



1

DMV-DIRECT

REGISTRATION, TITLING, & BEYOND...
CALL 718.747.0400

GNYADA's vehicle registration and titling service, DMV-DIRECT, has been dealers go-to source for fast, convenient, & reliable DMV services.

DMV-DIRECT provides many DMV related services, including:

- Permanent Registration Issuance
- Duplicate Titles In 3 To 5 Days
- Out-of-State Registration & Title Processing for 42 States
- On-Site Connecticut Plates Issuance
- Dial-In Information Verification
- In-Transit Processing
- Duplicate Registrations
- Registration Renewals
- Title-Only Transactions
- Plate Surrenders
- Dealer Plate Renewals
- Rental Plate Renewals
- Repossessed Vehicles Processing
- MV-82 & Transmittal Forms Supplied
- Boat Registrations – Renewed and Duplicates
- Trailer Plates
- Commercial Plates

2



3

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CORONAVIRUS RESOURCES FOR DEALERS

Metro New York Auto Dealers Donate 500,000 Face Masks to People in Need

GNYADA delivered 500,000 face masks throughout the 12 counties it serves, on behalf of our dealer members.

GNYADA LEGISLATIVE UPDATE


WAMANI THE COVID-19 CHECK

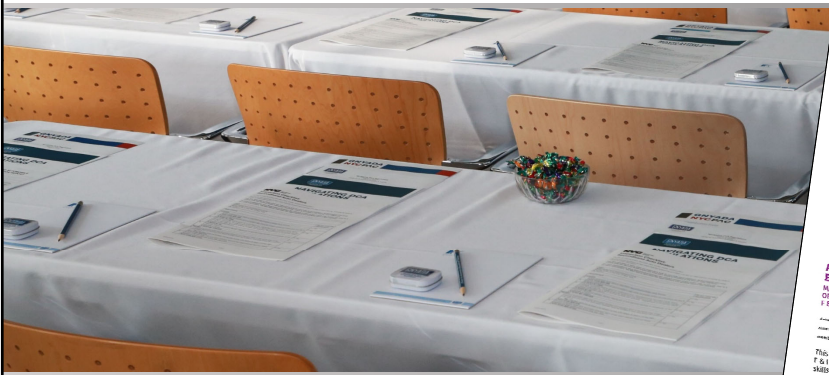
PAYCHECK PROTECTION PROGRAM LOAN ELIGIBILITY, USE AND FORGIVENESS

GNYADA DEALER WEBINARS
MAY 8, 2020

GNYADA Greater New York Automobile Dealers Association

4





**Workshops & Seminars
for Automobile Dealerships**

FEBRUARY 2022 CLASSES

DMV BILLERS' WORKSHOP: PROCESSING OUT-OF-STATE TRANSACTIONS
EFFECTIVELY AND EFFICIENTLY PROCESS OUT-OF-STATE LOSSES

Tuesday, February 8
10:00 am to 1:00 pm
\$120.00

Learn how to handle the added burden of an out-of-state vehicle from registration to completing due cover-it-all. Each attendee requires a complete reference manual to keep on file at their dealership.

MANAGE & COACH SUCCESS
LEAD YOUR BUC TO DELIVER HIGHER PERFORMANCE AND FILTERED BENEFIT

Wednesday, February 9
10:00 am to 1:00 pm
\$175.00

This course will focus on the management issues in today's BUC. Supervisors will develop themselves to improve the effectiveness of team members, increase morale, and create a learning environment that encourages satisfaction, performance, and retention.

ACHIEVING F & I EXCELLENCE
MAXIMIZE EVERY PROFIT OPPORTUNITY IN THE F & I OFFICE

Tuesday, February 15
10:00 am to 4:00 pm
\$175.00

This class is designed to provide F & I Managers with the selling skills necessary to maximize every profit opportunity in the F & I office, as well as enhance the customer's F & I experience. Learn 60 proven direct customer leads, demonstrate products, and overcome objections.

