

5.G.3 POLLUTION PREVENTION

FAA Order 1050.1E, *Environmental Impacts: Policies and Procedures, Appendix A, Section 10, Hazardous Materials, Pollution Prevention, and Solid Waste*, states that the RCRA, as amended by the Federal Facilities Compliance Act of 1992, governs the generation, treatment, storage, and disposal of hazardous wastes. The CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA or Superfund) and the Community Environmental Response Facilitation Act of 1992 provide for consultation with natural resources trustees and cleanup of any release of a hazardous substance (excluding petroleum) into the environment.

Executive Order 12088, *Federal Compliance with Pollution Control Standards*, as amended, directs Federal agencies to comply with applicable pollution control standards in the prevention, control, and abatement of environmental pollution; and consult with the USEPA, state, interstate, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution. Executive Order 12580, *Superfund Implementation*, as amended by Executive Order 13016 and 12777, delegates most response authorities to USEPA and USCG for abatement.

Executive Order 12856, *Federal Compliance with Right-to-Know Laws and Pollution Prevention*, requires Federal agencies to report, in a public manner, toxic chemicals entering any waste-stream from their facilities, including any releases to the environment. This is required to ensure that generated waste is recycled to the maximum extent practicable, as well as to ensure that any remaining wastes are stored, treated, or disposed of in a manner protective of public health and the environment. This is further required in an effort to improve local emergency planning, response, and accident notification. Finally, the requirement is designed to encourage markets for clean technologies and safe alternatives to extremely hazardous substances or toxic chemicals through revisions to specifications and standards, the acquisition and procurement process, and the testing of innovative pollution prevention technologies at Federal facilities or in acquisitions.

The Pollution Prevention Act of 1990, encourages looking at waste more broadly with a view towards reducing pollution. All pollutants are to be minimized and waste creation is to be controlled, not just during the production process, but also in the design of products that will have less impact on the environment while in use and after disposal.

Section 10.2a of FAA Order 1050.1E, Appendix A, states that, in regard to pollution prevention with proposed actions, the FAA must comply with the applicable pollution control statutes and requirements, as listed in Appendix 2 of FAA Order 1050.10B, *Prevention, Control, and Abatement of Environmental Pollution at FAA Facilities*, as amended by FAA Order 1050.10C. These requirements include, but are not limited to the following:

- National Environmental Policy Act; 42 U.S.C. 4321-4347
- Chemical Safety Information, Site Security and Fuels Regulatory Relief Act Public Law 106-40, Jan. 6, 1999; 42 U.S.C. 7412(r), Amendment to Section 112(r) of the Clean Air Act
- Clean Air Act; 42 U.S.C. s/s 7401 et seq.
- Clean Water Act; 33 U.S.C. ss/1251 et seq.
- Comprehensive Environmental Response, Compensation, and Liability Act 42 U.S.C. s/s 9601 et seq.
- Emergency Planning & Community Right-To-Know Act; 42 U.S.C. 11011 et seq.
- Endangered Species Act; 7 U.S.C. 136; 16 U.S.C. 460 et seq.
- Federal Insecticide, Fungicide and Rodenticide Act; 7 U.S.C. s/s 135 et seq.
- Federal Food, Drug, and Cosmetic Act 21 U.S.C. 301 et seq
- Food Quality Protection Act Public Law 104-170
- Freedom of Information Act; U.S.C. s/s 552
- Occupational Safety and Health Act; 29 U.S.C. 651 et seq.
- Oil Pollution Act of 1990; 33 U.S.C. 2702 to 2761
- Pollution Prevention Act; 42 U.S.C. 13101 and 13102, s/s et seq.
- Resource Conservation and Recovery Act; 42 U.S.C. s/s 321 et seq.
- Safe Drinking Water Act; 42 U.S.C. s/s 300f et seq.
- Superfund Amendments and Reauthorization Act; 42 U.S.C. 9601 et seq.
- Toxic Substances Control Act; 15 U.S.C. s/s 2601 et seq.
- Atomic Energy Act; 42 U.S.C, Sections 2014, 2021, 2022, 2111, 2113, 2114
- Federal Land Policy and Management Act; 43 U.S.C. Section 1701 et seq.
- Federal Water Pollution Control Act; 33 U.S.C. Section 1251 et seq.
- Hazardous Materials Transportation Act; 49 U.S.C. Section 1801 et seq.
- Lead Based Paint Exposure Reduction Act; 42 U.S.C. Section 2681 et seq.
- Noise Control Act; 42 U.S.C. Section 4901 et seq.
- National Historic Preservation Act; 16 U.S.C. Section 470 et seq.
- Archaeological Resources Protection Act; 16 U.S.C Section 470
- Nuclear Waste Policy Act; 42 U.S.C. Section 10101 et seq.
- Solid Waste Disposal Act; 42 U.S.C. Section 6901 et seq.
- Fish and Wildlife Coordination Act; 16 U.S.C Section 661 et seq.
- Coastal Zone Management Act; 16 U.S.C. 1455 et seq.
- Energy Policy Act; 42 U.S.C. 13211-13219 et seq

Chapter 27 of the *Broward County Code of Ordinances* addresses pollution control. The Pollution Prevention Section, created in 1992 as part of BCDPEP Pollution Prevention and Remediation Programs Division, is responsible for the development and implementation of a countywide pollution prevention program, including recommendations for regulatory changes.¹⁹⁸

Pollution prevention is simple in concept – the best way to manage pollution is to use raw materials and manufacturing technologies that minimize emissions, discharges, and wastes. It means curtailing pollution before it happens. The Broward County Environmental Protection Department (EPD) believes this philosophy is the key to the successful implementation of any environmental management program. The department's Mission Statement is:

"To provide public outreach, regulatory compliance and environmental remediation programs in partnership with the regulated community and the general public, that have a primary focus on pollution prevention and control and are designed and managed so as to preserve, protect and restore Broward County's natural resources."

Pollution prevention through waste minimization is Broward County's preferred approach because it can reduce the expense of waste(s) management, minimize potential future liabilities, and provide greater protection of public health and the environment. Once all source reduction and recycling options have been exhausted, various treatment processes and technologies may be employed to reduce or remove levels of pollutants/waste(s) to acceptable levels prior to disposal and/or discharge to the environment.

Waste minimization methods are divided into two primary categories: source reduction and recycling (on- and off-site). Source Reduction is the preferred option and is defined as any activity that prevents or reduces the generation of waste(s). The use (directly use waste(s) in a different process), reuse (directly reuse waste in the same process), or reclamation (recover or regenerate a component for reuse) of waste materials constitutes recycling.

¹⁹⁸ *Frequently Asked Questions for sections within* (Pollution Prevention and Remediation Division. Internet web site: <http://www.broward.org/ppi01800.htm#BrowardBCDPEP>, Last Revision: n.d.

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