hydrogeologist in the firm's Site Assessment and Restoration Section. Bill also recently delivered a presentation at the U.S./EPA/NGWA Fractured Rock Conference regarding a successful in-situ chemical oxidation remediation case study of fractured rock trichloroethene (TCE) cleanup in MA.



From left to right: Bill Simons, Susan Smits, Chris Mabbett, Paul Steinberg, Kiran Sears, Darren Andrews, Stephen Greene

## Chris Mabbett Completes MS and EIT

**Christopher L. Mabbett** recently graduated from Tufts University with his M.S. in Environmental Engineering and successfully passed the Massachusetts Fundamentals of Engineering examination to qualify as an Engineer-In-Training. Chris has a B.S. in geology from Bates College and works in the firm's Site Assessment and Restoration Section where he is responsible for all aspects of site assessment and remediation projects.

## Kiran Sears Joins M&A

The firm is pleased to welcome **Kiran B. Sears**, EIT, Environmental Engineer, to the firm's Site Assessment and Restoration Section. Kiran holds a B.S. in Chemical Engineering from Northeastern University and is currently pursuing her Master's degree. Kiran is involved in all aspects of site assessment and remediation services.

## Darren Andrews Achieves Grade III Status

**Darren J. Andrews**, an Environmental Technician in the firm's Environmental Engineering Group recently passed the examination to qualify as a Grade III Industrial Wastewater/Groundwater Treatment Systems Operator. Darren is involved in the firm's engineering de-

sign activities and also in the management, operation and maintenance of wastewater and groundwater treatment systems.

## Stephen H. Greene Joins M&A

**Stephen H. Greene**, formerly the Product Stewardship and International Environmental Manager at Polaroid Corporation has joined the firm to head its Product Stewardship Solutions Group. Stephen has over 30 years of experience in environmental management, compliance and product stewardship for manufacturing and commercial industry. Prior to joining Polaroid, Stephen was an Environmental Manager for Digital Equipment Corporation. Stephen has both a B.A. and M.A. from Boston University, has been active in numerous area environmental organizations, and is a well recognized expert in product stewardship activities. At M&A Stephen is responsible for providing consulting services in product stewardship, international regulatory requirements including the European Union WEEE and RoHS Directives, etc. especially as they currently impact the electronics industry.

The firm welcomes and congratulates all of the above staff on a job well done!

## DIA Grant Funds Low Cost Training by M&A

Mabbett & Associates, Inc. was recently awarded a \$25,000 training grant from the Massachusetts Department of Industrial Accidents (DIA) to provide First Responder Awareness Level, First Responder Operations Level HAZMAT spill training, and Hazardous Waste Operations and Emergency Response (HAZWOPER) Refresher training to Massachusetts companies and municipalities. The grant pays tuition costs for the training programs which meet the Occupational Safety and Health Administration HAZWOPER standard requirements and many Local Emergency Response Committee requirements for Tier 2 facilities. Under the previous year's grant M&A trained over 350 state-wide including many on-site programs at industrial facilities. A small materials fee is charged for each trainee to offset costs not covered by the grant.

Open enrollment classes are currently being offered. In addition, on-site training is available for groups of more than 15. The training is geared towards facility managers, EH&S managers, response team members, and those requiring HAZWOPER refresher training. The training is also approved by the DEP for Training Contact Hours (TCH's) for Industrial Wastewater Operators. *For more information, please contact Susan Smits at [smits@mabbett.com](mailto:smits@mabbett.com).*

## MA DEP Commissioner Updates - Enforcement

Robert Golledge the Commissioner of the Massachusetts Department of Environmental Protection (MA DEP) at an Environmental Business Council (EBC) of MA breakfast meeting recapped his first year in office. A reoccurring theme during his speech was an increased level of enforcement by the Department. In Fiscal Year 2004, enforcement actions increased by 54 percent and administrative penalties increased by 49 percent, from \$2,819,046 to \$4,205,600. Total penalty dollars – including civil and criminal fines obtained in court – rose from \$3,712,171 to \$11,116,850.

The Commissioner expects the trend to continue. Some targets of future enforcement action include delinquent Massachusetts Contingency Plan (MCP) sites, MCP sites with indoor air quality issues, asbestos compliance, wetlands, hazardous waste compliance, etc. *For more information, please contact Susan Smits at [smits@mabbett.com](mailto:smits@mabbett.com).*

## M&A Demonstrates Remediation via Chemical Oxidation

In situ chemical oxidation (ISCO) is an emergent remedial technology where organic contaminants are degraded in the subsurface via contact with chemical oxidants. Successful implementation of ISCO

is well documented in overburden applications but is an emergent technology in fractured rock environments.

