

# The Metal Finisher

**NOVEMBER 2003**

## **PRESIDENT'S MESSAGE**

**By: Geoffrey Blake, Drilube/All Metals Processing Of Orange County**

What a wonderful weekend many of us enjoyed at our Fall Outing in Laguna Beach. The Aliso Creek Inn did a great job for us once again, and the weather was picture perfect! Casino Night provided hours of fun, ending with the awarding of prizes for the luckiest "players".

Our Management Seminar held Saturday morning turned out to be a real barn burner! Adam Baillie from Dodge Warren & Peters explained the different options available to us for Workers Comp coverage, and also from Dodge Warren & Peters, Paul Bronson scared our pants off with an explanation of what could happen to us if SB-2 isn't scratched or greatly minimized by Governor Elect Schwarzenegger.

The highlight of the weekend had to be the news from Charlene Baillie. The "reform" of Workers Comp that we had heard from the press...that it should provide only modest savings of 3 or 4 billion, did not tell the whole story. What this new regulation does is return control of treatment to the employer. There's too much detail to provide here, but if we as employers take the proper actions and set up our individual controls under these new requirements...we could be looking at reducing the monies paid out in total medical costs by as much as 50% or even more!

Your Board and your Insurance Committee are working now to put together a comprehensive explanation of how this new law can work to our advantage, and what each of us needs to do in order to maximize the benefit from it.

A final note...our hearts and our prayers go out to all those who are suffering loss in these tragic fires.



**Happy Thanksgiving  
Everyone!**

**MFASC PAST PRESIDENTS**

Bruce U Smith *	1967-69
Francis Odell	1969-71
Carl L Lambert *	1971-73
Richard J Wooley	1973-75
Donald Foss	1975-77
William D Wiggins	1977-78
David Anzures, Sr	1978-80
Stan Golnick *	1980-81
Harry Levy	1981-82
Glenn Fitzgerald	1982-83
Sol Naman, Jr	1983-84
Carl Troncale	1984-86
Larry Foss *	1986-88
William F Searight	1988-90
George Derby	1990-92
Daniel Cunningham	1992-94
Sam Bell	1994-96
Tom Gardner	1996-98
Carol McCracken	1998-00
Bob McBride	2000-01
Ron Leiker	2001-03

**MFASC LIFE MEMBERS**

E.B. Wiggins *	1991
Stanley Foss	1999
Luke Fratello *	1999
Fred Richards *	1999
Bob Searight	1999

**MFASC AWARD OF SPECIAL RECOGNITION**

Randy Solganik	2000
Geoffrey Blake	2003
Daniel Cunningham	2003
M. Dean High	2003
Harry Levy	2003
Bob McBride	2003

**MFASC AWARD OF MERIT**

Sam Bell	2003
Alan Olick	2003

**INSTANT CLAIMS ASSISTANCE  
A NEW MFASC MEMBERSHIP BENEFIT!  
By: Francis Odell, Insurance Chairman**

MFASC has selected M.M. Gallagher to provide first day or first hour professional claims assistance to all of our members, not just members of the State Fund Group. The contact phone number is (714) 447 9449. The first notice to you of this service incorrectly listed the Fax number which should be **(714) 447 9662**. Please correct your file.

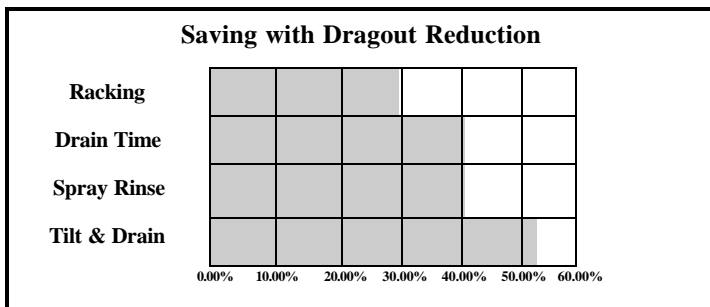
Our reason for providing this critical service to members is simple. Most our members do not have the time to become experts in handling Workers Compensation claims to minimize cost and assist the truly injured employee in getting back to work. Plaintiff attorneys are expensive experts in stretching out the claim with unnecessary medical tests, delaying tactics and litigation. If you are sued, without question, you contact an attorney. If you are seriously ill, you get expert medical advice. If you have a serious (not a band aid situation) claim from an accident or a potentially fraudulent post termination claim, you can expedite closure and minimize ultimate cost by calling M.M. Gallagher to assist you in handling that claim, starting with DAY ONE before it gets out of your control.

