

Regulatory Affairs Newsletter

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

*Fisher Scientific International
Regulatory Affairs Group*

Inside this issue:	
2	Lift Truck Safety
3	TRI Reporting
4	Revised Hazardous Waste Generator and TSD Regulation RA Introduces a Sixth KPI Criteria
5	MSDS/Label Database Project New Regulatory Affairs Team Members
6	Regulatory Affairs Group Policy and Mission

REPORTING DEADLINE

Toxics Release Inventory (TRI) Program

Certain facilities must file TRI Reports for calendar year 2005 by July 1, 2006. Turn to page 3 for more information. Contact David McAdams for assistance in preparing your TRI reports.

Reporting year 2005 information is now available on the Environmental Protection Agency's (EPA) Web site (www.epa.gov/tri) for *TRI-ME* software, reporting forms and instructions , and TRI-ME online tutorials.

SPRING 2006 TRI TRAINING WORKSHOPS

The EPA will be hosting a number of in-person and web-based training courses for Toxics Release Inventory (TRI) reporting. To find a training workshop in your area, please go to the EPA Web site at <http://www.epa.gov/tri/map/2006Training.htm>

Health and Safety Issues — A General Safety Guide for Powered Industrial Trucks

Powered industrial truck safety starts with the actual equipment. It is critical that powered industrial trucks be right for the materials and goods to be moved and work location of use. They must also be properly maintained on an ongoing basis. Proper maintenance is essential not only to ensure safe and efficient handling, but to preserve the air quality in your workplace, since some of the Fisher powered industrial trucks are fueled by propane.

The Work Setting

Powered industrial trucks must be operated in a work setting that allows for safe use and maximum efficiency. Among other things, aisles must be wide enough to accommodate the turning radius of the truck.

The Operator

Powered industrial trucks must be handled by a well trained and competent operator. A powered industrial truck operator needs to have:

- An understanding of the operation of the truck, including its stability, capacity and load security;
- An appreciation of the hazards associated with the particular load being handled by the lift truck; and
- Proper driving techniques.

The Training

Operators must also be allowed to put the skills they're taught into practice in the course of an on-the-truck session. A powered industrial truck operator should demonstrate efficient handling techniques and ability within the workplace using typical loads. Assess their skills in:

- Racking;
- Stacking;



- Trailer loading;
- Ramp use; and
- Dock use.

The Pre-Use Assessment

Operators must check the powered industrial truck before using it. This can vary from the start-of-the-shift detail check to a simple walk-around performed periodically during the day.

Conclusion

Lift trucks can be a cost-effective tool for Fisher. Look at the whole picture and check the operating environment, the operator competency and the powered industrial truck maintenance. We hope this short guide will help you in your effort.



What is the Toxics Release Inventory (TRI) Program

How TRI was Created

In 1984 a deadly cloud of methyl isocyanate killed thousands of people in Bhopal, India. Shortly thereafter, there was a serious chemical release at a sister plant in West Virginia. These incidents underscored demands by workers and communities for information on hazardous materials. Public interest and environmental organizations around the country accelerated demands for information on toxic chemicals being released "beyond the fence line" outside of the facility. Against this background, the Emergency Planning and Community Right-to-Know Act (EPCRA) was enacted in 1986. EPCRA's primary purpose is to inform communities and citizens of chemical hazards in their areas.

Section 313 (TRI Program)

EPCRA Section 313 requires EPA and the States to annually collect data on releases and transfers of certain toxic chemicals from industrial facilities, and make the data available to the public in the Toxics Release Inventory (TRI). In 1990 Congress passed the Pollution Prevention Act which require that additional data on waste management and source reduction activities be reported under TRI.

How TRI Affects Companies

The goal of TRI is to empower citizens through information and to hold companies and local governments accountable for the safe management of toxic chemicals.

The EPA compiles the TRI data each year and makes it available through several data access tools, including the TRI Explorer and Envirofacts. There are other organizations which also make the data available to the public through their own data access tools, including Unison Institute through their tool "RTKNet" and Envi-

ronmental Defense through their tool "Scorecard."

Armed with TRI data, communities have more power to hold companies accountable and make informed decisions about how toxic chemicals are to be managed. The data often spurs companies to focus on their chemical management practices since they are being measured and made public. In addition, the data serves as a rough indicator of environmental progress over time.

What's New with TRI

Since 1987, The EPA has issued rules that nearly double the number of chemicals included in the TRI to approximately 650. Seven new industry sectors have been added to expand coverage significantly beyond the originally covered industries, such as manufacturing industry. Most recently, the Agency has reduced the reporting thresholds for certain persistent, bioaccumulative, and toxic (PBT) chemicals in order to provide additional information to the public on these substances.

For more information, contact the ESH Group at the numbers shown on page 6.



Companies violating any statutory or regulatory requirement for TRI reporting are subject to penalties of up to \$32,500 per day per violation

Regulatory Updates: EPA Revises Hazardous Waste Generator and TSD Regulations

The regulatory changes contained in the EPA's new Burden Reduction final rule will relieve hazardous waste generators of several paperwork burdens.

Waste handlers must continue to keep on-site records of their waste management activities and make them available to regulators when requested. As such, the rule does not limit regulators' or the public's ability to learn what is happening at a facility.

