

Board of Trustees Agenda Item

Board Meeting Date: 12/6/10

Title of Item: Environmental Compliance Annual Update

Background and Analysis:

FHDA Community College District (FHDA) is dedicated to both satisfying the legal regulatory requirements of the Stipulated Judgment and developing a strong environmental program. Annually, certain milestones are accomplished. These key milestones are Regulatory Inspections with Agencies (most notably the Department of Environmental Health), the Third Party inspections with environmental attorneys and internal self-inspections. The Environmental Department is actively involved with campus improvements and the closures that occur as part to renovations, improvements and the spending of the Bond funds. Finally, EH&S is maturing and focusing on the environmental program across campus for progressive improvements and to managing the expenses of the Department for the best value and the least expense to the District.

Attached for your information is a fact sheet summarizing the activities of the Environmental Health and Safety department during 2010.

Recommendation: Information only

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Is backup provided? Yes

FACT SHEET ON EH&S ACTIVITY FOR 2010
MONA VOSS, DIRECTOR ENVIRONMENTAL HEALTH & SAFETY

ENVIRONMENTAL HISTORY – THE FOLLOWING COMMENTS SERVE AS A BRIEF REVIEW REGARDING THE SIGNIFICANCE OF ENVIRONMENTAL COMPLIANCE. FHDA HAD A REGULATORY “PAST” CULMINATING IN A STIPULATED JUDGMENT WITH THE DEPARTMENT OF ENVIRONMENTAL HEALTH LASTING 10 YEARS (UNTIL 2015) BASED ON HISTORICAL MAJOR AND MINOR NON-COMPLIANCE VIOLATIONS. THE AGREEMENT WAS EXTENSIVE AND INCLUDED THESE REMEDIES:

- DISPOSE OF ALL HAZARDOUS, UNIVERSAL AND MEDICAL WASTE APPROPRIATELY, WITHOUT EXCEPTION – EH&S MANAGES ABOUT \$250K IN EXPENSE FOR THE DISPOSAL OF WASTES FROM INSTRUCTIONAL AND PLANT SERVICE ACTIVITIES.
- DIRECTOR OF EH&S POSITION WAS CREATED IN RESPONSE TO REQUIREMENTS IN STIPULATED JUDGMENT. LATER THE ENVIRONMENTAL SPECIALIST POSITION WAS INSTITUTED TO MANAGE THE VERY HIGH VOLUME OF DATA FOR REGULATORY REPORTS.
- CONDUCT ANNUAL THIRD PARTY AUDIT OF ALL REGULATED AREAS AND PERFORM ALL INTERNAL INSPECTIONS AS REQUIRED BY REGULATIONS.
- CONDUCT ALL RENOVATIONS AND CONSTRUCTION RELATED PROJECTS WITHIN CLOSURE GUIDELINES.
- PROVIDE TRAINING TO STAFF WHO MANAGES REGULATED ACTIVITIES.

REGULATORY INSPECTIONS - IN 2010, FHDA WAS INSPECTED BY ALL FIVE (5) MAJOR REGULATORS.

- DEPARTMENT OF ENVIRONMENTAL HEALTH (DEH) DID NOT CONDUCT THE COMPREHENSIVE CAMPUS-SIDE INSPECTION OF FOOTHILL AND DE ANZA. HOWEVER, DEH DID INSPECT THE CAMPUSES FOR PERMITTING AND CLOSURES ACTIVITIES.
- SANTA CLARA COUNTY CENTRAL FIRE DEPARTMENT PERFORMED A 2 DAY INSPECTION OF HAZARDOUS MATERIALS AREAS AT DE ANZA.
- SANTA CLARA SEWER DISTRICT AT DE ANZA INSPECTED AND CONDUCTED A 3 DAY SAMPLING EVENT.
- PALO ALTO SEWER DISTRICT SPENT 6 DAYS DOING INSPECTIONS AND SAMPLING EVENTS AT FOOTHILL.
- BAY AREA AIR QUALITY MANAGEMENT DISTRICT AT FOOTHILL AND DE ANZA PERFORMED 2 DAYS OF ROUTINE AND 2 DAYS OF SPECIFIC INSPECTIONS RELATED TO THE NEW FOOTHILL GAS TANK INSTALLATIONS.
- CLOSURE INSPECTIONS (14) FOR INITIAL SCOPE DEFINITION AND FINAL CLOSURE INSPECTION.
- **INSPECTIONS RESULTED IN ACTION ITEMS, BUT, NO VIOLATIONS.** DIRECT DEPARTMENTAL TIME SPENT WITH ALL INSPECTORS WAS 240 HOURS! ADDITIONALLY, 62 HOURS WERE SPENT PREPARING FOR THE INSPECTION AND 320 HOURS WERE SPENT IN WRITING AND SHARING RESULTS.