Claims people at the insurance company are generally very overloaded with cases so for your own good, you have to do a lot of the detail work of getting the correct information to them promptly which will allow them to concentrate on **YOUR** case first. MFASC has negotiated special reasonable rates for this professional assistance for you. \$100 to \$200 spent now can prevent a much larger uncontrolled later settlement. Litigated cases average over \$40,000 which can increase your XMod and your next years premium by thousands of dollars. Your prompt efforts, with the assistance of M.M. Gallagher, will keep your claim costs down and result in lower ongoing premiums.

**DRAGOUT REDUCTION  
By: Carol McCracken, Pollution Prevention Chair**

Dragout Reduction techniques are one of the most effective methods for pollution prevention and cost savings for metal finishers, according to Patrick Wooliver, noted consultant to our industry, in his remarks during the recent First Steps to an EMS Workshop. Patrick bases this on results of an in depth study of various drag out reduction techniques in an actual plating shop. His analysis included timing drag out hold times for a number of different employees, conductivity records and an analysis of both material costs and wastewater treatment costs.

Tilt & Drain 53.60%  
Spray Rinse 41.80%  
Drain Time 41.20%  
Racking 30.40%



Companies can learn more about Dragout Reduction techniques from our MFASC Video, available in both Spanish and English. More videos are available from the MFASC office for only \$10.00.

**MFASC LIFETIME ACHIEVEMENT AWARD**

David Anzures, Sr.	1999	Glenn Fitzgerald, Sr.	1999	Francis Odell	1999	Carl Troncale, Sr.	1999
Willard Bell *	1999	Donald Foss	1999	Jack Sheer	1999	Richard Wooley	1999
Robert Coombes, Sr.	1999	Dorrance Leiker *	1999	Bert Sherwood	1999		

\* Deceased

## **WHAT YOU MISSED AT THE OCTOBER SEMINAR**

### **PROPOSITION 65 - ALIVE AND DOING WELL**

**By Bernie Moore, Moore Compliance & Training, Inc.**

October's Continuing Education Seminar reviewed the requirements of the CAL/OSHA Hazard Communication Standard and Proposition 65.

Proposition 65 is still alive and doing well. As an example of how healthy it is - look at the Prop 65 settlement results from 2000 through 2002.

#### **Private Enforcers—547 Settlements**

\$23,058,000 Total Settlement: \$1,476,000 Civil Penalty (6.4%) - \$14,057,000 Attorneys' Fees (61%) - \$7,527,000 Other Costs.

#### **Attorney General & DA's—48 Settlements**

\$7,000,000 Total Settlement: \$1,431,000 Civil Penalty (36%) - \$3,800,000 Attorneys' Fees (53%) - \$2,000,000 Other Costs.

#### **TOTAL SETTLEMENTS—595 Settlements**

\$30,309,000 Total Settlements: \$2,906,000 Civil Penalty (9.6%) - \$17,900,000 Attorneys' Fees (59%) - \$9,600,000 Other Costs.

How not to receive a 60 Day Notice (that's when you know you are being sued)? Be in compliance with the regulations and be able to produce 20 pounds of paperwork to prove it. The steps: 1. Ten or more employees? If yes, go to the next step. 2. Do you have any chemicals in the workplace that are on the Prop 65 list? 3. Is there a detectable exposure to any person or is there a discharge occurring? 4. What persons are being exposed (Employees, Community, or Product)? 5. Perform a no significant risk determination. If a business is responsible for a detectable exposure or a detectable is charge to the land or potential source of drinking water - it must comply with Prop. 65's regulatory requirements.

November's Continuing Education Seminar will cover CUPA inspections or hazardous waste generators and on-site waste treatment. The Administrative Enforcement Actions (fines up to \$25,000 each) they are now thinking will also be reviewed.

