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Regulatory Affairs Newsletter

Supporting progress in the areas of environmental, safety, health, and product stewardship

Fisher Scientific International
Regulatory Affairs Group

Inside this issue:

REPORTING DEADLINES

Hazardous Waste Report Update

100% of Fisher Scientific facilities that were required to submit hazardous waste reports, submitted these reports on time before March 1, 2006.

Facilities should track hazardous waste generation on a monthly basis to determine whether they meet the definition of a conditionally exempt, small quantity or large quantity generator (or state equivalent terminology). This must be done to determine and document compliance with various hazardous waste regulations.

EPCRA Reports Update

A 100% of Fisher facilities that were required to submit Emergency Planning and Community-Right-To-Know (EPCRA) Tier II reports on time before March 1, 2006.

Additional reporting is required anytime a chemical is not reported in the facility's most recent EPCRA Tier II report.

ESH Group wishes to thank all those who assisted us to assure Fisher Scientific facilities are in compliance with these regulations.

Reminder

2005 OSHA 300 Log must be posted between February 1 until April 30 . If you have questions or require assistance, please contact a member of the ESH Group For more information visit this web site

http://www.osha.gov/recordkeeping/new-osha300form1-1-04.pdf

MERCURY IN PRODUCTS

Companies are consuming enormous amounts of time and resources preparing for the looming July 1, 2006 deadline for Restriction of the Use of certain Hazardous Substance in Electrical and Electronic Equipment (RoHS) conversion. The European Union RoHS directive has been the center of environmental attention — with market access and financial and criminal penalties that could affect an average 30 percent to 35 percent of global revenues. But RoHS is just the beginning of an environmental avalanche coming from China, Japan, the U.S. and others.

Restricted substance requirements are beginning to proliferate in the U.S. at both the federal and state levels. Some states such as Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont have established partnerships such as the Interstate Mercury Education and Reduction Clearinghouse (IMERC). This organizations will provide:

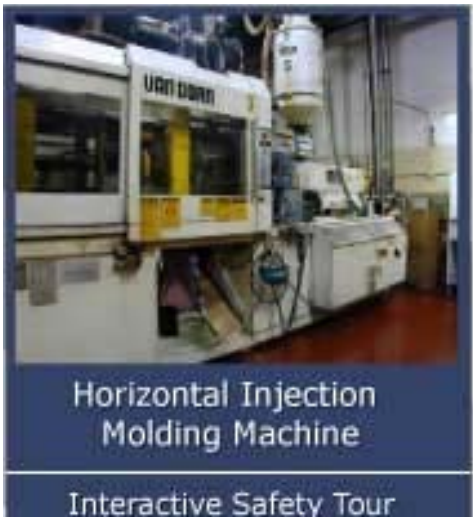
- **ongoing technical and programmatic assistance to states that have enacted mercury education and reduction legislation**
- **a single point of contact for industry and the public for information on mercury-added products and member states' mercury education and reduction programs**

All products manufactured within Fisher companies, or acquired by them for resale or incorporation into end products, are vulnerable to sale/resale restrictions in addition to the hazards that they pose to our workers and the environment around our facilities. The Regulatory Affairs Department advocates development of plans to allow for the identification and subsequent removal of any products containing mercury (and other heavy metals like lead) as a matter of priority unless the use of mercury is approved under an essential use exception or deviation.

For more information contact the Regulatory Affairs Department at the numbers shown at the end of this newsletter or visit this web site http://www.pb-free.info/

Health and Safety Alerts

Fines for machine guarding and lock out tag out citations represent the number 1 and number 3 most cited OSHA violations according to government statistics. Please review the interactive safety tour for the machine guarding of a horizontal injection molding machine to assist in identifying and implementing corrective actions to improve your machine guarding program. http://www.osha.gov/SLTC/etools/machineguarding/plastics/h_injectmold.html#gate_operation



Training to minimize occupational exposures to hazardous chemicals

Before any employee handles a chemical, he/she is required to receive hazard communication training on: 1) the hazards associated with the chemical that they will be working with and 2) protective measures associated with the chemical. The employee protection could include training on the use of personnel protective equipment, such as safety glasses with side shields. Without this hazard communication training, employees should not handle chemicals.

These training programs have been developed and are available in several formats:

1) a PowerPoint presentation (supervisor receives training from Regulatory Affairs and then performs the training for their group) ;

2) a Flash presentation on Fisher Trainer (a web based training platform); or 3) face-to–face presenters that can be done with the assistance of a presenter from Regulatory Affairs in a group setting (in person or in a web meeting). The whole training takes about 2 hours and includes a test and documentation that the training was successfully completed by the employee.

