

EH&S Monthly Enews - July

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Campaign name EH&S Monthly Enews - July
Subject Line July Regulatory News –The Dangers of Confined Space,
Important Deadlines & More

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Regulatory News



Confined Spaces – The Danger Within

From 1992 to 2005 there were more than 500 fatalities (almost 36 per year on average) involving confined space entry in the United States. According to the Occupational Safety & Health Administration (OSHA), one out of five confined space incidents result in multiple fatalities. Fines in excess of \$70,000 have been levied against companies by OSHA for confined space violations.

The OSHA confined space standard in 29 CFR 1910.146 states that every employer is responsible for training employees in the proper identification of confined spaces, as well as ensuring that they possess the skills necessary for safe entry. This includes providing the proper equipment for safe entry, and ensuring that any confined spaces have undergone a proper hazard assessment prior to personnel entry.

OSHA defines a confined space as an area that generally meets the following criteria:

- An employee can bodily enter and perform a work task
- Not designed for continuous occupation
- Restricted means of ingress/egress

The confined space standard requires facilities to notify all employees of these spaces, evaluate every confined

space before entry, provide training to employees making entry or providing attendant services, and plan for rescues during emergency situations. Employers must write and implement a Confined Space Entry Program per OSHA's 29 CFR 1910.146; this plan must then be reviewed annually.

Permit-required confined spaces are confined spaces that:

- Contain, or have the potential to contain, a hazardous atmosphere
- Contain a material with the potential to engulf someone who enters the space
- Have an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls, or by a floor that slopes downward and tapers to a smaller cross section
- Contain any other recognized serious safety or health hazards

An employer's program must take these hazards, as assessed by a trained professional, into account for any space before an entry may be made. This includes evaluating hazardous gases and oxygen concentrations, ensuring proper lockout/tagout is completed, and adhering to any other required safety processes.

Further information regarding OSHA's Confined Space standard can be found at the [OSHA website](#). To find out how Tighe & Bond can help your industry manage risk or evaluate confined spaces, contact **Compliance Specialist Andy Klein at (508) 471-9650 or ajklein@tighebond.com**.

Annual Toxics Use Fees Due September 1 – Avoid Late Fees!

All companies considered large quantity toxics users are required to file an annual toxics use report for every listed chemical it manufactures, processes or otherwise uses above applicable thresholds. Those subject to TUR Reporting are required to pay annual toxics use fees based upon a formula that accounts for total full time employees, and the number of applicable chemicals being reported. This fee must be paid in full by September 1, 2013 of the filing year; otherwise there is a \$1,000 late fee.

You can find more details [here](#), or contact **Environmental Compliance Specialist Ted Karavedas at (413) 572-3282 or tmkaravedas@tighebond.com**.

MassDEP Lifts Stage II Vapor Recovery Requirements for Gasoline Storage Tank Owners

MassDEP is allowing owners of gasoline storage tank Stage II vapor recovery systems to decommission those systems effective July 1, 2013. This change is being made in advance of upcoming revisions to the Stage I and Stage II vapor recovery regulations. However, please note that there are specific operational and reporting requirements for decommissioning Stage II vapor recovery systems.

Additional information, including operational and reporting requirements, can be found [here](#). You can also contact **Project Environmental Scientist Gary Roberts at (413) 875-1316, or gmroberts@tighebond.com**.

Jeff Bibeau Recognized for Toxics Use Reduction Leadership

We also thought that you might be interested in knowing that Jeff Bibeau, our environmental compliance group leader, received two recognition awards at the Toxics Use Reduction Institute's 2013 Champions of Toxics Use Reduction (TUR) awards ceremony. This was held on June 12th at the Massachusetts State House in Boston. If you are interested, you can read more [here](#). You can reach **Jeff Bibeau at (413) 572-3243, or jbibeau@tighebond.com**.



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