### **MFASC BOARD REPORT AND ACTION ITEMS**

**By: Daniel Cunningham, Executive Director**

The following are some highlights of the October 24, 2003 MFASC Board of Directors meeting (**November 2003 BOD meeting**):

- The Board approved the October minutes and September financials.
- The Air Quality Committee continues to meet with SCAQMD regarding Rule 1426 and 1469.
- Jerry Desmond, Jr. and Christian Richter will speak at our November 19, 2003 Dinner Meeting.
- MFASC has contacted the LA City Attorneys office to schedule a meeting with regard to the Chrome Plating Task Force.
- The Insurance Committee is setting up a special meeting next month on Workers Comp with Charlene Baillie.
- MFASC Board Members and Past Presidents are meeting with the NAMF Board of Directors on November 14th in Santa Monica.
- The next Board of Directors meeting will be held on Thursday, December 4, 2003 at the Los Angeles Athletic Club.

## MFASC RECEIVES 2003 CLEAN AIR AWARD

By Daniel Cunningham, Executive Director

At the South Coast Air Quality Management District's 15<sup>th</sup> Annual Clean Air Award Ceremony and Luncheon at the Biltmore Hotel in Downtown Los Angeles, the Metal Finishing Association of Southern California received a prestigious 2003 Clean Air Award in the category of "Promotion of Good Environmental Stewardship." Some 56 nominations were received in 6 Clean Air Award categories, this was indeed an honor! The ballroom was filled with over 300 invited guests, including dignitaries from all over Southern California. MFASC President Geoffrey Blake accepted the Award from Los Angeles County Supervisor and SCAQMD Governing Board Member Michael Antonovich.

MFASC was recognized for our very active involvement in the District's groundbreaking "negotiated rule making" process which brought together industry, environmental groups, community groups, technical experts, and CARB and AQMD Staff to develop Rule 1426 – Emissions from Metal Finishing Operations and Amend Rule 1469 – Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations. The District said that MFASC's *"constructive participation throughout the rule development process, and support of the negotiated rule making process, was instrumental in crafting rules which are health protective, while providing flexibility to industry."*

The negotiated rule making process was an intensive 18-month process, involving 12 working group meetings, 14 subcommittee meetings, and several conference calls. This voluntary process was used to draft these two rules by bring stakeholders together to reach consensus on issues before the rule is formally proposed for adoption. Several individuals need to be recognized for their commitment of countless hours and expertise throughout the negotiated rule making process. They are: **Harry Levy**, Gene's Plating Works and MFASC Past Air Quality Chairman; **Geoffrey Blake**, Drilube/All Metals Processing of Orange County; **M. Dean High**, Pacific Environmental Services; **Sam Bell**, Metal Surfaces; and **Alan Olick**, General/Brite Plating. We owe them all our thanks.

As mentioned last month, MFASC had previously received a Clean Air Award in 1992 in the category of "Advancement of Air Pollution Technology" for taking the lead on a chrome plating demonstration project.



MFASC President Geoffrey Blake and Executive Director, Daniel Cunningham accept Clean Air Award on behalf of MFASC.

## MFASC HONORS 8 INDIVIDUALS WITH INDUSTRY AWARDS

By Daniel Cunningham, Executive Director

At the MFASC October 15<sup>th</sup> State of the Association Meeting several individuals were honored with industry awards. MFASC President Geoffrey Blake was the Master of Ceremonies for the evening of both information and fun.

The first award was a gavel plaque, which went to **MFASC Past President Ron Leiker** from Mid-Valley Anodizing for his two years of service as President (2001-2003). The other awards were:

### MFASC 2003 AWARD OF MERIT

*Sam Bell, Metal Surfaces, Inc.  
Alan Olick, General/Brite Plating*

### MFASC 2003 AWARD OF SPECIAL RECOGNITION

*Geoffrey Blake, Drilube/All Metals of O. C.  
Daniel Cunningham, MFASC  
M. Dean High, Pacific Environmental Services  
Harry W. Levy, Gene's Plating Works  
Bob Mc Bride, A. C. Plating, Inc.*



From left: Ron Leiker, Mid-Valley Anodizing - Dan Cunningham, MFASC - Geoff Blake, Drilube/All Metals Processing of Orange County - Harry Levy, Gene's Plating Works - Sam Bell, Metal Surfaces, Inc.

# 2003-2004 CALENDAR OF EVENTS

## MFASC

November 19, 2003

### HEALTH HAZMAT CUPA INSPECTIONS

Stevens Steak House  
City of Commerce  
2:30 p.m.—5:00 p.m.

November 19, 2003

### LEGISLATIVE UPDATE

Stevens Steak House  
City of Commerce  
5:30 p.m.

December 17, 2003

### CONTINGENCY PLANS

Stevens Steak House  
City of Commerce  
2:30 p.m.—5:00 p.m.