ADVANCED NEGOTIATION SKILLS
EQUIP YOURSELF WITH INNOVATIVE NEGOTIATION STRATEGIES TO EXCEL IN SALES

Wednesday, February 16
10:00 am to 4:00 pm
\$175.00

Today's customers are more sophisticated and knowledgeable than ever; to reach successful outcomes with buyers, sales negotiations. This class focuses on developing and strengthening sales negotiation skills, while keeping in mind the need to maintain lasting beneficial customer relationships.

THE DIFFERENT BUYER PERSONAS AND HOW TO SELL TO THEM

Thursday, February 17
10:00 am to 1:00 pm
\$120.00

SALES TRAINING HAS TAUGHT YOU MANY SKILLS. HOWEVER, IT DOESN'T PREPARE YOU FOR THE DIFFERENT PERSONALITIES YOU WILL FACE.

To maximize your sales success, learn to adapt your strategy to different personality types and understand the various customer types you will encounter. You'll learn key components of sales dynamics and how individual goals, values, strengths, and weaknesses can affect your style of management in maximizing team performance.

REGISTER TODAY!

CENTER FOR AUTOMOTIVE EDUCATION & TRAINING 15-10 PROJECTA BLVD. WILSONVILLE, NY 12197
To register contact Equity Times at et@equitytimes.com or 716-746-3100

Education & Training

www.gnyada.com/education/seminars

Greater New York Automobile Dealers Association

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ANNUAL OSHA COMPLIANCE WORKSHOP

February 9, 2022



WALDEN ENVIRONMENTAL ENGINEERING

- Over 26 years experience in OSHA compliance and hazardous materials handling and inspection
- Allied Member of GNYADA for over 18 years
- History of working with member dealerships in planning and fulfilling their Environmental Health & Safety (EHS) requirements

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WALDEN ENVIRONMENTAL
ENGINEERING

6

Walden Environmental Engineering

Environmental Health & Safety (EHS) Consulting Services

Provided for Car Dealerships:

Health and Safety Related:

- Conduct HAZCOM Training
- Indoor Air Monitoring
- Written HAZCOM Plans
- Respiratory Protection Plans
- Respirator Fit Test & Training
- Emergency Response Plans
- Forklift Safety Training
- Hearing Conservation Plans
- OSHA Consulting Auditing and Advice
- OSHA Violation Consulting & Mitigation

Environmental Related:

- AST Design Permitting and As-built Registration
- NYC DEP Community Right-to-Know Filings, Right-to-Know Training
- Environmental Investigations & Site Closures
- Dealership Pre-purchase / Sale (Phase I & II Environmental Site Assessments)
- UST Upgrades / Design Permitting
- Environmental Compliance Consulting
- UST Operator A/B and Operator C training
- Waste Minimization and Disposal Consulting

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7

Joseph M. Heaney III, P.E. Founder, President

Mr. Heaney has over 26 years of experience as a Professional Engineer and is highly skilled at managing the compliance needs of private and public clients. He works within the complex regulatory framework on federal, State, City, County and local levels to assist clients and municipalities in complying with applicable regulations in the most efficient manner possible. He has extensive experience in managing NYCRR Part 360 Permit negotiations and Consent Order

Terms and Conditions. As a Certified Safety Professional and an expert in OSHA health and safety issues, planning and implementation, Mr. Heaney has over 26 years of experience in the complex regulatory framework, which governs facility operations. He has taught numerous safety courses for supervisors and craft labor. In addition, he has served as the site safety officer for large-scale HAZWOPER applicable projects and is also Walden's Corporate Health and Safety Officer.



EDUCATION

M.S. Environmental Engineering
Manhattan College

B.S. Civil Engineering
Lafayette College

LICENSES/ CERTIFICATIONS

Professional Engineer in New York, New Jersey, Connecticut & Pennsylvania

OSHA HAZWOPER

40-hour

Certified Safety Professional

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8

Massimiliano Lelli, CSP Project Manager

Mr. Lelli is an accomplished environmental engineer with many years' of experience in environmental consulting for waste management and transportation, gas emissions/wastewater permits, Occupational Safety and Health Administration (OSHA) regulations and standards compliance. He has extensive knowledge of safety and health standards, pollution prevention and control methods, expertise in air pollution management techniques, hazardous and toxic waste management and

experience in manufacturing environment safety practices and procedure. Mr. Lelli is a Certified Safety Professional (CSP) and is fluent in both Italian and English.

