

Regulatory Affairs Newsletter

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

*Fisher Scientific International
Regulatory Affairs Group*

REPORTING DEADLINE

INVENTORY UPDATE RULE (IUR)

Due between Aug. 25 and Dec. 23

There are now additional tools available for IUR reporting on the website below:

<http://www.epa.gov/opptintr/iur/>

All chemical manufacturers and importers are required to report as defined by the rule. Electronic reporting is also an option. Work on collecting volumetric information about chemical substances manufactured or imported should begin well in advance of the reporting due date as the assessment of these chemical substances goes to the component level. All Fisher Scientific-owned businesses that manufacture or import chemical substances must have objective evidence that evaluates volumes during 2005 to either support or refute reporting requirements.

All Fisher Scientific-owned businesses must submit to Lisa DuMars a copy of the submitted report or communication to confirm reporting was not required.

If you have any questions regarding this reporting requirement, please contact Lisa DuMars. Her contact information on page 5.

NEW MANIFEST FORM REMINDER

Use of the Uniform Hazardous Waste Manifest is now required. State hazardous manifest forms will no longer be allowed. Please be sure to check the manifest to ensure it is the correct form before signing.

Contact David McAdams, contact information on page 5, with any questions.

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CERCLA AND LIABILITY OF HAZARDOUS WASTE DISPOSAL

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), better known as "Superfund," provides a mechanism for responding to and paying for cleanup of contamination from hazardous substances. Unlike the Resource Conservation and Recovery Act (RCRA), which focuses mainly on regulation of waste disposal activities, CERCLA was designed as a response to existing contamination problems. The immediate purposes of CERCLA are to meet the urgent need for cleanup of contamination that threatens health and the environment and to facilitate the cleanup financially. However, the "after-the-fact" measures imposed under CERCLA create "before-the-fact" incentives as well.

The Environmental Protection Agency (EPA) considers four types of potential responsible parties (PRPs) in CERCLA:

- 1) The current owner or operator of the site or vessel;
- 2) Any person who owned or operated the site at the time of disposal of the wastes;
- 3) Any person who arranged for disposal, treatment or transportation of the waste; and

- 4) Any person who accepted the waste for transport.

Thus, the definition of PRPs has included nearly anyone who was involved with the waste or waste site at some point between generation and final disposal.

Under the statute, PRPs are responsible for:

- 1) All costs of removal or remedial action incurred by the state or federal government;
- 2) Any other necessary costs of response; and
- 3) Damages for injury to, destruction of, or loss of natural resources owned, managed or held in trust by the government.

If the PRPs can be identified, EPA can then either force those parties to undertake cleanup, or undertake the cleanup itself and then seek reimbursement for its expenses through legal actions against those parties. In determining the responsible parties' liability, the courts have interpreted CERCLA as imposing strict, retroactive, and joint and several liability. The imposition of joint and several liability is significant since any one party can be held liable for the full amount

of cleanup even if its contribution to the contamination is very small. Although agreements can be made to apportion liability between responsible parties, no agreement will shield any responsible party from CERCLA liability.

Fisher Scientific International will utilize Veolia Environmental Services (formally Onyx) for waste materials including, but not limited to, hazardous waste, universal waste and used oil. This reduces the risk of CERCLA liability to all Fisher companies. Fisher Scientific has a national contract with Veolia that requires sufficient insurance, as well as third party indemnification to limit Fisher Scientific's CERCLA liability. A statistical program is also used to determine the viability of a current list of approved waste disposal sites. Fisher Scientific can also use this program to screen possible new waste disposal sites, which may have a further reduction in risk or a cost reduction that does not increase risk.

If you have any further questions, contact David McAdams. His contact information on page 5.

Tips: Insect Bites and Stings

Emergency Care for Victims with Mild Reactions

Each year, many workers are stung by insects while on the job. For most, these stings mean pain and discomfort generally lasting only a few hours.

