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Environmental Compliance and Pollution Prevention

You may not realize it but pollution is a drain on you and your company's resources. Permit fees for air emissions, solid, and hazardous waste disposal have increased over 50% in the past two years. Add this to the costs of disposal and you have a major expenditure.

Pollution Prevention means more than complying with state and federal environmental regulations.

Preventing pollution before it is ever created greatly improves a business' profit by both reducing pollution and creating efficiency.

A few ways to prevent pollution include:

- Using toxic free materials
- Reducing the use of water and chemical inputs
- Conserve and reduce energy requirements
- Implement recycling for all types of waste

- Modifying the manufacturing process
- Replacing equipment with newer "green" equipment
- Reformulating the product
- Timely housekeeping
- Scheduled maintenance of existing equipment.
- Selling waste products instead of paying to dispose waste.

Pollution Prevention should be an integral part of a company's Environmental Management Plan.

All Appropriate Inquiries

More and more Phase I Environmental Site Assessments (ESAs) or *All Appropriate Inquiries* are required by lending institutions before closing on a commercial real estate loan. ESAs are prepared in accordance with ASTM Standards. The USEPA (US Environmental Protection Agency) has a proposed rule for ESAs that will be more stringent when it becomes final.

The need for ESAs began in 1980 when Congress enacted CERCLA (the Comprehensive Environmental Response, Compensation & Liability Act) or Superfund Act. This

Act imposes financial blame for hazardous contamination upon the present property owner, even if the contamination occurred several years ago. Consequently, if the present property owner finds evidence of a hazardous waste or petroleum spill, he/she is financially responsible for the remediation, although the pollution did not occur during his/her ownership.

A good example is the discovery of an old underground storage tank on the property that, due to the tank's age, is not recorded on any existing

underground storage tank database. The present owner must pay for the underground storage tanks' removal and for the remediation of any contamination if the tank leaked its contents into the surrounding soil and groundwater.

An ESA report will give the prospective buyer the environmental condition of the property and provide the present landowner a defense that the prospective buyer has made an "all appropriate inquiry" into the property's environmental history.



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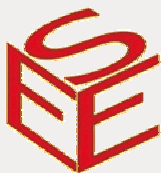
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Environmental Permits

What activities require a permit from your state's environmental regulatory department? Does your business emit air emissions or need a storm water permit? Do you know if these emissions require a state or federal permit? If you do have a permit, is it in compliance?

An example of an activity

that requires an NPDES Storm Water Permit is a construction site that involves clearing, or grading which disturbs more than one acre.

A Notice of Intent (NOI) must be filed prior to any construction activity. Along with the NOI, a site-specific Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented.

After receiving permit coverage, it is the duty of the permittee to maintain records of site checks and repairs. These records must be maintained for a minimum of three (3) years. If any emergency arises that impacts the waterways, the regulatory agency must be notified immediately.

Hazardous Air Emission Rule Reopened

The final rule for the USEPA's National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters has been

reopened for public comment. EPA is requesting additional public comment on the method that a facility owner may demonstrate compliance based on

health-based alternatives.

Detailed information and instruction for public comment are on EPA's website, www.epa.gov.

About Our Company

Earth Science Engineering, LLC (ESE) is a Tennessee owned and based company with offices in Clarksville and Nashville. Since 1995, we have been providing professional geotechnical engineering, environmental consulting, and construction materials

testing services throughout Tennessee and Kentucky.

With ESE, you have an efficient means of achieving your project goals in an efficient and cost-effective manner.

Whether you have

questions about what's below the earth, its environmental condition, or the quality of what's built on it, Earth Science Engineering, LLC can provide the answers.

Please contact one of our offices to see how we can get those answers for you.

Truth or Scare?

An Urban Legend is a story that is usually outrageous but considered to be true. Thanks to the internet the tales are circulated widely and quickly. However, once in a while, one story actually proves to be true. Here are a couple of stories that have been circulated on the internet. Can you tell the true story from the tale? The answer will be in the next issue of *ESE News*.

Exxon's Seals

The average cost of rehabilitating a seal after the Exxon Valdez oil spill in Alaska was \$80,000. At a special ceremony, two of the most expensively saved animals were released back into the wild amid cheers and applause from onlookers. A minute later, in full view, they were both eaten by killer whales.

Killer Cactus

In Southern Arizona, a guy went target practicing with his shotgun, shooting at signs and whatever he could find. He discovered that shooting cacti was a lot of fun. The cactus would either explode or topple over. Southern Arizona grows the large cacti you see in the old westerns. Called saguaros, they grow over 25 feet tall and live to be a two hundred years old. As he stood within a few feet of a giant old cactus, he blasted a few holes in its giant trunk. It gave way and fell right on top of him. His friends found him dead, crushed and impaled with nail-like spikes.