



## New USEPA Regulations for Plating/Polishing and Metal Fabrication/Finishing Operations

Two new rules affecting area sources of hazardous air pollutants were published by US Environmental Protection Agency (USEPA) in July, 2008. An area source is a business having emissions of federal hazardous air pollutants (HAPs) less than ten tons per year of any one and less than 25 tons per year all combined. Both rules only apply to operations that use or emit the target HAPs: Cadmium, Chromium, Lead, Manganese, or Nickel.

Subpart WWWWWW affecting plating and polishing operations was effective on July 1, 2008. This rule (6W) affects the following operations: electroplating or electroforming with pH less than 12; electropolishing; thermal spraying; and dry mechanical polishing. There are some emissions control requirements which are likely already in use by many facilities. Other requirements are based on best-management practices for the particular operation.

Subpart XXXXXX (6X) affecting nine metal fabrication and finishing operations was effective July 23, 2008. The nine metal fabrication and finishing operations affected include: electrical and electronic equipment finishing; fabrication metal products, fabrication plate work; fabricated structural metal manufacturing; heating equipment; industrial machinery and equipment finishing; iron and steel forging; primary metal products

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## Notification Form for Paint Stripping and Miscellaneous Surface Coating Operations

The Small Business Clean Air Assistance Program (SBCAAP) has created an Initial Notification and Notification of Compliance Status Form for operations affected by the paint stripping and miscellaneous surface coating area source rule. The rule, subpart HHHHHH or 6H, was published by USEPA on January 9, 2008.

Any new operations affected by subpart 6H will need to comply and submit the

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Now Available From the Small Business Clean Air Assistance Program...

✓ IN\_NOCS form for Paint Stripping and Misc. Surface Coating

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## New US EPA Area Source Rules

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manufacturing; and valves and pipe fittings. At any one of these operations, five industrial processes are regulated: dry abrasive blasting; dry grinding and dry polishing with machines; dry machining; spray painting; and welding. The requirements cover a range of controls and management practices for each process.

Initial notification is required under each rule, within 120 days of the rule's effective date. The notification form must be submitted to both Wisconsin Department of Natural Resources and EPA's Region 5 office in Chicago. Follow instructions on the form. A form will be mailed to possible affected sources in August or September, and a copy can be found on the Department of Commerce web site when it becomes available: [http://commerce.wi.gov/bd/bd-ca-Air\\_Toxics.html](http://commerce.wi.gov/bd/bd-ca-Air_Toxics.html). Look under Area Source Standards and the date the rule was published for the form and any related information.

New sources with any of these affected operations will need to comply with the rule when they start up the equipment. Existing plating and polishing sources will have two years from the date of the rule to comply while metal fabrication and finishing sources have three years to comply. ❖

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## Paint Stripping and Surface Coating Form

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initial notification and notification of compliance status within 180 days of starting operations. Existing facilities are not required to submit the form until January 11, 2010 for initial notification. The same form may be used by existing sources for Notification of Compliance Status either by January 11, 2010 or no later than March 11, 2011 if the source requires a full three years to comply.

The form can be found on the Air Toxics web page (see link in box below) under Area Source Standards and the heading 1/9/08. The form is provided in both MS Word and Adobe PDF. Read the instructions provided to be sure and complete the correct portions of the form.

The rule allowed for three years to comply because of the painter training requirements. It may take some time for sufficient training resources to be developed. Shops should not wait until the last few months before the compliance due date, in case there is insufficient capacity in local training programs. ❖

**For any US EPA Area Source Rule, SBCAAP will have fact sheets and state specific forms available at [http://commerce.wi.gov/bd/bd-ca-Air\\_Toxics.html](http://commerce.wi.gov/bd/bd-ca-Air_Toxics.html).**

**Other tools may be found from EPA at <http://www.epa.gov/ttn/atw/area/arearules.html#imp>.**

## Changes in the DNR's Recycling Market Directory

The DNR's Bureau of Waste and Materials Management is no longer able to respond to requests for information on recycling markets and market trends. The web-based Recycling Market Directory will be available for use at least through December 2008. DNR is investigating longer term alternatives to providing this important service, and will inform Directory users if other options occur. Although DNR staff are unable to respond to individual information requests, they will add new entries to the Markets Directory.

