**HRP** *Associates, Inc.*

*Environmental/Civil Engineering & Hydrogeology*

1327 Miller Road, Suite D
Greenville, SC 29607
864-289-0311
800-752-3922
FAX 864-281-9846

November 24, 2014

Mr. Stephen Wilke, PhD
Vice President for Planning and New Programs
Southwestern College
100 College Street
Winfield, KS 67156-2499 *via email:* **steve.wilke@sckans.edu**

**RE: ENVIRONMENTAL HEALTH SAFETY ASSESSMENT REPORT**

Dear Mr. Wilke:

Provided with this letter is the Environmental Health & Safety Assessment Report prepared for Southwestern College in Winfield, Kansas, based on the site visit conducted on September 30, 2014. The main facility contact and resource for facility information and documentation was Mr. Stephen Wilke of Southwestern College with support from various campus personnel. This Assessment Summary Report includes, as an attachment, a summary table of the findings observed, the location of the finding, the applicable regulatory citation, and the recommended corrective actions for the finding.

The Southwestern environmental health and safety assessment focused on compliance documents, training, best management practices, and inspections associated with the recently opened Tomari Theatre and Arts Building, Sciences, and Plant Operations. The following areas of Environmental Protection Agency (EPA) federal, State and local environmental compliance, as well as Department of Transportation (DOT) Hazardous Materials compliance. These were regulations that were previously reviewed under the EPA Peer Audit Program. These regulations are outlined in the table below:

| ***Environmental Regulation*** |
|---|
| Clean Air Act (CAA) Air Pollution Control Regulations and Standards |
| Clean Water Act (CWA): including Storm Water discharges, Sewer discharges, and Spill Prevention, Control and Countermeasure (SPCC) |
| Department of Transportation (DOT) Hazardous Materials Regulations |
| Emergency Planning and Community Right-to-Know Act (EPCRA) – Superfund Amendments and Reauthorization Act (SARA) Title III Reporting |
| Resource Conservation and Recovery Act (RCRA): Solid and Hazardous Waste & Underground Storage Tank (UST) Regulations |
| Standards for Management of Used Oil |
| Universal Waste Regulations |

Additionally, the following areas of Occupational Safety and Health Administration (OSHA) health and safety compliance were taken into consideration while conducting the on-site campus review:

| ***Compliance Standard*** | ***OSHA General Industry Standard*** |
|---|---|
| Walking & Working Surfaces | 29 CFR 1910.21-30 Subpart D |
| Exit/Egress (Proper Maintenance of) | 29 CFR 1910.35-37 Subpart E |
| Emergency Action Plans/Fire Prevention Plans | 29 CFR 1910.38 - 39 Subpart E |
| Noise Exposure/Protection | 29 CFR 1910.95 Subpart G |
| Compressed Gases Management | 29 CFR 1910.101-105 Subpart H |
| Hazardous Materials (i.e., Flammable and Combustible Liquids, Liquefied Petroleum, Process Safety Management, HAZWOPER, Compressed Gases) | 29 CFR 1910.101-120 Subpart H |
| Personal Protective Equipment (PPE) | 29 CFR 1910.132-138 Subpart I |
| First Aid/Medical Care/Blood borne Pathogens | 29 CFR 1910.151 Subpart K, 29 CFR 1910.1030 Subpart Z |
| Eyewashes and Showers | 29 CFR 1910.151 Subpart K |
| Fire Protection | 29 CFR 1910 Subpart L |
| Materials Handling and Storage (includes Powered Industrial Trucks) | 29 CFR 1910.176, 29 CFR 1910.178 Subpart N |
| Welding/Cutting/Brazing (Hot Work) | 29 CFR 1910.251-255 Subpart Q |
| Industrial Air Contaminants | 29 CFR 1910.1000-1052 Subpart Z |
| Hazard Communication | 29 CFR 1910.1200 Subpart Z |
| General Safety (Observation of unsafe acts or conditions) | OSHA Act, 29 USC 654, Section 5 |

Please note that OSHA Health and Safety regulations were not part of the EPA Peer Audit Program.