January 21, 2004

### CONTINUING EDUCATION SEMINAR

Stevens Steak House  
City of Commerce  
2:30 p.m.—5:00 p.m.

January 21, 2004

### DINNER MEETING

Stevens Steak House  
City of Commerce  
5:30 p.m.

#### For MFASC meeting information call:

MFASC Headquarters

Maria Velarde - (818) 367-0234

## AESF

November 11, 2003

**O.C. BRANCH MEETING**  
JAGERHAUS  
2525 E. Ball Rd.  
Anaheim, CA

December 9, 2003

**O.C. BRANCH MEETING**

January 13, 2004

**O.C. BRANCH MEETING**

February 10, 2004

**O.C. BRANCH MEETING**

March 9, 2004

**O.C. BRANCH MEETING**

June 28-30, 2004

**SURFIN 2004**  
Chicago, IL

#### AESF Workshop information call:

Tom Packman (818) 880-4271

#### AESF meeting information call:

AESF Los Angeles Branch: Tom Packman (818) 880-4271

AESF O.C. Metro Branch: Gene Burman (714) 865-9353

## WORKERS COMP RELIEF? UNBELIEVABLE, BUT TRUE!

By Daniel Cunningham, Executive Director

On October 25<sup>th</sup>, Charlene Baillie brought this Association some very exciting news. The 2003 Legislative Reforms (AB 227 & SB 228) that passed on September 24, 2003 may be a lot more helpful than first thought. There are still several unanswered questions, but we do know a few things, like: new changes take effective immediately; new treatment guidelines based on nationally recognized standards; new guidelines will be "presumed correct" on the issue of extent and scope of treatment; the primary treating physician presumption **will not** apply to cases that fall under the new guidelines; Chiropractic and Physical Therapy limited to 24 visits; and new guidelines apply to **all** dates of injury – **even pre-2003!!!** MFASC is working on an all-day seminar with Charlene Baillie so that Employers will know what they have to do to take advantage of these reforms.

**OCTOBER  
DINNER MTG.  
DRAWING**  
**50/50**  
Sol Naman (\$30)  
Mechanical Metal Finishing

### PROGRESSIVE

Ron Leiker, Mid-Valley Anodizing \$100

Jim Levy, Gene's Plating \$200

Carol Foss McCracken \$100

Victor Rivera, Tec Processing \$100

MARK YOUR CALENDAR

**SUPPLIER SHOWCASE  
2004**

**TUESDAY, FEBRUARY 17, 2004**

# COMPLIANCE CALENDAR 2003 - 2004

2003	DAY	REQUIREMENT	REGULATION/ AGENCY
November	Daily Weekly 1st 1st 1st 1st	Daily Facility Inspections Weekly Facility Inspections Monthly Facility Inspections Monthly WET Season Insp. Monthly Safety Inspections Monthly Fire Extinguisher Check	PBR PBR and Storm Water Storm Water Storm Water Cal/OSHA Cal/OSHA
December	Daily Weekly 1st 1st 1st 1st	Daily Facility Inspections Weekly Facility Inspections Monthly Facility Inspections Monthly WET Season Insp. Monthly Safety Inspections Monthly Fire Extinguisher Check	PBR PBR and Storm Water Storm Water Storm Water Cal/OSHA Cal/OSHA
2004	DAY	REQUIREMENT	REGULATION/ AGENCY
January	Daily Weekly 1st 1st 1st 1st	Daily Facility Inspections Weekly Facility Inspections Monthly Facility Inspections Monthly WET Season Insp. Monthly Safety Inspections Monthly Fire Extinguisher Check	PBR PBR and Storm Water Storm Water Storm Water Cal/OSHA Cal/OSHA
February	Daily Weekly 1st 1st 1st 1st	Daily Facility Inspections Weekly Facility Inspections Monthly Facility Inspections Monthly WET Season Insp. Monthly Safety Inspections Monthly Fire Extinguisher Check	PBR PBR and Storm Water Storm Water Storm Water Cal/OSHA Cal/OSHA

## ANNUAL COMPLIANCE REVIEW CHECKLIST

The following is a list of compliance programs, reports, training programs and other regulatory issues which must be reviewed, amended, updated or checked annually and **documented**. Some of the items on this list do not have a specific review date, so each company must have its own schedule.