His expertise in preparation, submittal, processing and acquisition of permits, particularly for Walden's clients that own or operation solid waste disposal/treatment plants has been a crucial component in the growth of our Solid Waste service.



EDUCATION

B.S. Environmental Engineering Università degli Studi di Firenze, Florence, Italy

Ranked ninth place in Italy by QS World University Ranking in 2014

Rank range 201-300 by Academic Ranking of World Universities in 2014

LICENSES/ CERTIFICATIONS

OSHA 40-Hour HAZWOPER

OSHA 10-hour Construction Safety

Certified Safety Professional

NYSDEC Class A/B Certified Operator

USEPA Method 9 Visible Emission Evaluator

NYSDOL Mold Assessor

NYSDOL Asbestos Inspector

NYC Site Safety Training



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9

AGENDA for 2022 Seminar

- Top 10 OSHA Violations for Dealerships
- Properly manage waste: identify hazardous and non-hazardous waste, properly label, and understand disposal rules:
- Special NYC Session:
 - NYC Right-to-Know Filings are Due March 1st, prepare submissions now
 - NYC Annual Energy Benchmarking are Due May 1st
 - NYC energy audits and retro-commissioning
 - Introduction of new greenhouse gas limits by 2024

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10

Who is OSHA?

Occupational Safety and Health Administration (OSHA)



- OSHA was borne out of the Occupation and Safety Act of 1970 through the Department of Labor, and codified under 29 CFR (1910 – General Industry & 1926 – Construction Activities)
- There is no New York State equivalent for this program effecting car dealerships.

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11

Top Ten OSHA Dealership Violations (Oct 2018 – Sept 2019)

NAICS Code: 4411 *Automobile Dealers*

	<u>Standard</u>	<u>Citations</u>	<u>Description</u>
1	19101200	35	Hazard Communication.
2	19100305	9	Electrical Safety - Wiring methods, components, and equipment for general use.
3	19100178	8	Powered industrial trucks.
4	19100215	8	Abrasive wheel machinery.
5	19100134	7	Respiratory Protection.
6	19100157	7	Portable fire extinguishers.
7	19100303	6	Electrical Safety - General.
8	19100132	4	PPE- General requirements.
9	19100147	4	The control of hazardous energy (lockout/tagout).
10	19040029	3	Forms. → OSHA 300, 300-A, and 301 forms
-	<u>Total</u>	122	All Standards cited for Automobile Dealers

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.....and RESPONSES

- **HAZCOM** – Have written Hazardous Communication plan, train all employees on HAZCOM, and maintain logs.



- **Electrical safety requirements** – Maintain safe electrical outlets that are not overloaded. No “repaired” electrical cords (duct/electrical tape)



**Cut and Spliced/Taped
Extension cords and
cables
Fine = \$2,975**

U.S. Department of Labor Occupational Safety and Health Administration	Inspection Number: 313005472 Inspection Dates: 11/09/2016, 11/10/2016	
Citation and Notification of Penalty		
Company Name: Inspection Date:		
Citation 1 Item 7 Type of Violation: Serious		
29 CFR 1910.305(g)(1)(iii): Flexible cords and cables were used for purposes prohibited by subparagraphs (A) through (E) of this paragraph.		
On or about 11/09/16		
Location: a & b)		
a) A orange extension cord was used in place of permanent building wiring to power various tools in a fixed location. The cord ran from a wall outlet to the mouth of a surface mount into 100 and was wrapped around metal piping and electrical conduit.		
b) A orange extension cord was used in place of permanent building wiring to power various tools in a fixed location. The cord ran along metal conduit between the mouth of two surface mount into 100.		
NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.		
Date By Which Violation Must Be Abated: Proposed Penalty:	03/04/2017 \$2,975	

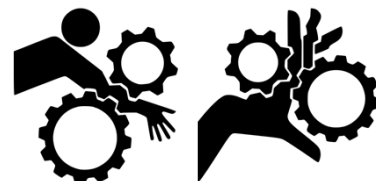
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.....and RESPONSES

- **Powered Industrial Trucks** – Ensure all equipment is inspected and all designated drivers are trained - Maintain all training logs
- **Unguarded Machinery** – Methods of machine guarding shall be provided to protect employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks (Parts grinder) – Ensure separation distance is less than 1/8” on grind wheels



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14

.....and RESPONSES

- **Lack of respiratory protection** – Provide required respiratory protection and maintain training logs.