Please note that Southwestern's failure to correct environmental, health and safety violations outlined in this assessment report and summary table, as well as failure to prevent reoccurrence of these issues could result in monetary fines. These conditions, if not properly fixed, also create a potential for injury or damage to the environment which could lead to additional unnecessary and controllable costs.

If you have any questions or comments, please do not hesitate to contact me at (800) 752-3922.

Sincerely,

HRP ASSOCIATES, INC.

Tad A. Goetcheus, P.E.
Vice President

# ATTACHMENT A

## ASSESSMENT FINDINGS
## AND
## RECOMMENDED CORRECTIVE ACTIONS

Southwestern College
Environmental, Health Safety Assessment
Findings and Recommendations for Corrective Actions
Assessment Date - September 30, 2014

| | Location(s) | Issue of Concern, Violations, or Best Management Practices | Regulation Name | Regulatory Citation | Recommended Corrective Action |
|---|---|---|---|---|---|
| | ENVIRONMENTAL COMPLIANCE | | | | |
| 1 | Art (Tomari) | Discharge of waste paints, dyes, wash waters to sinks.<br><br>Note: Signage should be generated and posted to alert faculty, staff, and students on the prohibition of sink discharges, as appropriate. | CWA - Clean Water Act | 40 CFR part 233 | Cease discharge of all chemicals down the drain until contact has been made with the local sewer authority (POTW) to determine what chemicals can be discharged to the sanitary sewer under the local sewer ordinances. Retain documentation from the POTW, where possible. Note, it may be necessary to complete a waste stream determination on the chemicals in order for the POTW to make an interpretation of whether or not the chemicals causes interference. Keep copies of all waste determination profiles. In addition, develop protocols to identify if and when fifteen (15) kilograms (approx. four (4) gallons) or more of a chemical is disposed down the drain within one (1) month because disposal of more than fifteen (15) kilograms in any one (1) month potentially triggers reporting requirements. |
| 2 | Art (Tomari) | Conduct Hazardous Waste Determinations and profiles of waste paint generated in the various departments in art. | RCRA - Hazardous Waste | 40 CFR 262.11 | Conduct a hazardous waste determination by user knowledge or having a representation sample analyzed for appropriate hazardous waste constituents using EPA approved methods. In essence, what paints are hazardous, non-hazardous, or recyclable. |
| 3 | Athletic Training and Art (Tomari) | Aerosol spray cans (a potentially hazardous waste) are disposed of as general refuse. A can collection and transfer procedure should be developed and implemented for Athletics and Art, which resembles what is currently being conducted with Plant Operations. | RCRA - Hazardous Waste §261, Subpart A and §262, Subpart A | 40 CFR 261.7 and 40 CFR 262.11 | Used aerosol cans must meet the RCRA definition of "empty" prior to being disposed in general trash. Empty, with regards to aerosol cans (compressed gas) is defined as when the can reaches atmospheric pressure. An aerosol can may be punctured by an approved device and the contents collected in order to render the can empty. If the can does not meet the definition of "empty" that can may be disposed off-site as hazardous waste pending a waste stream determination. |
| 4 | Plant Operations | Used fluorescent lamps are stored in open containers with no accumulation log/date. Used lamps are not labeled with the words 'Universal Waste - Lamp(s)", "Used Lamps", or "Waste Lamps". The generator cannot demonstrate that the Universal Waste bulbs have been accumulating on-site for no longer than one (1) year. | RCRA - Universal Waste | 40 CFR 273.13(d)(1) & 273.15© | Used lamps must be stored in containers that are closed. Used lamps must be stored in containers that are labeled with the words 'Universal Waste - Lamp(s)", "Used Lamps", or "Waste Lamps". Universal Waste bulbs must be disposed of within one (1) year from the date of generation. To demonstrate this the generator must date the box with the date that the first used bulb is placed within the container, or use any other means that clearly identifies the generation start date. |