THIRD PARTY AND INTERNAL INSPECTIONS – FHDA SELF-INSPECTED THOSE 131 AREAS HAVING HAZARDOUS MATERIALS AND BENEFITED BY THE THIRD PARTY AUDIT REQUIRED BY THE STIPULATED JUDGMENT.

- INTERNAL INSPECTIONS WERE CONDUCTED AT THE HAZ-MAT STORAGE AREAS BY DESIGNATED FHDA STAFF FOR A TOTAL OF 6288 SPECIFIC INSPECTIONS AND 96 INTERNAL INSPECTIONS BY EH&S DIRECTLY.
- THE THIRD PARTY AUDITOR KNOWN AS BEYOND COMPLIANCE (ENVIRONMENTAL ATTORNEYS) CONDUCTED AN EXTENSIVE INSPECTION OF ALL HAZ-MAT AREAS. EH&S SHARED THE REPORT WITH THE CAMPUSES TO PREPARE FOR DEH INSPECTION STANDARDS.

DETAILED REPORTS SUBMITTED - REPORTS (27) PREPARED FOR AGENCIES WITH STRICT DEADLINES. LENGTHY AND TECHNICAL ANNUAL REPORTS SPECIFICALLY PREPARED FOR:

- DEPARTMENT OF ENVIRONMENTAL HEALTH (8), DEPARTMENT OF TOXIC SUBSTANCE CONTROL (7), CA INTEGRATED WASTE MANAGEMENT BOARD (4), BAY AREA AIR QUALITY MANAGEMENT DISTRICT (6) AND BUREAU OF EQUALIZATION (2)

- **THE PERMIT RENEWALS FOR THE SANTA CLARA SEWER DISTRICT AND THE PALO ALTO SEWER DISTRICT WERE NOT REQUIRED THIS YEAR. HOWEVER, THE DISCHARGES LEVELS AT FOOTHILL WERE CALCULATED AND RECONCILED TO MAINTAIN INTEGRITY OF THE PERMIT IN A REPORT CALLED PERIODIC REPORT OF CONTINUED COMPLIANCE).**
- **THIS YEAR NEW PERMITS FOR SPILL PREVENTION COUNTER CONTROL MEASURES FOR BOTH CAMPUSES WERE REQUIRED DUE TO THE CONCERN FOR OIL LEAKS (GULF PETROLEUM OIL SPILL CONCERN).**

CLOSURES DOMINATED ACTIVITY AT FOOTHILL AND DE ANZA

- **IF AN AREA EVER CONTAINED HAZARDOUS MATERIALS, IT MUST BE MADE CLEAN (CLOSED) BEFORE IT CAN BE REMODELED OR DEMOLISHED IN A PROCESS THAT INCLUDES SAMPLING AND ANALYTICAL WORK. PROCEEDING WITHOUT AN AGENCY APPROVED CLOSURE PLAN IS A VIOLATION. AT END OF EVERY CLOSURE A FINAL REPORT IS WRITTEN. THIS YEAR THE FOLLOWING AREAS WERE ADDRESSED:**
- **ALSO THE FOOTHILL AND DE ANZA CAMPUSES, THE OLD CHLORINATION PROCESSES WERE CLOSED AND THE NEW POOL PULSAR CHLORINATION SYSTEMS WERE PERMITTED AND INSTALLED. THE HMBP PLANS WERE MODIFIED FOR CHANGES. DURING THE PULSAR INSTALLATION AT DE ANZA, THERE WAS A CHLORINE RELEASE THAT WAS MANAGED BY EH&S IN CONJUNCTIONS WITH THE FIRE DEPARTMENT AND HAZ-MAT VENDORS.**
- **AT FOOTHILL, THE NEW AIR EMISSION COMPLAINT GAS TANK WAS PERMITTED AND INSTALLED, THE PERMIT FOR THE REMOTE FUELING STATION FOR THE CAMPUS CENTER GENERATOR WAS REACTIVATED, THE CLOSURE OF CHEMISTRY & PHYSICS BUILDINGS WERE PLANNED WITH DEH. THE PLANNING THE ELECTRICAL UPGRADES RELATED TO BRINGING TEMPORARY GENERATORS ONSITE WAS INITIATED.**
- **AT DE ANZA, CAMPUS WIDE ELECTRICAL UPGRADES IN THE INTRA-STRUCTURE WERE MADE UTILIZING TEMPORARY GENERATORS. THE PERMITTING EFFORT WAS EXTENSIVE. DURING THE RENOVATION OF THE BALDWIN WINERY, EAST COTTAGE AND OTHER BUILDINGS, THE WASHING OF ROOF AND STRUCTURES WAS PLANNED IN KEEPING WITH THE STORM WATER PREVENTION PROGRAM [SWPP]. EH&S HAD DIRECT INVOLVEMENT WITH THE PLAN AND SCOPE OF WORK FOR THE MAINTENANCE AND THE SLIP LINES FOR THE STORM WATER DRAINS. THE MEDIATED LEARNING CENTER DESIGN AND GROUNDS WERE APPROVED BY THE HAZ-MAT AGENCIES. AT DE ANZA, EH&S LEAD THE JUSTIFICATION AND INITIAL BIDDING OF A NEW DISCHARGE MONITORING SYSTEM WITH THE INTENT OF REDUCING THE CAMPUS WATER BILL.**