- **Fire Extinguishers**

- ✓ Inspect monthly and annually to ensure functioning and document
- ✓ Log sheet connected to fire extinguisher
- ✓ Fire extinguishers no more than 50 feet away

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 33380072
Inspection Dates: 11/05/2010 - 11/05/2010
Inspection Date: 02/14/2011

Citation and Notification of Penalty

Company Name:
Inspection Site:

Citation 1 Item 2 Type of Violation: Serious

29 CFR 1910.157(c)(1): Portable fire extinguishers were not inspected, located and identified in the way they were readily accessible without subjecting the employees to injury.

On or about 11/05/10

Location: Garage, 1

At A.2 point ABC dry chemical fire extinguisher was blocked by computer diagnostic terminal, not clear and stored inside.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1961.18.

Date by Which Violation Must Be Abated: 02/04/2011
Proposed Penalty: \$ 1785.00

Citation 1 Item 3 Type of Violation: Serious

29 CFR 1910.215(a)(6): Work rest(s) on grinding machinery were not adjusted clearly to the wheel with a maximum opening of one-eighth inch.

On or about 11/05/10

Location: Garage

At The work rest on the left abrasive wheel of the Wilson model 154 pedestal mounted grinder was 1.3 inches from the face of the wheel.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1961.18.

Date by Which Violation Must Be Abated: 03/04/2011
Proposed Penalty: \$ 1785.00

Out of date inspection
for fire extinguishers
and grinders
Fine = \$3,570



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15

.....and RESPONSES

- **Recordkeeping** – Keep records of serious work-related injuries and illnesses and submit to OSHA the 300A form
- **PPE** – PPE for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintainedwherever hazards of processes or environment, (chemical, mechanical or radiological hazards, or irritants) are capable of causing injury or impairment

OSHA Form 300 – Log of Work-Related Injuries and Illnesses

OSHA Form 300A – Summary of Work-Related Injuries and Illnesses



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.....and RESPONSES

- **Control of Hazardous Energy (LOTO)** – *Servicing and maintenance of machines and equipment in which unexpected energization or start up or release of stored energy could cause injury to employees*



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PENALTIES FOR 2022

Types of Violations

•**WILLFUL:** A willful violation is defined as a violation in which the employer either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety.

•**SERIOUS:** A serious violation exists when the workplace hazard could cause an accident or illness that would most likely result in death or serious physical harm, unless the employer did not know or could not have known of the violation.

•**REPEATED:** Facility can be cited for a repeated violation if the it has been cited previously for the same or a substantially similar condition and, for a serious violation, OSHA inspection history lists a previous OSHA Notice issued within the past five years; or, for an other-than-serious violation, the establishment being inspected received a previous OSHA Notice issued within the past five years.

•**OTHER-TAN-SERIOUS:** A violation that has a direct relationship to job safety and health, but is not serious in nature, is classified as "other-than-serious."

Table 1: Maximum and Minimum Amounts for Civil Penalties

Type of Violation	Penalty Minimum	Penalty Maximum
Serious	\$1,036 per violation	\$14,502 per violation
Other-Than-Serious	\$0 per violation	\$14,502 per violation
Willful or Repeated	\$10,360* per violation	\$145,027 per violation
Posting Requirements	\$0 per violation	\$14,502 per violation
Failure to Abate	N/A	\$14,502 per day unabated beyond the abatement date [generally limited to 30 days maximum]

* For a repeated other-than-serious violation that otherwise would have no initial penalty, a penalty of \$414 shall be proposed for the first repeated violation, \$1,036 for the second repeated violation, and \$2,072 for a third repetition.