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| 5 | Plant-Wide | Personnel who handle or have the responsibility for managing universal wastes have not been informed of the proper handling and emergency procedures appropriate to the universal wastes generated on-site. | RCRA - Universal Waste | 40 CFR 273.16 | Personnel who handle or have the responsibility for managing universal wastes must be informed of the proper handling and emergency procedures appropriate to the universal wastes generated on-site. Document method of informing employees. HRP recommends a refresher training be conducted on universal waste management policies and procedures. |
| | **OSHA HEALTH & SAFETY COMPLAINCE** | | | | |
| 1 | Athletic Training | The red bag storage location is considered to be in a potential compromised location outside the athletic training room. Easy access can be made by untrained personnel, which may lead to a potential incident of non-compliance. | Bloodborne Pathogens | 29 CFR 1910.1030 and Appendix A | Relocate the main BBP storage area to the locked equipment supply room adjacent to the training room. The campus must maintain a site specific bloodborne pathogens program to include all of the elements required under 1910.1030. Update the plan to denote all current storage of reg bag waste on campus. Each department may have their own separate BBP Plan, but one blended plan for the entire campus is a cohesive document, and easier to maintain for compliance. |
| 2 | Campus-Wide | An Emergency Action Plan exists at the campus and additional procedures and practices to be conducted at the new Art Building must be included within this plan. | Emergency Action Plan | 29 CFR 1910.38 | The Emergency Action Plan should be updated on a regular basis to ensure it includes current facility activities and accurate emergency contact information. Additionally, emergency evacuation drills should be performed to ensure that employees are aware of their responsibilities during an emergency situation. |
| 3 | Art (Tomari) | For all flammable cabinets utilized within the department, Southwestern should ensure that the storage quantities of 60 gallons of Class I or II flammables and 120 gallons of Class III flammables are not exceeded within the cabinet. Flammable cabinets have been purchased or will be purchased according to the faculty and staff interviewed at the time of the site review. | Flammable and Combustible Liquids | 29 CFR 1910.106 | Using the MSDS's and inventory lists, this quantity verification can easily be conducted, to document the known Class I or Class I flammables to be stored on-site.. |
| 4 | Science Labs | Annual Fume Hood testing is required per AIHA Standard Z9.5-2003 and ASHRAE 110 Guidelines. | Fume Hood / Ventilation | AIHA Standard 29.5 - 2013 | A fume hood study must be completed for all laboratories on an annual basis and include an assessment of visual inspection of function and operation, face velocity measurements and smoke capture verification. Certification and documentation of the testing must be visibly evident, as well as defined working sash heights at each lab hood. |

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| 5 | Art (Tomari) | The facility must provide an "EXIT" marking or "Not an Exit" marking for each door, designated, or interpreted to be for such purposes. These designations are important during emergency actions and evacuations. In addition, emergency exit inspections must occur on a monthly basis (i.e. illuminated). | Means of Egress | 29 CFR 1910.37 | Each exit must be clearly visible and marked by a sign reading "EXIT". In addition, each exit route must be adequately illuminated so than an employee with normal vision can see along the exit route. Exit lighting must be tested monthly to ensure that the employees can see along the exit route. The NFPA Life Safety Code recommends testing the emergency lighting monthly. A sample Emergency Exit/Lighting SOP has been emailed to Steve Wilke, which can be used as a template to maintain a campus inventory, management program, and checklist. |
| 6 | Art and/or Sciences | The facility maintains a voluntary use respiratory program for employees. However, records were not available to document that affected employees have received the information provided within Appendix D of OSHA 1910.134. | OSHA - Respiratory Protection | 29 CFR 1910.134 | If the college determines that any voluntary respirator use is permissible, the affected employees must be provided with the information contained in Appendix D of OSHA 1910.134, "Information for Employees Using Respirators When Not Required Under the Standard.<br><br>It is important to note that this recommendation is specific to the voluntary use of non-fitted dust-mask type respirators. If the college decides to offer fitted cartridge style respirators, additional requirements would apply including medical evaluations, fit testing, and development of a respiratory protection program. |
| 7 | Art (Tomari) and Ceramics Building | MSDS's were located on site, however, it is not clear as to when MSDS's were last updated and if new MSDS's have been acquired for new chemicals onsite. MSDS's must be updated at least every two (2) years. MSDS's for new chemicals should be obtained and reviewed for special hazards or Personal Protective Equipment (PPE) considerations before a new chemical is brought onsite. | OSHA Hazardous Communication Program: Worker Right-to-Know (Haz Com) | 29 CFR 1910.1290 and Appendices A, B, C, D, and E | Conduct an inventory of all materials to be used within the Art Department. Maintain a master list for either the entire department or each individual working area (i.e. paint room vs. set design). Electronically or with hard copies, organize a complete set of MSDS's for the department. |