Employee Notification of Exposure and Medical Records  
 Annual Compliance Status Report Rule 1469  
 OSHA 300 Log  
 Closure Plan Tiered Permitting  
 Biennial Report (Every two years, even numbered)  
 Annual Update Tiered Permitting  
 Form R SARA Title III  
 Storm Water Annual Report  
 DOT Registration Form  
 Review Injury & Illness Prevention Plan  
 Air Emission Report  
 PBR Annual Update Form  
 Submit Underground Storage Tank Fee Return  
 Storm Water Facility Inspection  
 SB 14 Source Reporting Plan (Plus submitted every 4 years)  
 SWPPP Review  
 Contingency Plan  
 Hazard Communication Training  
 Airborne Contaminants Control Plan  
 Haz Mat Training  
 Forklift Training (Every 3 years)

Cal/OSHA  
 SCAQMD  
 Cal/OSHA  
 DTSC  
 DTSC  
 DTSC  
 EPA  
 SWRCB  
 DOT  
 Cal/OSHA  
 SCAQMD  
 PBR/DTSC  
 BOE  
 SWRCB  
 DTSC  
 SWRCB  
 DTSC  
 DTSC  
 Cal/OSHA  
 DTSC  
 Cal/OSHA

January 1  
 January 1  
 February 1  
 March 1  
 March 1  
 March 15  
 July 1  
 July 1  
 July 1  
 July 1  
 July 1  
 July 1  
 August 1  
 August 25  
 September 1  
 September 1  
 October 1

# NOVEMBER 19 SEMINAR

## HEALTH HAZMAT CUPA INSPECTIONS

### TRAINING SEMINAR

#### *Steven's Steak House*

5332 E. Stevens Place  
Commerce, CA  
(323) 723-9856

**2:30 pm - 5:00 pm**

**\$100 per company**

*For registration information please see the flyer included in this newsletter or contact MFASC Headquarters at (818) 367-0234.*

## MFASC

### OFFICERS

**President**  
GEOFFREY BLAKE  
(714) 828-8238

**Vice President**  
BRIAN WASSELL  
(818) 896-1187

**Secretary/Treasurer**  
JERRY WAHLIN  
(310) 637-1066

**Immediate Past President**  
RON LEIKER  
(818) 845-7708

### COMMITTEE CHAIRS

#### Air Quality

**Energy**  
GREG HALLIGAN  
(714) 996-1601

**Pollution Prevention**  
CAROL McCracken  
(562) 945-3451

**Insurance**  
FRANCIS E. ODELL  
(949) 644-6286

**Legislation**  
WILLIAM D. WIGGINS  
(323) 245-1510

**Membership**  
RON LEIKER  
(818) 845-7708

**NAMF**  
WILLIAM D. WIGGINS  
(323) 245-1510

**Nominations**  
BRIAN WASSELL  
(818) 896-1187

**Orange County**  
GREG HALLIGAN  
(714) 996-1601

**Programs/Seminars**  
WILLIAM F. SEARIGHT  
(323) 776-0598

**Publications / Advertising**  
STEVE CREST  
(626) 339-9091

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JERRY WAHLIN  
(310) 637-1066

**Safety / OSHA**  
BRIAN WASSELL  
(818) 896-1187

**Solid Waste**  
TIM RUMPH  
(818) 785-6090

**Supplier Showcase**  
WILLIAM F. SEARIGHT  
(323) 776-0598

**Water Quality**  
SAM BELL  
(562) 927-1331

**Web Site**  
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(661) 324-5454

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**Visit our web site at  
<http://www.mfasc.org>**

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## NOVEMBER DINNER MEETING - "LEGISLATIVE UPDATE" Wednesday, November 19, 2003

TIME: 5:30 pm Cocktails, 6:00 p.m. Dinner, Program Follows the Dinner  
TOPIC: **LEGISLATIVE UPDATE**  
LOCATION: Stevens Steak House, 5332 E Stevens Place, Commerce, CA; (323) 723-9856  
FEE: **\$30 PER PERSON**

**ACT NOW!** Return this form to: MFASC, P.O. Box 923695, Sylmar, CA 91392-3695. Or phone (818) 367-0234. Or fax (818) 367-0904.

Company: \_\_\_\_\_  
Telephone (\_\_\_\_) \_\_\_\_\_  
Representative(s): 1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Beef	Fish
_____	_____
_____	_____
_____	_____
_____	_____

Enclosed is my check in the amount of:

\$ \_\_\_\_\_