M&A identified ISCO as a preferred remedial alternative as part of a rigorous Massachusetts Contingency Plan (MCP) cleanup program implemented at a former electronic component facility. Sodium permanganate was chosen as the oxidant because it is relatively safe to use than alternatives and does not require addition of catalysts or pH adjustment. Both injection and recirculation were implemented to better control the distribution of the permanganate and to prevent uncontrolled oxidant migration in the bedrock aquifer. The injected permanganate solution targeted groundwater with high concentrations of dissolved trichloroethene (TCE) (100,000 to 200,000 ug/L). Test data have indicated that TCE concentrations in the source area have been reduced by 50% over the first six months of treatment. The remedy is being implemented on an ongoing basis toward further reduction in TCE concentrations. *For additional information please contact William Simons at [simons@mabbett.com](mailto:simons@mabbett.com).*

## MA DEP Proposes Regulatory Changes

The Massachusetts Department of Environmental Protection recently proposed important changes and clarifications to their industrial wastewater, air quality, and hazardous waste regulations. Most of the changes are directly aimed at the biotech sector however one change allowing elementary neutralization of aqueous corrosive wastes at the site of generation would apply to all industries. M&A, an active member of the Massachusetts Biotech Council, is following these proposed changes carefully to determine the possible ramifications to all affected companies. The proposed changes are available at: <http://www.mass.gov/dep/bwp/biotech.htm> For more information, please contact Susan Smits at [smits@mabbett.com](mailto:smits@mabbett.com).

## Regulatory Calendar

**Industrial Wastewater Operator TCHs Due by December 31, 2005:** Massachusetts Licensed Industrial Wastewater and Groundwater Treatment Operators must have 20 Training Contact Hours (TCHs) between January 1, 2004 and December 31, 2005. *For more information contact Susan Smits at M&A ([smits@mabbett.com](mailto:smits@mabbett.com)) or go to [www.mabbett.com](http://www.mabbett.com).*

**SPCC Plan Update Deadline:** The new U.S. EPA compliance deadlines are February 17, 2006 to amend existing Spill Prevention Control and Countermeasures (SPCC) Plans and August 18, 2006 to implement the Plans. Companies without a plan but that store more than 1,320 gallons of oil may be required to have an initial plan. In which case, the extended deadline does not apply.

**Toxic Use Reduction Planning:** 2006 will be a Toxic Use Reduction Planning year. As a reminder, notices to employees must be posted or distributed by December 31, 2005 to solicit employee involvement in the program. TUR Plan update summaries will be due by July 1, 2006.

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## On-Site EH&S Services - It Could Work For You!

A company's EH&S activities must be managed as an investment and not be viewed as just the cost of doing business. Effective management can result in significant cost savings as well as improved EH&S compliance. Cost avoidance activities include:

- implementing effective health and safety programs to avoid injuries and worker compensation issues;
- increasing availability of EH&S expertise to increase accuracy and efficiency, thereby allowing in-house staff to do what they do best;
- improving compliance assurance programs to prevent regulatory fines; and
- establishing waste minimization programs to reduce disposal fees.

EH&S compliance at some companies is not always a full-time need; therefore

part-time on-site services can provide a value-added solution. Get the EH&S expertise you need, when you need it. A good place to start is to have M&A do an EH&S compliance review to identify areas in your compliance program that require improvement. Once the compliance program needs are identified M&A can assist with prioritizing them and developing an action plan. M&A's on-site EH&S professional can then work with company personnel to implement the required program improvements. Experienced EH&S professionals with broad knowledge of EH&S regulations and industries can be matched to specific tasks, based on their relevant experience/expertise. An on-site services arrangement may involve responsibility for a limited number of tasks where the facility retains managerial control of the activity, complete responsibility for the management of the EH&S function, or something in between. *Contact Tom Cronin at [cronin@mabbett.com](mailto:cronin@mabbett.com) to discuss what type of on-site services arrangement would work for you!*

## M&A Assists Affordable Housing Development

M&A's efforts were recently recognized by Great Bridge Properties at the dedication of the Auburn Apartments in Haverhill, MA. M&A was hired when petroleum contaminated soil was unexpectedly encountered during excavation of an affordable housing complex located in Haverhill's Acre neighborhood. A cleanup program was developed by closely coordinating with the site development team to quickly and effectively address the problem. Massachusetts Contingency Plan (MCP) cleanup requirements were achieved without delaying construction or restricting property use. M&A appreciated the opportunity to participate on a project that delivered much needed housing and site restoration to the community. *For more information please contact Paul Steinberg, P.E., LSP at [steinberg@mabbett.com](mailto:steinberg@mabbett.com).*

Address Service Requested

5 Alfred Circle  
Bedford, MA 01730-2346  
Tel: (781) 275-6050  
(800) 877-6050  
Fax: (781) 275-5651  
info@mabbett.com  
www.mabbett.com

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