

Should You Have An Environmental Consultant?

Many metal-finishers find themselves unable to keep up-to-date on the ever-changing regulations of the federal, state, and local agencies. So how will you stay in compliance?

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A California printed circuit board plater was closed for over a month, and paid over \$75,000 in civil and criminal penalties. A chemical miller was forced to install water treatment systems in less than 3 weeks to avoid a shutdown; nonetheless, he paid nearly \$20,000 in fines and penalties.

Are these examples of heartless polluters who paid no attention to the environment, the laws, and the health of their employees? No, they are just hardworking owners and managers who were complying with the regulations as they understood them. Their problems started with their inability to keep up with ever-changing environmental regulations, the regulatory agencies that issue them, and the best control technology. Even those regulations they knew were difficult to interpret. A finisher is regulated in environmental, health, and safety matters by as many as ten local, state, and federal agencies. The activities of these agencies often overlap, but there is little, if any, inter-agency communication. Frequently, conflicting information is received from inspectors of these different agencies.

Such a harsh regulatory environment puts considerable strain on the management and financial resources of any finisher. How can an operation stay on top of these complex compliance issues and continue to finish parts? For many finishers, a compliance officer is not in the budget and existing staff have neither the time nor the aptitude to accomplish all the necessary compliance activities. The NAMF and its local chapters do an excellent job of keeping its members informed, but even this may not be enough. The board plater mentioned in the first paragraph is a long time NAMF member! The use of an outside consulting service may provide the most economical means to stay in compliance in such cases.

Compliance Activities

Any finishing shop must have an organized compliance program with good

people running it. A compliance program consists of a number of elements. The program manager must be aware of the current regulations that govern their operations. He should be aware of new or changing regulations and participate in the regulatory process. NAMF is an excellent organization on this front. Staying current requires extensive reading. Trade publications such as Finishers Management, news releases, notifications from regulatory agencies, local newspapers, and newsletters are all required reading. A library of the published regulations must be maintained. Attendance at public hearings and industry association meetings is a vital part of staying current.

A good working relationship with the various regulatory agencies is another element of a good compliance program. Such relationships help you stay current and create goodwill. Maintaining this relationship requires constant effort. These agencies do not consider it their job to help a shop comply, only to regulate it. These agencies are in business to find infractions. When violations do occur, they can become hostile and very uncooperative.

A good compliance program must include the maintenance of good paperwork: complete files, permits, manifests, etc. Many shops do not have a written program to maintain records and minimize waste. Such a document is very helpful when problems are found, and required in many places. All permits and copies of the complete application package should be easily available for inspection. Everyone must at least file Form R for Title III compliance. Such reports require extensive record keeping.

Of course, a compliance program includes the installation and maintenance of treatment equipment for solid waste, water, and air. What is the best type of equipment to accomplish the goal? Can current equipment meet regulations when they tighten in a few years? What will I do if there is an equipment failure? Is there a way to reduce the operating costs associated with the equipment? What engineering support does the equipment need? Salesmen are a good source of information, but can often confuse issues since they want to sell their particular equipment. The regulatory

agencies themselves often do not know which equipment will achieve the levels they require.

Finally, a good compliance program must function while continuing to finish parts profitably, not an easy task for the shop with limited engineering personnel. The cost of these activities in management time and energy can be tremendous. While it may not be a full-time job, environmental, health, and safety compliance can be a full-time mental preoccupation. It is in this context that a consultant can provide an economical means to achieve total compliance.

Consultant Advantages

The advantages of using a consultant fall into three basic areas. First because a consultant can perform the same activities for several clients, you receive the benefit of experience acquired at the expense of others. The time and expense of monitoring regulatory activity and maintaining relationships with regulators will be similarly shared. Secondly, the consultant performs many of the required activities on a repetitive basis. Therefore, the time required to accomplish a given task can be reduced significantly. Finally, a competent consultant can give shop managers the peace-of-mind they need to concentrate on their main duties.

Consultants, by the very nature of their normal activities (attending public hearings, subscribing to periodicals, maintaining a library of rules and regulations) are plugged into the channels which are vital to staying informed. However, a client bears only a portion of this overhead expense as it is spread among all clients.

In a similar vein, the consultant also stays current on developments in equipment and technology and is in the position to recommend changes. The majority of consultants have a strong technical background and are expert at evaluating control technology for your situation. You get first rate engineering and the cost is shared within the client base of the consultant.

Anyone who has ever tried to obtain an environmental permit or file a SARA Title III report knows what a trying experience it can be. A consultant performs such tasks on a routine basis. As a result the consultant has the specialized technical knowledge and experience to accomplish such matters quickly and efficiently, without disturbing the normal functions of your current personnel.

Consulting Services

Consultants typically offer a number of services to aid the finisher. Most
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Environmental Consultant

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commonly, consultants are not engaged until there is a crisis — often in the panic that follows a citation. But, it is in these situations that the consultant is most expensive. Demand is high and so is the cost. Because crisis intervention requires a great deal of the consultant's time on an immediate basis, they must be compensated for time lost on other ongoing activities. It is to your benefit to have a consultant's services contracted before there is a crisis.

Another service consultants typically offer is assistance in obtaining regulatory permits or doing environmental reporting. Many of the advantages of using a consultant for these activities have already been discussed. Another

advantage is that the consultant can give the client a good estimate of the costs to acquire the permit or file the report giving the client good budgetary control. This is particularly useful when setting up a new shop. Consultants generally will assist with the purchase and installation of treatment and control equipment. In so doing, he relieves operating personnel of the strain such new projects generally produce.

The most economical way to take advantage of a consultant is to place him on a retainer. The retainer assures you of ready access to the consultant for any situation. With the appropriate retainer relationship, the consultant can be counted on to routinely take care of nec-

essary reports, permits, and other paper work. You gain a compliance engineer and manager, but pay only for the time and energy required. This is often more cost effective than hiring full-time personnel.

Consultant's Qualifications

Finally, be sure to ask the right questions about a consultant's qualifications. Do they offer a full line of services? If not, you may have to retain several consultants and forfeit many of the cost advantages of a consulting arrangement. Is the consultant experienced in your industry? If he is not familiar with your processes, he may not have the background to offer good alternative solutions to your problems. Does he have good references? There is no better measure of the quality of service the consultant offers. References should always be checked. Does he represent a particular equipment manufacturer? It is in your best interest to seek objective information. Finally, is he someone who will fit into your existing management team? Communication is the key to the effectiveness of a consultant and should not be overlooked.

In summation, a consultant offers a number of advantages in managing environmental, health, and safety issues and may be the most cost effective means to accomplish regulatory compliance.

About the Author

John S. Schroeder is the Principal in the Southern California office of Salmon & Schroeder, Consultants. He has over ten years experience in the plating and finishing industry. He began his industry career with RCA as a plant chemist where he worked with plating, painting, and powder coating.

John began accumulating experience dealing with the problems of waste chemicals while in school working as an analytical chemist in an environmental testing laboratory. His concentration in this ever-expanding field has grown with each of his positions since then. He has hands-on experience in most areas of environmental compliance, from treatment systems design to the acquisition of permits.

During the last four years, he has maintained an independent consulting firm dealing with environmental compliance, analytical chemistry, and electronic data processing. He has assisted many private businesses in complying with the evolving environmental climate.

John has a Masters degree in chemistry from Butler University with high honors. As a student, he was elected to the Phi Kappa Phi honors fraternity. He is a Registered Environmental Assessor in the State of California and a member of the American Chemical Society.

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