MATURING PROGRAMS – EH&S EXERTED EXTENSIVE EFFORT ON MATURING PROGRAMS TO INCLUDE: CONSTRUCTION FOCUS, SPECIFIC WASTES DISPOSAL ANALYSIS TO REFINE DISPOSAL COSTS, E-WASTE TRACKING, ENHANCED COMMUNICATION TO STAFF, DESIGNATION OF RESPONSIBILITY THROUGH INSPECTOR PROGRAMS AND PRECISELY REVISED HAZARDOUS MATERIAL BUSINESS PLANS. THIS FOCUS IS SEEN BY:

- **EMPHASIS WAS PLACED UPON THE SUPPORT OF CONSTRUCTION ACTIVITIES SINCE THE BOND MONEY SPENDING WAS FULLY RAMPED UP. CONSTRUCTION ACTIVITIES RESULT IN BOTH PERMITTING CHALLENGES AND ALSO DEMOLITION.**
- **EH&S PERFORMED WASTE ANALYSIS ON KEY WASTE STREAMS (CERAMIC GLAZES, PHOTO SOLUTIONS, COOLING TOWER CHEMICALS, ETC) TO IDENTIFY THE WASTE STREAM CURRENTLY PRODUCED WITH LESS TOXIC SUBSTANCES. EVERY WASTE WAS REVIEWED FOR BEST DISPOSAL TECHNOLOGY. THE WASTE RE-CHARACTERIZATION AND RE-ROUTING RESULTED IN A COST REDUCTION OF 51K IN THE DISPOSAL COSTS FROM FISCAL YEAR 2008/2009 TO 2009/2010. STILL, THE DISPOSAL PROCESS FULLY SUPPORTED THE INSTRUCTIONAL AND PLANT SERVICE BUT REDUCED DISPOSAL COSTS TO FHDA.**
- **EXTENSIVE TECHNICAL DOCUMENTS WERE PREPARED FROM THE THIRD PARTY AUDIT FOR EVERY DEPARTMENT SO THE STAFF KNEW EXACTLY WHAT ACTIONS WERE REQUIRED IN THEIR RELATIVE DEPARTMENTS.**
- **AS PREVIOUSLY NOTED, FHDA HAS 131 AREAS REQUIRING A PRIMARY AND ALTERNATE INSPECTORS WITH MANAGERIAL OVERVIEW. THIS IS THE “CORE” GROUP. QUARTERLY LIST OF AREAS AND PERSONS RESPONSIBLE FOR THOSE AREAS WERE MAINTAINED IN ORDER**

FOR COMMUNICATION TO GO DIRECTLY THROUGH THE CORRECT CHANNELS TO THE CORE STAFF.

- **EH&S WORKED WITH EACH DEPARTMENT DIRECTLY FOR REVISING THE HAZARDOUS MATERIAL BUSINESS PLAN TO REFLECT ACTUAL INVENTORY AS WELL AS TO DIRECTLY EDUCATE ON COMPLIANCE ISSUES. THIS PROJECT IS VERY LABOR INTENSIVE AND OCCURS ANNUALLY AT EACH CAMPUS.**
- **IMPROVING THE QUALITY OF THE E-WASTE PROGRAM TO ADDRESS THE INFLUX OF E-WASTE THAT HAS RESULTED FROM THE PURCHASE OF NEW COMPUTERS.**
- **AGAIN, EH&S LEARNED THAT THERE IS AN UNEVEN COMMITMENT TO ENVIRONMENTAL COMPLIANCE. FOR SOME THE VALUE IS NOT INTERNALIZED AND FOR OTHERS THEIR EFFORT IS *EXEMPLARY*.**