For more information please contact David McAdams at david.mcadams@fishersci.com or 412-490-8144.

Sixth Key Performance Indicator for 2006

Facilities commented on the Agency Inspection Key Performance Indicator (KPI), which measures the ratio of violations per agency inspection, stating that the statistic did not recognize the severity of the violation, particularly a permit violation, which could have an operating impact to the business.

Based on this feedback we split out permit infractions from the Agency Inspection KPI and created a sixth KPI named Permit Violations/Exceedences/Breaches. This KPI will provide more meaning when presented to business unit managers.

The Agency Inspection KPI will remain the same, less the permitting portion of that statistic. The new permit KPI will measure violations/exceedences/breaches events per analytical testing event within the permit.

The challenge is to quantify and document each analytical testing event to establish a denominator for the KPI. The sources

to develop the denominator include the discharge monitoring reports (DMR's), air monitoring reports, permit terms and conditions. The numerator will simply consist of the violation, exceedence, and breach events measured against the permitted practices and limits. Permitted practices will include an actual permit as well as regulatory governmental permitted practices.

The RA group will work with each site to accurately capture this statistical information and will report it to senior management starting in the first quarter of 2006. We thank all the sites that commented and participated in developing this new KPI statistic.

An example of how this new KPI will be reported:

Hypothetically, Facility A has a wastewater discharge permit that requires four monthly monitoring activities for five parameters. During the course of

the month, two parameters exceeded the permitted level.

4 monthly monitoring activities X 5 parameters = 20 events

2 exceedences/20 events = 0.10 reported in the KPI report for Permit Violation/Exceedence/Breach

Coincidentally, the Agency paid a visit to Facility A and issued a violation for the permit violation listed above. The Agency Inspection KPI would be 1.0 for that month (1 violation/1 agency visit) in addition to the 0.10 for the KPI for Permit Violation/Exceedence/Breach.

Contact the ESH Group at the numbers shown on page 6 if you have questions.

MSDS/LABEL AND REGULATORY DATABASE PROJECT

PROJECT BACKGROUND

As part of the efforts of the New Product Introduction (NPI) Team within the Biosciences business, a significant improvement project has been identified to implement a new consolidated database and support system to create MSDSs and Labels as well as store regulatory data for all Fisher-owned businesses. Once implemented the goal is to assure data consistency across all Fisher-owned businesses and also to allow for streamlining the process for the manufacturing facilities supplying the distribution organization.

INVITATION

Since this project extends beyond the Biosciences business, we are asking and welcoming all Fisher-owned businesses to participate on this team. This team will develop the requirements, select the software, develop the project plan, and implement this project. The timeframe is to have the AR developed by June/July 2006 and obtain funding as soon as possible to implement the project. A larger project team effort has been initiated with a meeting on April 27, 2006. Both functional representatives and IT personnel are participating on this team.

DOCUMENTATION

Documents drafted by the NPI Biosciences team are now under review by the Project Team and include a Data Dictionary and Requirements Definition. These are the tools that will be used to evaluate and select the software supplier for the application.

QUESTIONS

If you have any questions regarding participating on this team or about the project please feel free to contact Lisa DuMars (412-490-8425) or Patty Kott (412-490-4460).

NEW REGULATORY AFFAIRS TEAM MEMBERS

Patty Kott, Product Safety and Regulatory Affairs Manager

Patty is our new Product Safety and Regulatory Affairs Manager located in Pittsburgh. She comes to Fisher with a very broad regulatory and industrial background. She also has experience in implementation of new MSDS systems and is taking a key role on the MSDS/Label and Regulatory Database project.

Patty's contact information

Phone: 412-490-4460

Cell: 412-498-1144

Fax: 412-490-8930

Email: patty.kott@fishersci.com



Seth Tomei, Import Compliance Manager

Seth is our new Import Compliance Manager located in Pittsburgh. He is a licensed customs broker with industrial import experience. He is working on various issues and programs to support import compliance for all Fisher-owned businesses.

Seth's contact information

Phone: 412-490-8638

Cell: 412-722-8678

Fax: 412-490-8930

Email: seth.tomei@fishersci.com





Fisher Scientific International
Regulatory Affairs Group

2000 Park Lane
Pittsburgh PA, 15275

Phone: 412-490-8929
Fax: 412-490-8930
Email: regulatory.affairs@fishersci.com

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 the overall Regulatory Affairs goals and our success in achieving them.
- For more information about the Regulatory Affairs Group, please contact one of the individuals below.

Update

In the last RA Newsletter, the article on Smart Recordkeeping read that 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. This was not to indicate that we should not identify issues, which we should. The point was if you write it down, it better be corrected. Any questions, contact one of the Regulatory Affairs contacts identified below.

Regulatory Affairs Contact Information

Jeff Felder	jeff.felder@fishersci.com	412-490-8941
Tom Tisa	tom.tisa@fishersci.com	412-490-8138
Don Herbst	don.herbst@fishersci.com	412-490-8139
Lisa DuMars	lisa.dumars@fishersci.com	412-490-8425
David Mc Adams	david.mcadams@fishersci.com	412-490-8144
Jennifer Hutchison	jennifer.hutchison@fishersci.com	412-490-8141
Jill Asti	jill.asti@fishersci.com	412-490-8929