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HAZCOM 29 CFR 1910.1200

#1 Violation for Dealers

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 6802/2016 - 09/23/2016
Inspection Date(s): 08/02/2016 - 09/23/2016
Inspection Date: 10/05/2016

Citation and Notification of Penalty

Company Name:
Inspection Site:

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 1.a Type of Violation: Serious

29 CFR 1910.1200(e)(7): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(b), (d), and (h) will be met:

(a) Employees working in the detailing section of the garage were exposed to chemical hazards. Chemicals include, but are not limited to, Ethylene Glycol, Aluminum Oxide, contained in chemical products such as Perfect-It Machine Polish, Simontz Crush Plus. The chemicals can be eye and skin irritants. The employer did not develop or implement a hazard communication program. The condition was noted on or about August 5, 2016.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 AS PER 29 CFR 1903.19.

Date By Which Violation Must be Abated: 11/23/2016
Proposed Penalty: \$3207.00

Fine = \$3,200

HAZCOM
Violations

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 6802/2016 - 09/23/2016
Inspection Date(s): 08/02/2016 - 09/23/2016
Inspection Date: 10/05/2016

Citation and Notification of Penalty

Company Name:
Inspection Site:

Citation 1 Item 1.a Type of Violation: Serious

29 CFR 1910.1200(e)(7): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(b), (d), and (h) will be met:

Location: Auto Shop

(a) Employees use products containing hazardous chemicals such as naphtha, ethylene glycol monomethyl ether and isopropyl alcohol. The employer did not develop or implement a hazard communication program; on or about 11/05/07.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

See pages 1 through 7 of this Citation and Notification of Penalty for information on employee and employer rights and responsibilities.

Citation and Notification of Penalty Page 12 of 14 OSHA-3 (Rev. 9/01)

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HAZCOM Violations Continued

#1 Violation for Dealers

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 6802/2016 - 09/23/2016
Inspection Date(s): 08/02/2016 - 09/23/2016
Inspection Date: 10/05/2016

Citation and Notification of Penalty

Company Name:
Inspection Site:

Citation 1 Item 1.b Type of Violation: Serious

29 CFR 1910.1200(g)(1): Employers did not have a safety data sheet in the workplace for each hazardous chemical which they use

(a) Employees working in the detailing section of the garage were exposed to chemical hazards. Chemicals include, but are not limited to, Ethylene Glycol, Aluminum Oxide, contained in chemical products such as Perfect-It Machine Polish, Simontz Crush Plus. The chemicals can be eye and skin irritants. The employer did not have safety data sheets in the workplace. The condition was noted on or about August 5, 2016.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 AS PER 29 CFR 1903.19.

Date By Which Violation Must be Abated: 11/23/2016

Safety Data Sheets

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 6802/2016 - 09/23/2016
Inspection Date(s): 08/02/2016 - 09/23/2016
Inspection Date: 10/05/2016

Citation and Notification of Penalty

Company Name:
Inspection Site:

Citation 1 Item 1.c Type of Violation: Serious

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

(a) Employees working in the detailing section of the garage were exposed to chemical hazards. Chemicals include, but are not limited to, Ethylene Glycol, Aluminum Oxide, contained in chemical products such as Perfect-It Machine Polish, Simontz Crush Plus. The chemicals can be eye and skin irritants. The employer did not have a training program on the hazardous chemicals found at the site. The condition was noted on or about August 5, 2016.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 AS PER 29 CFR 1903.19.

Date By Which Violation Must be Abated: 11/23/2016

HAZCOM Training

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When OSHA Comes Knocking

- **When Do They Come?**
- **What to Expect?**
 - Right to Inspect
 - Challenge Warrants
 - Ask for Credentials
 - Opening Conference
 - Walk Around
 - Employer/Employee Interview
 - Closing Conference
 - Post Inspection Conference
- **Right to Appeal Citations/ Petitions**
 - Ask for Outside Help
 - Schedule a Conference
 - Fine Abatement
- **What to Do?**
 - Train Employees on Who to Contact
 - Be Prepared
 - Designate a Procedure – EHS Manager
 - Have a Waiting Area
 - Document /record everything they ask for
 - Ask for all requests to be in writing
 - When to Say “No”
 - Don’t be a Tour Guide
 - Duplicate all photos and measurements they take
 - Answer Only When Requested
 - Ask Why They are There

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When OSHA Comes Knocking

Check out our “When Government Visits” Guide!

