

Advice & Counsel

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How to Stay in Business-Addressing EPA & RCRA Issues

Dear Advice & Counsel, My company does hard chromium plating. It is a small facility with only one tank, and a rectifier capacity of about 400,000 ampere hours per year (I take a lot of time off). We have received quotes from numerous vendors of scrubbing and de-misting equipment and find that we cannot afford to put in that kind of an investment. Are we doomed, or is there anything else you could recommend?

Signed, The end is near

Dear End,

Your letter and a second from the U.S. Environmental Protection Agency (EPA) crossed my desk just about at the same time. The letter from EPA may be the answer to staying in business. It is reproduced here in its entirety, because it is very significant.

- From: U.S. EPA Office of Air Quality Planning & Standards Research Triangle Park, NC 27711
- To: Mr. Daniel A. Cunningham Executive Director Metal Finishing Association of Southern California 5000 Van Nuys Blvd., Ste. 305 Sherman Oaks, CA 91403

Dear Mr. Cunningham,

This is in response to your July 31, 1997, request to allow very small hard chrome plating companies using fume suppressants for chromium emissions control to demonstrate compliance through surface tension measurements rather than emission testing. Your purpose is to avoid significant expenses that may occur for these sources to construct or modify hood and ventilation systems to allow proper testing to be concluded. In July, you provided some test data and the fume suppressant control efficiency and emission rate from one facility. Based on our request for additional information, you provided data from subsequent tests conducted in November at two facilities. We have now completed a review of all the test data you submitted.

Based on this review, we have determined that limiting the surface tension at certain existing small hard chrome platers will achieve equivalent emission reduction and ensure compliance with the emission limits in our national emission standard. This finding is applicable to other states as well as California. Based on the review of the data provided, we agree with your suggested criteria for a source to be accepted into this category. We have therefore established the following conditions which must be met for a hard chrome plating operation to be considered for a source test waiver:

- 1. The operation must be an existing source (constructed prior to 1993).
- 2. A mist suppressant must be used in the tank to control chromium emissions, and the surface tension must not exceed 45 dynes/cm.
- 3. The facility must not use more than 500,000 ampere hours per year. This will be verified through the installation of a hard-wired, non-resettable, amp-hour meter and a requirement to maintain daily record of usage.

In addition, the operator will have to follow applicable ongoing monitoring and recordkeeping/reporting requirements for surface tension measurements, which are the same as those required of the decorative chrome platers using fume suppressants control technology. The source could operate with or without polyballs, since the source test results demonstrated compliance either way. However, the state or local agency could require the use of the polyballs along with the mist suppressant. The operator will have to submit to the applicable EPA regional office a plan describing the alternative control technology (fume suppressants instead of an add-on control) and monitoring to be used, and a request to waive the performance test requirement. The regional offices will have the authority to perform case-by-case evaluations, to determine whether these waivers can be granted. They will evaluate each case based on the criteria and conditions described above.

I appreciate this opportunity to be of service and trust this information will be helpful to you. If you have any further questions, please contact Lalit Banker at 919/541-5420.

> Sincerely, John S. Seitz, Director Office of Air Quality Planning & Standards

cc: Kingsley Adeduro, Region IX; Mohan Balagopalm, SCAQMD; Lalit Banker, MD-13; Ken Bigos, Region IX; Fred Dimmick, MD-13; Charlie Garlow, OECA; Dean High, PES; Phil Mulrine, MD-13; Robin Segall, MD- 19; Scott Throwe, OECA; Al Vervaert, MD-13; Mark Watkins, CARB; Susan Wyatt, MD-13; Air Directors, Regions I-X. Author's comment: The metal finishing industry owes a debt of gratitude to Mr. Cunningham and the Metal Finishing Association of Southern California for saving many small chromium plating shops a large amount of trouble and money.

Dear Advice & Counsel, My company is about to undergo an RCRA inspection. I've never experienced this event and am wondering what to expect. Do you have a list of frequently encountered violations or problems that I could review to avoid getting into trouble?

Signed Not Been There,

Dear Not,

National Environmental Services (NES), the Washington office of the metal finishing industry, has recently e-mailed to me a "top ten" list of RCRA violations published on the web page of the Environmental Resource Center (http://www.ercweb.com). My thanks to Carolina Asirifi of NES for providing these:

Top Ten RCRA Violations

- 1. Not closing drums. Drums must be closed at all times unless you are adding or removing waste.
- 2. Improperly filling out hazardous waste manifest. Most mistakes occur in block 11 of the manifest.
- 3. Not keeping annual training current for employees that work at accumulation points. It's wise to keep training records for as long as the employee works in the covered area, plus an additional three years.
- 4. Using improper containers that do not meet DOT performanceoriented packaging standards or are not in good condition.
- 5. Old or missing contingency plans. Large quantity generators must have an up-to-date contingency plan that spells out what would be done if there was a hazardous waste spill, fire or explosion, including the location of the emergency equipment and the procedures for emergency response.
- 6. Not manifesting precious metals with a hazardous waste manifest when sent to a reclaimer.

- 7. Forgetting to mark "Hazardous Waste" and the start date on the waste container at the accumulation point.
- Accumulating too much waste at a satellite accumulation point. Once you exceed 55 gallons, you've got three days to move the waste to the accumulation point.
- 9. Accumulating hazardous waste longer than the 90-day limit. The GAC (government advisory committee) and NES are working with EPA to extend this date for an additional 90 days for F006, which is recycled, but until that is accomplished, 90 days is the official limit for large-quantity generators. **Note:** You can request additional storage time from your control authority in emergency cases.
- 10. Mis-classifying hazardous waste as non-hazardous waste or viseversa. The first can result in major fines. The second adds expense to your waste disposal. Disposable wipes, filters and cleaners are

commonly misidentified as non-hazardous.

An 11th commonly cited violation (based on my experience) is improperly labeled drums or labels missing from drums containing hazardous waste.

I hope the above gives you a start, but I highly recommend you become familiar with all of the RCRA regulations as they apply to metal finishing. You can obtain this information, in easy-to-read-and-understand fashion, by purchasing the industry compliance manual titled *Guidance Manual to Environmental Compliance*, available from AESF Publications Sales.

You also should consider attending the next AESF Regulatory Compliance Workshop, which covers the regulations and allows you to ask specific questions. This course includes update sheets for the Manual, as well as the Manual itself. Call AESF at 407/281-6441 for a schedule (ask for Anne Gaither). PESF