

2004 INNOVATIONS AWARDS PROGRAM
Application Form

1. Program Name: **Full Quantity Generator Certification Program**
2. Administering Agency: **New Hampshire Department of Environmental Services (NHDES)**
3. Contact Person (Name and Title): **John Duclos, Supervisor Hazardous Waste Compliance Section / Susan Francesco, Hazardous Waste Certification Manager**
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8. Web site Address: www.des.nh.gov/hwcs/hwccert
9. Please provide a two-sentence description of the program. **The program is designed to provide a sustainable forum for educating and certifying generators of hazardous waste in the complex regulatory area of hazardous waste management. The program requires all New Hampshire hazardous waste generators producing more than 220 pounds of hazardous waste in a month to have on staff, at the facility where the hazardous waste is generated, a Hazardous Waste Coordinator certified annually by the NHDES**
10. How long has this program been operational (month and year)? Note: the program must be between 9 months and 5 years old on May 1, 2004 to be considered. **The program was established in response to legislation passed in 2002, which took effect in January 2003, under RSA 147-A:5, III. The first certification class was held on May 14, 2003.**
11. Why was the program created? (What problem[s] or issue[s] was it designed to address?): **In the summer of 2002 NHDES conducted its first performance measures project, which indicated an unacceptable generator baseline compliance rate of 65% with the state's hazardous waste rules. At the time the program was designed, there were 567 facilities in the state that generated at least 220 pounds of hazardous waste per month. This same group generates approximately 20,000 tons of hazardous waste annually and accounts for 70% of the total amount of hazardous waste generated in the state. The program was designed to ensure each regulated facility had a person trained in hazardous waste management on staff which would lead to increased compliance. No longer would a company be out-of-compliance due to a lack of a trained hazardous waste coordinator at their facility.**
12. Describe the specific activities and operations of the program in chronological order. **In the summer of 2002 House Bill 1102, sponsored by Representative Peter Allen was presented to the NH legislature to establish the hazardous waste coordinator certification program and was signed into law by former NH Governor Jean Sheehan. In the fall of 2002 NH DES advertised and interviewed prospective candidates to run the program and hired a manger for the program in January of 2003. In the spring of 2003, generators needing training were identified and a training schedule that would accommodate the identified facilities throughout the State in a non-adversarial educational atmosphere was developed. The first training session was launched on May 14, 2003. Between May and December of 2003 nineteen (19) basic classes for the regulated community were provided, one of which was a class specifically designed and offered for NH environmental consultants, transporters and trainers.**

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13. Why is the program a new and creative approach or method? **This is a new and creative approach to environmental compliance because it reaches out to the regulated community to teach and educate first. Although training is common to other environmental programs, the combination of training with mandatory annual state certification of hazardous waste coordinators (HWCs) is a new concept. This proactive vision addresses the underlying belief that people want to do the right thing and it is the lack of sustainable education that allows them to stray from doing the right thing. NH DES Hazardous Waste Compliance Section strongly believes their 5-point program will make a significant difference in hazardous waste compliance in New Hampshire and is eager to share the concept with other proactive states. These five points are: 1) a solid training program designed to meet the needs of the FQGs in NH; 2) an annual certification program for the hazardous waste coordinators to maintain competency in the regulations; 3) a comprehensive targeted inspection program; 4) a fair and solid enforcement protocol; and 5) a performance measurement program to determine the effectiveness of the first four parts of the program.**
14. What were the program's start-up costs? (Provide details about specific purchases for this program, staffing needs and other financial expenditures, as well as existing materials, technology and staff already in place.) **The program start up costs involved hiring a full time program manager. This includes salary & benefits for manager, overtime for current staff support, current expenses (attendee coffee/snacks, promotional incentives, telephone, office supplies), equipment (new laptop and software), and travel. The program already had an Infocus machine and the NH DES has the necessary hardware (screens, sound system) to do presentations in the department's auditorium. These start-up costs are approximated at \$100,000.**
15. What are the program's annual operational costs? **Annually the new program must include, salary and benefits for the manager, support staff, rent, up to date computer support for hardware and software, travel funds, catering expenses for refreshments for all day sessions, training incentives (pens, highlighters) new training binders, and office supplies. I would estimate this to be 25% less then the first year at approximately \$75,000.**
16. How is the program funded? **The program is funded by an annual fee of \$125 which is paid by the generator when they send a person to attend a training class to become certified as required by the statute.**
17. Did this program require the passage of legislation, executive order or regulations? If YES, please indicate the citation number. **This program was established due to legislation passed in 2002, which took effect in January 2003, under RSA 147-A:5, III.**
18. What equipment, technology and software are used to operate and administer this program? **Computers, a sound system with wireless microphones, CD burner on computer, digital cameras, Infocus machines, Word, Excel and Power Point software are all used in this program.**
19. To the best of your knowledge, did this program originate in your state? If YES, please indicate the innovator's name, present address, telephone number and e-mail address. **Yes, this program originated in New Hampshire. John Duclos, Supervisor of the Hazardous Waste Compliance Section and Kenneth Marschner Administrator of the Waste Management Programs had the vision to develop this innovative program. Representative Peter H. Allen was the Legislative Sponsor for the original House Bill in 2002. John Duclos and Kenneth Marschner are both currently at the NH Department of Environmental Services, 29 Hazen Drive, PO Box 95, Concord, NH 03302. Email addresses and phone number are: jduclos@des.state.nh.us, (603) 271-1998 and kmarschner@des.state.nh.us, (603) 271-2943. Representative Peter H. Allen's phone number is (603) 827-5530.**
20. Are you aware of similar programs in other states? If YES, which ones and how does this program differ? **The New Hampshire FQG Hazardous Waste Coordinator Certification program is to**

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the best of our knowledge a first-in-the nation program. Other states have self-certification programs for some segments of their hazardous waste generator universe, but only New Hampshire has a mandatory educational certification program for all of their Federal Large Quantity Generators (LQG) and Federal Small Quantity Generators (SQG.) This program is unique as it requires each affected facility to have on staff, at the facility, a person annually trained by NH DES who has attended the Hazardous Waste Coordinator Certification (HWCC) program and passed the comprehensive test to become certified. This certification program ensures compliance sustainability since if a company's trained hazardous waste coordinator moves on, another will be soon on the job which will provide the facility with the internal expertise to maintain compliance with the hazardous waste rules and regulations. No longer will a company be out of compliance due to a lack of knowledge of the hazardous waste rules.