- Move to a safe area to avoid more insect stings.
- Scrape or brush off the stinger with a straight-edged object, such as a credit card or the back of a knife. Don't try to pull out the stinger with tweezers or with the fingers; doing so may release more venom.
- Wash the area carefully with soap and water. Swab the site with disinfectant. Do this two to three times a day until the skin is healed.
- To reduce pain and swelling, apply ice or a cold pack.
- Apply 0.5 percent or 1 percent hydrocortisone cream, calamine lotion or a baking soda paste to the bite or sting several times a day until the symptoms subside. Take an antihistamine containing diphenhydramine or chlorpheniramine maleate.

Emergency Care for Victims with Severe Reactions

For a small number of people with severe venom allergy, stings may be life-threatening. This severe allergic reaction to insect stings is called anaphylaxis. Symptoms of anaphylaxis may include itching and hives over large areas of the body, swelling in the throat or tongue, difficulty breathing, dizziness, stomach cramps, nausea or diarrhea. A rapid fall in blood pressure could also occur which may be a result of

shock and loss of consciousness. If this occurs, obtain emergency medical treatment immediately.

Dial 911 or call for emergency medical assistance if the worker experiences any of the following signs or symptoms:

- Difficulty breathing;
- Swelling of the lips or throat;
- Faintness;
- Confusion;
- Rapid heartbeat;
- Hives; or
- Nausea, stomach cramps and vomiting.

Remember: A sting anywhere in the mouth warrants immediate medical attention. That's because stings in the mucous membranes of the mouth can quickly cause severe swelling that may block the airway.

While Waiting for Emergency Transportation

- Have the person lie down;
- Watch for and treat signs of shock;
- If the person is unconscious and breathing, lay the person on his or her side to allow drainage from the mouth;
- If there's no pulse, begin cardiopulmonary resuscitation (CPR); and
- Check to see if the person is carrying an allergy kit containing injectable epinephrine and follow instructions on the kit.

MSDS/LABEL AND REGULATORY DATABASE PROJECT

PROJECT UPDATE

We are pleased to announce that after careful review, months of meetings and watching live software demonstrations the New Product Introduction/MSDS Label Regulatory Database (NPI/MLR) Team members have decided on the best fit to move the Fisher businesses forward into the next generation of regulatory compliance software. For those of you who participated in this selection process, we thank you for your time and expertise. It was greatly appreciated. We have decided to go with The WERCS regulatory software product modules (MSDS, MSDS management/ Distribution, and Labeling). The tools we will purchase from The WERCS will provide more than MSDS authoring assistance for hazard communications. It is also a system that can guarantee the management of data consistency and automate the distribution of MSDSs for both Fisher and vendor documents via Web based sever applications with real time data file uploads.

EPA PUBLISHES USER-FRIENDLY RCRA GUIDANCE

EPA has published a user-friendly web-based reference to assist the Environmental Protection Agency, state staff, and industrial facilities generating and managing hazardous wastes, as well as the general public, in finding and understanding the current hazardous waste generator regulatory requirements. The guide includes most of the generator requirements, plus links to agency guidance to help determine the agency's position on some confusing issues.

The guide is available at :
http://www.epa.gov/epaoswer/osw/gen_trans/

The WERCS, Ltd

Founded in 1984, The WERCS has provided software solutions to automate the authoring of MSDSs on a global scale and provide regulatory compliance tools to its large customer base. The new system will provide Fisher-owned businesses with a data warehouse (after a series of interfaces and data mapping) of valuable regulatory and product specific information necessary to generate not only required regulatory-consistent documents (MSDSs and Labels) but also tools to extract these data for other reporting purposes other than hazard communication. Any user will have the ability to generate and compare data from the new Regulatory Data Warehouse and prepare simple reports and data requests for internal management inquiries. Having consistent regulatory data in one place provides for easy accesses. These were two key factors that prompted the development of this project.

QUESTIONS

If you were unable to participate in this MLR Team project and would like more information on the vendor, contact Patty Kott at (412) 490-4460 or Lisa DuMars at (412) 490-8425. You can also learn more about The WERCS at www.thewercs.com.

WHAT'S POSTED AT YOUR FACILITY?



Most facilities have a bulletin board or specific place where various permits and licenses are posted. Take a look at these to see if any are expired or no longer needed. Make an evaluation to assure this visible area is maintained.

If you have questions regarding any permits or licenses to sell specific products, contact the Regulatory Affairs Group.



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Regulatory Affairs Group

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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 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.

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