Download now for FREE at:
www.waldenenvironmentalengineering.com



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Waste Disposal

- Hazardous Waste:
 - Be careful when labeling waste as hazardous. Most waste generated at dealership is **NOT** hazardous but once labeled hazardous requires following much stricter, and more costly, disposal rules
 - **Potential hazardous waste:** solvent, paint waste, lead acid batteries, florescent light bulbs, gasoline, contaminated oil (gasoline, solvent, antifreeze, etc.)
 - **Potential non-hazardous waste:** used oil, drained oil filters, used anti-freeze, wash water

Recycle
Program

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Waste Characteristic

What is a hazardous waste? Hazardous waste has one or more of the following characteristics:

- ☐ **Ignitability** (flash point <140°F)
- ☐ **Toxicity** (harmful when ingested or absorbed, fails the TCLP chemical analysis test)
- ☐ **Corrosivity** (pH less than or equal to 2 or greater than or equal to 12.5)
- ☐ **Reactivity** (unstable, violent reactions with water)
- ☐ Listed on **NYSDEC hazardous waste list** (6 NYCRR Part 371) [NYSDEC HAZ.WASTE LIST](#)



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Waste Disposal & Storage

Dealers should be cautious when labeling materials as hazardous waste. If a non-hazardous waste is listed as hazardous:

- it must be **disposed of as hazardous waste** (even if it does not fall into the categories listed above).
- Disposal can be **very pricy** since hazardous waste disposal is much more expensive than non-hazardous waste disposal/recycling.
- Hazardous **waste must be stored and managed differently than non-hazardous waste**. Timing the disposal of hazardous waste is also important to avoid Large Quantity Generator (LQG) and associated hazardous waste taxes.

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Waste Storage & Labeling

- Dealers should dedicate a specific marked area (or accumulation area) for storing any hazardous waste, including flammable.
- Waste should be stored in closed containers, and all containers/drums storing **liquid** hazardous waste must be placed **on** appropriate capacity **spill pallets** to provide a secondary containment in case of a spill.
- All containers must be labeled appropriately (SDSs are a good source for proper labeling).



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Waste Storage & Labeling (cont.)



- To help keep track of storage time limits and subsequent disposals, all drums and other containers of hazardous waste should have the **accumulation start date marked on the container.**
- Dealers should establish agreements and make service arrangements with authorized disposal companies, for pick-ups and proper and timely disposal of any hazardous waste generated.
- Disposal manifests shall be provided by the disposal companies and should be kept by dealers on files for at least 3 years.



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Type of HAZ and NON-HAZ Waste

Examples of potentially **hazardous** wastes are:

- Solvent
- Paint waste
- Lead acid batteries
- Florescent light bulbs
- Gasoline



Examples of potentially **non-hazardous** waste are:

- ❖ Used oil
- ❖ Used tires
- ❖ Drained oil filters
- ❖ Used anti-freeze



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Aerosol Can Disposal



- Aerosol Cans:
 - If cans are “RCRA empty”, they can be containerized and **sent out as scrap metal** to facilities that accept non-punctured cans or the cans can be punctured using specified equipment and sent out as scrap metal
 - If cans are “RCRA empty” they are considered scrap metal and can be recycled
 - If cans are **not** “RCRA empty”, they must be containerized and must be punctured (if storing an acute hazardous waste) using specific equipment and sent out as hazardous waste.

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Aerosol Can Disposal Cont.

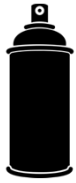
- Cans are considered RCRA empty when they meet the following:
 - Contains no compressed propellant (releases no pressure)
 - No more material/chemicals are released or dispensed (i.e. cannot spray any more product) when the trigger is pressed



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Aerosol Can Disposal Cont.

- Cans are considered RCRA empty when they meet the following continued:
 - There is no more than 3% of total volume or 1 inch of liquid remaining in can (i.e. you may be able to hear material in the can, but none is dispensed)
 - If can contained an acute hazardous waste, the can must be punctured and rinsed three times using proper cleaning techniques
 - Solvent used must be capable of removing the contained chemical

Note: Do not release excess product into air to empty cans

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Waste Disposal

WHAT ABOUT AIR BAGS?.....