If you have any questions or wish to be signed up for this training please contact the ESH Group.

"Before any employee handles a chemical, he/she is required to receive hazard communication training "

Waste Compliance Problems

A small chemical supply company (10 employees) faces $180,000 in fines for disposing flammable and corrosive chemicals into a sewer drain, not storing hazardous waste safely and failing to register as a hazardous-waste generator.

Inspectors saw workers release waste acetone, toluene, ethanol and acids into a floor drain. The chemicals pose risks to worker safety and health, and can disrupt the treatment process at the county's wastewater treatment plant.

In addition, the county agency that operates the publicly owned treatment works (POTW) issued a $24,000 penalty for unauthorized industrial waste discharge into the sanitary sewer system in violation of local discharge limits. The agency also ordered the company to cease discharging all process wastewater into the sanitary sewer system until the company met a set of conditions under which the discharges may resume.

Waste Compliance Solutions

Complete Fisher Scientific's Hazardous Waste Generator Status Log (F105.01) on a monthly basis to determine generator status and perform and document hazardous waste determinations using Fisher Scientifics Hazardous Waste Determination Form (F105.05) on all waste. Be aware of local ordinances and permit requirements for wastewater discharges.

The True Cost of Regulations

Cost per employee for firms with:

TYPE OF REGU-LATION	ALL FIRMS	< 20 EMPLOYEES	20—499 EMPLOYEES	500 + EMPLOYEES
All Federal	$5,633	$7,647	$5,411	$5,282
Economic	$2,567	$2,127	$2,372	$2,952
Workplace	$922	$920	$1,051	$841
Environmental	$1,249	$3,296	$1,040	$710
Tax Compliance	27	28	29	30

Source : The Small Business Administration's Office of Advocacy

Six Tips for Keeping Up with Recordkeeping

Here are six tips for smart safety recordkeeping.

1. File employee training records by date and topic. In an effort to keep employee records organized, most supervisors put employee training records in the employee files. This presents a problem. If an OSHA inspector were to request to see all training records, he would ask for records by date and topic. If you have to search through all employee files for this information, it could be quite time consuming.

To overcome this problem, supervisors sometimes give the OSHA inspector full access to employee files to find the training records on their own. This opens the employer up to invasion of privacy issues. NEVER give an inspector access to your employees' personnel files for the purpose of providing documentation of training. Keep training records by both topic and employee name.

Employee training records should be maintained and are subject to inspection for up to 3 years.

2. Log your training attendance. Keep an attendance log at your training sessions. This is helpful during an investigation involving employees who cannot testify for his/her own training record. For example, if your company is being investigated for a fatality and you needed to know exactly what was covered in a particular training session, you could reference the attendance log and find another employee to fill you in on any undocumented details. Do not disclose anything that is not mandatory such as notes or opinions.

3. Be careful about hazard assessment documentation. Conducting hazard assessments for self-audits is a responsible practice that can benefit you in several ways during an OSHA inspection. However, be very clear about what you are recording. OSHA requires two things: a hazard assessment and the hazard-assessment certification.

If you document a hazard in the assessment, you'd better be sure to correct the hazard. If you have no plans of correcting hazards that you find, don't list them it will hurt you in the end to have a known hazard that is uncorrected. OSHA considers this a willful violation.

4. Know the records that you don't have to produce for an inspection. There are a few documents that you do not have to produce for an OSHA inspector. They are:

- Safety and Health Audits
- Self-Checklists
- Informal Notes by Supervisors
- Memoranda
- Corporate Safety Policy

5. Get proof — politely of course! If you are asked for a record to be produced, politely ask the inspector to show you in the Code of Federal Regulations where it states that it is mandatory. If the inspector cannot produce the proof that you need to show him the records, it is your right to respectfully decline disclosure.

6. Keep documentation of discipline. Keep any and all records of disciplinary action taken against workers who do not follow appropriate safety practices. You want OSHA to know that you enforce the rules at your facility.

Contact the Regulatory Affairs Department for compliance solutions for training records.

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We provide effective low-cost solutions to environmental, safety, health and product-stewardship problems

WE'RE ON THE WEB!
http://www.fsrqa.com/
AND INTRANET
http://10.0.29.7/esh/

- *Our policy is to conduct business worldwide **in compliance** with all applicable laws and regulations*
- *Fisher Scientific's Regulatory Affairs Department is responsible for monitoring the company's progress and reporting to management that the overall Regulatory Affairs goals and our successes on achieving them.*
- *For more information about the Regulatory Affairs Group, please contact one of the individuals below.*

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