

NAWTEC14 Speaker Abstract
Chromium VI – An Update on the Rule

Justin August

Covanta Energy, Inc.

40 Lane Road,

Fairfield, NJ 07004

Phone: 973-882-4125

Fax: 973-882-7048

jaugust@covantaenergy.com

On December 24, 2002, the U.S. Court of Appeals for the Third Circuit unanimously granted a petition to compel OSHA to issue a new Permissible Exposure Limit (PEL) for hexavalent chromium. Hexavalent chromium (CrVI) is a potential nasal and lung carcinogen. Nine years had passed since OSHA announced that it would begin the rulemaking. The court ruled that nine years was an “unreasonable delay” and ordered OSHA to finalize the regulation by January 18, 2006.

In response, on 10/04/2004 OSHA published a proposed rule (in the Federal Register #69:59305-59474, Occupational Exposure to Hexavalent Chromium). This proposal includes a reduction in the PEL by approximately 50 times (lower than the current PEL) to 1 ug/m^3 . Public hearings were conducted in February 2005 but no updates regarding the final requirements of the regulation were released. The Office of Management and Budget received the final rule for review on December 12, 2005, according to OMB's Web site. Since the court's timeline envisioned a 60-day OMB review, OSHA requested and was granted an extension to February 28, 2006, to issue the standard.

Based on employee exposure monitoring performed at waste-to-energy sites over the past few years, it is known that inconel and stainless steel welding work on boiler tubes during outages will generate levels of hexavalent chromium above the 1 ug/m^3 PEL proposed by OSHA. In particular, inconel overlay welders and personnel working downstream during inconel overlay work will likely be required to have increased respiratory protection or ventilation, annual training and medical testing.

Justin August graduated from McGill University with a Bachelors in Chemical Engineering and a MSc (Applied) in Industrial Hygiene and Occupational Health. Though he began his career at MerckFrosst, Inc., the Canadian division of Merck pharmaceutical. Mr. August has extensive experience in the waste-to-energy industry, having worked for both American Ref-Fuel Company and Covanta Energy, Inc.