November 2018
EPA - final rule
(TAKATA
AIRBAGS recall))



July 2019



ENFORCEMENT
DISCRETION
LETTER

DEFINITIONS:

airbags waste handler = *any person who generate airbag waste*

→ **AUTO DEALERS**

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Waste Disposal - AIRBAGS

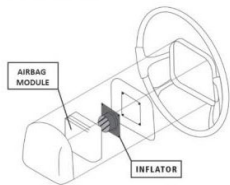


Figure 1: Diagram Showing Placement of Airbag and Inflator in a Steering Column

DEFINITIONS (cont.):

airbags waste = any hazardous waste airbag modules or hazardous waste airbag inflator

Airbags become **waste** airbags when they are removed from a vehicle. New York State prohibits the sale or reuse of waste airbags, as per the [Vehicle and Traffic Law \(VAT\) Title 4, Article 16, Section 415-c](#).

However, NYSDEC is enforcing different requirements depending on the **recall status and the management** of the waste airbags

DEFECTIVE AIRBAGS

NON DEFECTIVE AIRBAGS

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Waste Disposal – DEFECTIVE AIRBAGS

If auto dealers are handling defective airbags as per the following NYSDEC provisions, **and** as long as they are managed within NYS borders, those defective airbags can be considered non-hazardous:



- 1) the quantity of the airbags waste accumulated (either modules or inflator) is **less than 250 units**, and stored for **no longer than 180 days**;
- 2) The waste airbags are packaged in specifically designed containers which must be labeled as "Airbags Waste – Do Not Reuse; → containers that meet DOT requirements for shipping airbag modules or airbag inflators.

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Waste Disposal – DEFECTIVE AIRBAGS (cont.)

3) The containers are sent directly to either:



- An airbag waste collection facility in the US, (a facility that collects and stores airbags waste for more than 10 days and is under the control of a vehicle manufacturer or authorized representative);
- or
- under the control of an authorized party administering a remedy program in response to a recall under the NHTSA;
- or
- a designated facility used for treating, storing, or disposing of hazardous waste

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Waste Disposal – DEFECTIVE AIRBAGS (cont.)

- 4) the **transport** of waste airbags must **comply with US DOT and NYSDEC Part 364 regulations**;
- 5) auto dealers must **keep shipping records and confirmation of receipt for 3 years**, including all records showing that the airbags were shipped to an authorized facility;
- 6) Reuse of recalled defective airbag is prohibited under 40 CFR 261.2(g) (i.e. sham recycling)



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Waste Disposal – NON-DEFECTIVE AIRBAGS

Auto dealers must follow the provision described above to manage non-defective air bags. However NYSDEC, gives the following options, provided that the non-defective airbags are safe to deploy:

- 1) ND Airbags can be deployed while still installed in a vehicle that will be recycled for scrap metal value. This is considered an exempt treatment.



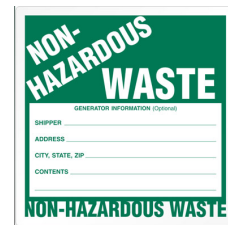
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Waste Disposal – NON-DEFECTIVE AIRBAGS (cont.)

- 2) Auto dealers that are (CESQGs), including the weight of the waste airbags, can deploy airbags in accordance with manufacturer and safety guidelines. In this case, ND Deployed airbags are NOT considered hazardous waste, but only ordinary solid waste.
- 3) Auto dealers that are SQGs or LQGs can only deploy airbags if the airbags are directed for metal recycling under the hazardous scrap metal exemption and they deploy the airbags in accordance with manufacturer and safety guidelines. If an SQG or LQG auto dealer wants to send the waste airbags for recycling, they must [submit a notification](#) to DEC **prior** to deploying the airbags.