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| 8 | Art (Tomari) | The facility does not maintain a written site specific Hazard Communications Program to include all of the required components. | Hazard Communication Program: Worker Right-To-Know (Haz Com) | 29 CFR 1910.1200 | Develop a written campus specific Hazard Communications Program for the facility. Specific components that must be addressed include labeling and other forms of warning, safety data sheets, and employee information and training. Continue to maintain the facility chemical inventory and update safety data sheets as necessary within the departments. |
| 9 | Art (Tomari) | Hazardous Communication Training must be completed upon hire. | OSHA Hazardous Communication Program: Worker Right-to-Know (Haz Com) | 29 CFR 1910.1290 and Appendices A, B, C, D, and E | Once the campus-wide OSHA HazCom Plan is written, and chemical inventories established, all employees, faculty, staff, and students must be trained on the program and its procedures. Document the training with signed attendance rosters. |
| 10 | Art and Science | No inspections of eyewash stations could be located. All wash stations should be inspected weekly (with documentation) and have adequate signage denoting its location. | OSHA Medical Services and First Aid (First Aid / CPR) | 29 CFR 1910.151 and Appendix A | A sample Eye Wash Standard Operating Procedure (SOP) has been emailed to Steve Wilke, which can be used as a template to maintain a campus inventory, management program, and inspection checklist. Duties of these inspections must then be designed. |
| 11 | Campus-Wide | Some fire extinguishers were identified with expired inspection tags were blocked and not considered accessible. | OSHA- Portable Fire Extinguishers | 29 CFR 1910.157 | Fire extinguisher inspections must be conducted on a monthly basis. In addition, ensure that each provided fire extinguisher is mounted and identified accurately. Each must remain accessible. A sample Fire Extinguisher Standard Operating Procedure (SOP) has been emailed to Steve Wilke, which can be used as a template to maintain a campus inventory management program, and inspection checklist. |
| 12 | Art (Tomari), Athletic Training, and Plant Operations | File records show that routine inspections of ladders have not been conducted on-site.<br><br>Annual ladder safety training is required to include safe procedures for ladder use as well as inspection requirements. | Portable Wood/Metal and Fixed Ladders | 29 CFR 1910.25<br>29 CFR 1910.26<br>20 CFR 1910.27 | A sample Ladder Standard Operating Procedure (SOP) has been emailed to Steve Wilke, which can be used as a template to maintain a campus inventory, management program, and inspection checklist. OSHA Ladder regulations are specifically written for wooden ladders, fixed ladders, steal ladders, but not for fiberglass ladders. however OSHA has been known to cite the general duty clause of the OSHA 1910 regulations to maintain compliance. as such, it is highly recommended that all campus ladders are included in the Ladder Safety Program. |

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| 13 | Documentation | Ensure that administration, faculty, staff, student=worker, and student training in documented and that, where applicable, comprehension is shown. This can be done in various ways, one of which would be to include a quiz as part of the training process. | Safety Program Management - Best Management Practice | Environmental and OSHA Health & Safety (various) | When conducting training always maintain an attendance roster which requires the trainee to sign and print their name as well as identify their work designation (i.e. Art, Science, Operations, student, etc.). In addition the training roster should list the name of the course, name of the instructor, date, and duration of the training. please note that these rosters should also be implement during classroom safety training sessions. |
| 14 | Art | Review the need for ventilation within the dye vat mixing area room. It may be necessary to vent fumes outside. | OSHA - Ventilation and Indoor Air - Best Management Practice | 20 CFR 1910.1000 | Review the operation for ventilation concerns, if any. |