

Veolia North America - Industrial Business Regulatory Update - September 2020

ENVIRONMENTAL UPDATES

No Environmental Updates for September 2020

TRANSPORTATION UPDATES

- A. [FMCSA; Waiver in Response to the COVID-19 National Emergency – For States, CDL Holders, CLP Holders, and Interstate Drivers Operating Commercial Motor Vehicles; Extension of Waiver](#)

HEALTH & SAFETY UPDATES

- B. [Cal/OSHA; Cal/OSHA will create emergency COVID workplace safety rules; Interim General Guidelines](#)
- C. [States that have Adopted COVID-19 Regulations](#)

MISCELLANEOUS UPDATES

- D. [NRC; Instructions for Completing NRC's Uniform Low-Level Radioactive Waste Manifest; NUREG; clarification](#)

A. Waiver in Response to the COVID-19 National Emergency – For States, CDL Holders, CLP Holders, and Interstate Drivers Operating Commercial Motor Vehicles; Extension of Waiver

Agency

Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT)

Dates

Published Date: 9/18/2020

Effective Date: 10/01/2020

Expiration Date: 12/31/2020

Summary

The FMCSA has announced an extension to the waiver that allows drivers to continue operating commercial motor vehicles with expired CDLs, CDL permits and DOT medical exams.

- CDLs and CDL Permits - Effective beginning October 1, 2020, drivers can continue using an expired CDL and CDL permit until December 31, 2020 as long as they were not expired prior to March 1, 2020.
- DOT Medical Cards -
 1. Medical certifications that expired on or after March 1, 2020 but before June 1, 2020 have been extended until October 31, 2020.
 2. Medical certifications that expired on or after June 1, 2020 have been extended to December 31, 2020

Be sure to check with the local driver's licensing agency to ensure they are following the federal waiver regarding license downgrades and renewals.

Reference/Link

The link below will allow you to view/print this notice of Extension of Waiver.

<https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-09/FMCSA%20CDL%20Waiver%20-%20FINAL%20-%20Sep%2018.pdf>

B. Cal/OSHA will create emergency COVID workplace safety rules

Agency

California Occupational Safety and Health Standards Board (Cal/OSHA)

Dates

Published Date: 9/17/2020

Summary

On September 17, 2020, the California Occupational Safety and Health Standards Board (Cal/OSHA) voted unanimously to begin creating standards that would require employers to take more precautions against COVID-19. The board expects to have the emergency statewide workplace requirements published in a matter of months. Currently, California does have a state provision, originally enacted in 2009, which requires employers to protect California's healthcare workers against the transmission of airborne diseases.

Part of the new standards will be providing employees with training on the following topics:

- Description of COVID-19, symptoms, when to seek medical attention, how to prevent its spread;
- Discussing the employer's COVID-19 policies and procedure;
- How COVID-19 can be spread to others even if by people who do not have symptoms;
- The CDC guidelines related to cloth face coverings;
- Providing tissues, no-touch disposal trash cans and hand sanitizer for use by employees;
- Instructions on washing and sanitizing hands;
- How to avoid close contact with others and minimize sharing personal items; and
- How to safely and effectively use cleaners and disinfectants.

California State has already issued citations to businesses for failing to comply with CA State COVID regulations.

Reference/Link

See the full Cal/OSHA Interim General Guidelines on Protecting Workers from COVID-19 by clicking the following link:

<https://www.dir.ca.gov/dosh/coronavirus/General-Industry.html>

C. States that have Adopted COVID-19 Regulations

Summary

In the absence of a federal standard, many states have proposed, created or adopted a COVID-19 workplace policy. Veolia has covered these topics in past Regulatory Updates for Virginia (July 2020) and Oregon (August 2020). Veolia has also covered the California regulations in this September 2020 issue.

While the specific requirements of each state vary there are common training elements that each business must cover. Some of these training elements include the following:

- A description of how to recognize the signs and symptoms of COVID-19
- A description how COVID-19 is transmitted
- A description of how to follow best hygiene and work protocols to prevent exposure
- A description of proper use and care for PPE and face coverings
- The employees' risk of exposure to SARS-CoV-2 on the job

The following states have proposed, created or adopted a COVID-19 workplace standard:

- California
- Connecticut
- Illinois
- Kentucky
- Massachusetts
- Michigan
- Minnesota
- New Mexico
- New York
- Oregon
- Rhode Island
- Texas
- Virginia
- Vermont
- Washington

Reference/Link

The National Conference of State Legislature has a great database that contains different state bills regarding COVID-19 legislation. Please click the following link to access this database - <https://www.ncsl.org/research/health/state-action-on-coronavirus-covid-19.aspx>

With the rapidly changing state programs we encourage anyone interested to check with the state health and safety authorities to see if COVID-19 training is required for your employees and what the requirements include.

D. NRC; Instructions for Completing NRC's Uniform Low-Level Radioactive Waste Manifest; NUREG; clarification

Agency

Nuclear Regulatory Commission (NRC)

Dates

Published Date: 9/30/2020

Effective Date: 9/30/2020

Summary

In June 2020, the U.S. Nuclear Regulatory Commission (NRC) published NUREG/BR-0204, Revision 3, "Instructions for Completing NRC's Uniform Low-Level Radioactive Waste Manifest." This document provides instruction on how to prepare NRC Form 540 (Uniform Low-Level Radioactive Waste Manifest (Shipping Paper)), NRC Form 541 (Uniform Low-Level Radioactive Waste Manifest (Container and Waste Description)) and NRC Form 542 (Uniform Low-Level Radioactive Waste Manifest (Manifest Index and Regional Compact Tabulation)).

This posting in the Federal Register announces that the use of NUREG/BR-0204, Revision 3 has been delayed. Until further notice, licensees should continue to use NUREG/BR-0204, Revision 2 and the versions of NRC Forms 540, 541 and 542 that were renewed in January 2020, or equivalent, as defined in NRC's regulations.

Reference/Link

The link below will allow you to view/print this notice of delay.

<https://www.govinfo.gov/content/pkg/FR-2020-09-30/pdf/2020-21625.pdf>