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■ Special NYC Session:

- NYC Right-to-Know Filings are Due March 1st, prepare submissions now
- NYC Annual Energy Benchmarking are Due May 1st
- Introduction of new greenhouse gas limits by 2024

THESE TOPICS APPLY ONLY TO NYC DEALERS – PLEASE STAY ON THE WEBINAR UNTIL THE END FOR OUR Q/A SESSION

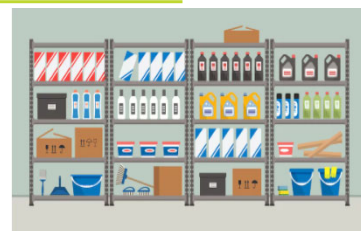
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NYC Right-To-Know (RTK)

- The NYCDEP regulates the storage, use and handling of hazardous substances, extremely hazardous substances and regulated toxic substances through its Community Right-to-Know (RTK) Program
- Auto dealers might require RTK filing due to their use of chemicals above regulated thresholds. Some of these reportable chemicals include:
 - Motor Oil, Brake Fluid, Antifreeze
 - Paints, Paint Thinners, Lacquers, Dyes
 - Cleaning Supplies, Bleach, Wax, Solvents, Detergents
 - Lubricants, Grease, Degreasers



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NYC Right-To-Know (RTK)

- All New York City dealerships must submit annual Hazardous Materials Inventory to NYCDEP and NYCFD by the following **March 1st** for the proceeding year
- Electronic filing option (saves \$\$, recommended)
- If you filed once you are in their database and can then easily receive a Notice of Violation if you don't file again annually

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NYC Right-To-Know (RTK)

- Walden has been performing Right-to-Know filings for clients for 25 years
- Walden can coordinate with the regulatory agency on your behalf and provide required facility inspections
- If you have not filed on time or have a violation, it is important to take action as quickly as possible

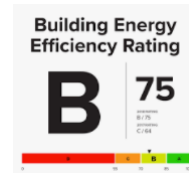
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NYC Energy Benchmarking Requirements

- New York City Local Law 84 of 2009 (LL84) enacted requirements to benchmark the energy and water use of city buildings →
- LL84 applies only to *covered buildings*, as defined by NYC
 - Buildings included in this definition are:
 - >50K gross sq. ft. (GSF)
 - 2 or more buildings on the same lot w/ >100K GSF
 - 2 or more condominium buildings that, when combined, exceed 100,000 GSF
- Walden completes all required annual data entry, agency coordination, and reporting to remain in compliance



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NYC Energy Audits and Retro Commissioning -Requirements

- NYC LL87 mandates that buildings over 50,000 gross square feet undergo periodic energy audit and retro-commissioning measures. How to comply:
 - Conduct an energy audit and retro-commissioning of base building systems
 - submit the Energy Efficiency Reports (EER) to the City by December 31 of the year they are due, once every ten years

Year first EER is due	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Last digit of tax block number	3	4	5	6	7	8	9	0	1	2

EXEMPTIONS: buildings that

- Earned a [\(EPA\) ENERGY STAR®](#) certification for at least 2 of the 3 years prior to filing the EER,
- Earned a [LEED](#) certification for existing buildings within 4 years prior to filing the EER,

VIOLATIONS: \$3,000 first year, \$5,000 for each subsequent year.

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How Mandates Will Affect Your Facilities

- Local Law 97 of 2019 intends to **achieve greenhouse gas (GHG) emission reductions of 40% by 2030** when compared to the recorded 2005 emissions
- In order to meet the requirement of **40% GHG reduction by 2030**, owners and managers of buildings should begin evaluating how they can modify their operations
- Buildings should be inspected to determine all sources of GHG emissions and document which fuel sources are used for building operations



Local Law 97 Applicability.

- A. Building > 25,000 sq ft
- B. 2+ buildings (same lot) > 25,000 sq ft
- C. 2+ condo buildings (same manager) > 50,000 sq ft

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How Can Dealerships Reduce GHG Emissions?

1. *Evaluate where energy is being wasted.*
 - Are lighting systems being used unnecessarily during non-working hours?
 - Are machines operating efficiently? Lack of maintenance or faulty parts can lead to higher energy consumption.
 - ...and many more
2. *Evaluate where controls and sensors can be installed to save energy when features are not being used*
3. *Employ more efficient and/or renewable energy technologies to emit less GHGs*



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QUESTIONS?

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