NH Green Yard Program for Auto Salvage Yards

Successes & Challenges

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1999- 2002: Auto Salvage Becomes Priority

• Became clear auto salvage industry needed attention…
  – Frequent complaints--Air, Water, & Waste Violations
  – Many contaminated sites due to spills / leaks—MtBE, etc.
  – Regulatory confusion--internal & external: “Who does what?”
  – Lack of environmental awareness within the industry

• NH’s unlined landfill closure program was winding down…
  – Seen as an opportunity to eventually shift resources to new sector
  – DES began designing program to improve environmental performance at auto salvage yards
Step #1: Industry Fact Finding

- Established Stakeholder Work Group
- Random site visits throughout the state
- Baseline questionnaire in 2002
  - Gathered data re: scope of activities, size, typical work practices
- Other research—
  - Existing applicable regulations
  - Industry economics
  - Information from other States
  - Contaminated sites info
Profile of Auto Recyclers in N.H.

- Family owned / passed down to next generation

- Less than:
  - 5 employees
  - 5 acres of land
  - 500 vehicles stored / processed yearly

- Multi-function
  - auto body / repair / service
  - auto sales
  - towing yards

- Poor operating practices, for example...
25% - 30% reported they dismantled vehicles outside over bare ground
Less than 15% reported using leak containment systems for fluid storage.
Less than 10% reported protecting the ground when crushing.
Over 75% reported improperly stored tires.
Many had no standard operating procedures, resulting in very poor housekeeping practices and inability to access, inspect and manage inventory.
Obstacles to Changing Behaviors

- Lack of Effective Communication
  - Literacy issues
  - No Internet
  - Lack of Trust (2-way)
- Generational Issues / “Always done it that way…”
- Lack of Environmental Awareness & Stewardship
- Lack of Resources / Funds
- “Unfair Competition” / “What’s in it for me?”
- Nature of work can be physically challenging
- Regulatory Confusion (State ↔ Local)
Step #2: Two Phase Strategy to Overcome Obstacles

• **Phase I—Education & Compliance Assistance**
  – Improve environmental awareness
  – Build a working relationship with the industry
  – Provide compliance information & tools
  – Instill pride and show benefits of being “green”

• **Phase II—Compliance Assurance**
  – Shift burden for compliance assurance from DES to the facility and other stakeholders
  – Build better system of accountability
Phase I: Education & Compliance Assistance

- Develop and teach Best Management Practices (BMPs)
  - Guide sheets, videos, workbooks, postcards, other tools
  - Training workshops— operators, town officials, consultants
  - Compliance assistance tools: labels, evacuators, drip pans, etc.

- Confidential on-site technical assistance by P2

- Pilot program to recognize yards that go “beyond compliance” (Certified NH Green Yard)
Phase II: Compliance Assurance

- Owner self-inspects & certifies compliance, using workbook / checklist
- DES inspections: random & target
- Enforcement & penalties: Highly visible
- Institutionalize the “beyond compliance” recognition program (Certified Green Yard Program)
That WAS the plan, but it detoured…

• 2002—Massive staff reduction in SW Program
  – Remember the unlined landfill staff?---Gone
  – Limped along slowly with Phase I
  – No staff to implement Phase II effectively

• New Legislation—New Opportunities?
  – 2007---Requires Town Officials to have operators certify compliance with BMPs when applying annually for a required local “License to Operate a Junkyard”
  – 2008---Requires DES to establish a General Permit for Auto Salvage Yards and Auto Crushers
    • Permit conditions = BMPs
    • Process similar to federal Storm Water Permitting Process
Good news… now all players are off the bench & in the game

• BMPs are the center of new three way partnership
  1. State Government---DES
  2. Town Government
  3. Salvage Yard Operators

• Will it work?
  – Time will tell ---we’re in a transition phase
  – Opportunity for players to communicate & work better…
    • DES lacks resources to inspect and enforce
    • Town officials can help monitor conditions & screen complaints
    • Facility Operators are now accountable to both DES & Town
    • Local Licenses & State General Permits are linked to maintaining BMP compliance
    • Environmental performance expectations are more clear
    • Everyone is starting to talk and compare notes…
Performance Measurements

What have we accomplished?
2005 - 2006: Inspected 180+ facilities

- Evaluated compliance with BMPs in 9 major topic categories:
  - Fluid Management
  - Greasy Oily Parts Storage
  - Battery Management
  - Scrap Tire Management
  - Freon / Refrigerant Recovery
  - Wastewater Discharge
  - Crushing Practices
  - Site Control / Housekeeping
  - Other Concerns

- Issued BMP “Report Card” on spot
- Owner is expected to correct problems
2005-2006 BMP Inspection Results

• 30(+/−) facilities got a “passing grade” in each of the 9 BMP categories

• Typical problems at the other facilities:
  – Fluid Management, e.g. draining & storage
  – Failure to clean up and report spills / leaks
  – Oily, greasy parts storage
  – Freon / refrigerant recovery
  – Excess accumulations, e.g. tires, vehicles, parts
  – Paper work, e.g. tank and burner registrations, record keeping

• 12(+/−) facilities were directed to do remedial work due to spills and leaks
(Some) Measurable Improvements since 2002 baseline survey…

- Many yards have voluntarily made capital improvements… *buildings, pads, new equipment*
- 50% improvement in # of yards storing gasoline under a roof
- 62% improvement in # of yards storing gasoline inside secondary containment
- 23% improvement in # of yards properly storing tires
- 20 yards became *Certified NH Green Yards*
2005-2006 Inspection Results

• Despite some measurable improvements since 2002 baseline survey:
  – Less than 15% of the facilities are compliant in all 9 BMP categories, i.e., 85+% of the yards are not in full compliance
  – Less than 35% of the facilities are fully compliant with fluid management BMPs
  – In remaining 8 BMP categories viewed separately, there is 70+% compliance
The data show some facilities are doing a good job with some BMPs, but very few facilities are doing a good job with all BMPs.
Other Performance Measurements

• 20 yards became *Certified NH Green Yards* in 2006 during pilot program

• Re-visited yards in 2007
  – Results were disappointing
  – Backsliding: non-compliance with BMPs
  – Need to find ways to assure sustainability
Success or Failure?

– Education alone was never expected to be enough

– Phase II is just starting
  • Inspections
  • Enforcement / Penalties

– Challenges in Phase II
  • Lack of resources to conduct inspections & pursue enforcement actions
  • Internal resistance to cross-program enforcement actions
  • Reluctance to “cease & desist” operations
  • Database weaknesses
  • Seasonal constraints
Need to Continue Educating All Stakeholders

- Local Licensing & Code Enforcement Officials
- Salvage Yard Operators
- Consumers
  - Citizens
  - Vehicle Owners
  - Insurance Companies
  - Dealers
  - Fleet Managers, etc.
- Environmental Consultants
- DES staff
Future Education Efforts

• Additional regional BMP workshops
  – Fluid Management
  – Cleaning Up & Getting Organized
  – Establishing Standard Operating Procedures (Benefits)
  – Material Handling & Inventory Control
• (Possible) Mandatory operator training & certification as a condition of the General Permit
• Annual training for municipal officials
• On-line interactive training
• Consumer education
  – Posters
  – Vehicle registration flyers
Thank you.