21. Has the program been fully implemented? If NO, what actions remain to be taken? **The first year of the program has been fully implemented. There were nineteen (19) training classes scheduled, and 694 attendees achieved certification representing 484 generators. Subsequent years of the program will involve development of Advanced Module classes in addition to the basic training class provided in 2003.**
22. Briefly evaluate (pro and con) the program's effectiveness in addressing the defined problem[s] or issue[s]. Provide tangible examples. **The program has only been in existence for one full year therefore we have limited tangible examples to demonstrate program effectiveness. We can state from our summer compliance surveys that the difference between our base line compliance measures survey from the summer of 2002, prior to any HWCC training classes, and the summer 2003 that there has been an increase in compliance rates in all six areas measured with only first four (4) months of the HWCC training classes being conducted. (See Chart 1) It is our intention to conduct annual compliance measures surveys so that we may measure generator compliance rates over time. We expect to see additional positive compliance based on the following assumptions: 1) generators generally want to be in compliance with the state rules; 2) many simply do not know the rules; 3) companies appreciate the opportunity to become educated by the regulatory agency; 4) Federal training programs often miss NH specific regulations – thus even the trained generators miss some of the NH specific regulations; and 5) history tells us education is the key to compliance.**

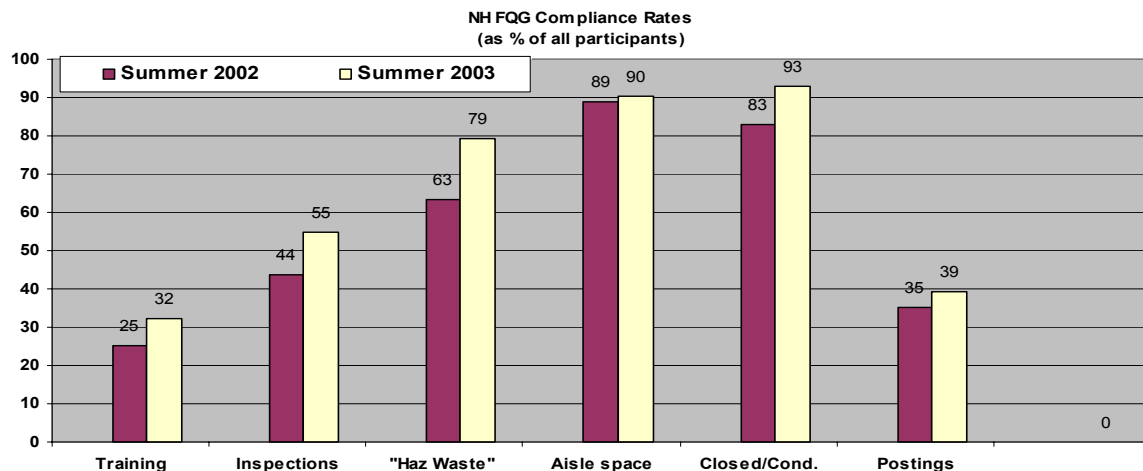


Chart 1: NH FQG Compliance Rates – 2002/2003

Additionally, NH DES has received verbal feedback from U.S. EPA regarding the positive impact of the Program as encountered first hand by an EPA hazardous waste inspection team. The EPA inspection team recently conducted an unannounced inspection of a facility in

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southern New Hampshire where it learned that the Hazardous Waste Coordinator successfully completed the HWCC Program; definitively learned that her facility is, in fact, a FQG and not (as previous believed) a state small quantity generator; returned to her facility and promptly implemented effective FQG management requirements in time to receive a very favorable inspection outcome by the EPA.

23. How has the program grown and/or changed since its inception? **Originally the program was to be presented by one individual; however, the program quickly grew to include many in the department. The regulated community has responded positively to having a variety of speakers at each training class as well as having an opportunity to meet and talk with the specific staff who work with various aspects of the regulations, (e.g. Tim Prospert -Used oil, Holly Green – Universal Waste, Ray Gordon – Reporting and Information) The Hazardous Waste Coordinator Certification (HWCC) program is a positive, high energy, enthusiastic approach to teaching, educating and training NH industry in the rules and regulations for Hazardous Waste compliance in NH.**
24. What limitations or obstacles might other states expect to encounter if they attempt to adopt this program? **One of the biggest obstacles to clear is the funding issue – if states can get a program passed through the legislature it definitely gives credibility and sustainability to the program. A second potential obstacle some states may face is the identification of the universe they want to train. In NH's case the pounds of hazardous waste generated per month was the deciding factor which incorporates both Federal LQGs and Federal SQGs. The presentation of this program to the regulated community must be a positive, enthusiastic white hat approach; they need to get a good value for their money, they need to know the technical staff is willing and able to work with them and answer their questions, they need to understand the goal of the program is to provide them with all the tools they need so they can maintain compliance with the hazardous waste rules.**