1. If you are looking for a market for a specific commodity, the Wisconsin Recycling Markets Directory may be of assistance [<http://dnr.wi.gov/org/aw/wm/markets/>]. However, note that the last update to the recycling markets directory was completed in June 2008. The Waste and Materials Management Program is no longer able to make periodic updates to information in the directory.
2. If you are unable to find what you're looking for in the Markets Directory, try the recycling program for your area [[http://dnr.wi.gov/org/aw/wm/recycle/RU\\_Contacts.pdf](http://dnr.wi.gov/org/aw/wm/recycle/RU_Contacts.pdf)]
3. If you would like to be included in the Wisconsin Recycling Markets Directory, complete the survey form [<http://dnr.wi.gov/org/aw/wm/markets/websurv.htm>]. Instructions on how to submit this to DNR are included on the survey form. Please note that the future of the Markets Directory after December 2008 is uncertain.
4. If you are interested in starting or expanding a recycling business, we suggest you start by looking at the Department of Commerce home page "Entrepreneurs and Start Ups" [<http://commerce.wi.gov/BD/BD-EntrepreneursStartups.html>].
5. The University of Wisconsin Extension Solid and Hazardous Waste Education Center (SHWEC) is a resource that can provide assistance in locating markets for recovered materials. Contact Recycling Specialist Joe Van Rossum ([vanrossum@epd.engr.wisc.edu](mailto:vanrossum@epd.engr.wisc.edu) or 608-262-0936) for assistance. ❖

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## Opportunity to Comment on Burdensome State Regulations

The Small Business Regulatory Review Board (SBRRB) serves as a voice for small business and seeks new ways to balance the interests of small business with the need for rules and regulations. On August 27, 2008, the Small Business Regulatory Review Board will meet at the Richard T. Anderson Building at Waukesha Technical College in Pewaukee from 1:00 - 4:30 pm to take testimony from small business owners about rules that create barriers for small businesses.

If you experience economic or other barriers as a result of an unnecessary, overly-burdensome state administrative rules, you are urged to contact the Small Business Ombudsman at (608) 267-0297 or [ComBDOmbudsman@wi.gov](mailto:ComBDOmbudsman@wi.gov) and request that your concerns be heard at this meeting of the Small Business Regulatory Review Board. To learn more about the SBRRB visit their website at: <http://commerce.wi.gov/BD/BD-SBRRB.html>. ❖

# New Requirements to Protect Children from Lead-Based Paint

USEPA issued new requirements on March 31, 2008 to further protect children from exposure to lead-based paint. The requirements apply to contractors who renovate or repair housing, child-care facilities or schools built before 1978. The rule takes effect April 2010.

## ***What are the requirements?***

Contractors will have to be certified and trained to implement lead-safe work practices. The work practices must be used in pre-1978 housing, child-care facilities and schools, including rental and non-rental homes where children under six and pregnant mothers reside. The requirements apply to renovation, repair or painting activities where more than six square feet of lead-based paint is disturbed in a room or where 20 square feet of lead-based paint is disturbed on the exterior. The affected contractors include builders, painters, plumbers, and electricians. Trained contractors must post warning signs, restrict occupants from work areas, contain work areas to prevent dust and debris from spreading, conduct a thorough clean up, and verify the clean up was effective.

## ***Lead health effects***

Lead is a toxic metal that was used for many years in paint and was banned for residential use in 1978. Exposure to lead can result in health concerns for both children and adults. Children under six years of age are most at risk because their developing nervous systems are especially vulnerable to lead's effects and because they are more likely to ingest lead due to their more frequent hand-to-mouth behavior. The new rule requirements are one component of a comprehensive effort to eliminate childhood lead poisoning.

## ***More information***

For more information on the rule you can go to USEPA's web site at: <http://www.epa.gov/lead>. You can also find information there on grants available for lead poisoning prevention activities in communities, lead recalls for toys and children's jewelry, and a lead resource center. You can also call the lead hotline to provide EPA with comments or ask questions: **1(800) 424-LEAD** or 1(800) 424-5323. ❖



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