



Advice & Counsel

Frank Altmayer, CEF
AESF Technical Director
Scientific Control Laboratories, Inc.
3158 Kolin Avenue
Chicago, IL 60623-4889
E-mail: mfconsultant@msn.com

Strategic Goals: Reality Sets In

Dear Advice and Counsel,
My company performs electro-
polishing in the Chicago area.
While a number of Chicago electro-
plating shops have signed on to the
Strategic Goals program under the
Common Sense Initiative, we have
been on the sidelines, for at least
one obviously good reason—we
can't meet the 98-percent metals
utilization goal, since we remove
metal. Why are we left in the dust?
Can you also provide a status
report as to where the program
currently stands in my region?

Signed,
No "Goalie"

Dear No Goalie,
While we are in the age of instant
communication via FAX, e-mail, and
the telephone, it is surprising and

frustrating that vital information is
still not efficiently disseminated to
those it means/impacts the most.
According to a monthly update I
received, courtesy of Susan Stratton,
of the U.S.EPA, via e-mail
(stratton.susan@epa.gov), the 98-
percent metals utilization goal does
not apply to electropolishing facilities.

As for the program itself, reality
has sunk in, and we are attempting to
deal with it. In your region (5),
representatives of the Chicago POTW,
Addison POTW, Region 5 EPA,
Illinois EPA and industry have had
two all-day sessions over the last six
months, to iron out the vexing
problem of putting together a detailed
program for implementing Strategic
Goals. Because industry signed on to
perform specific tasks, it is not too
difficult to deal with the issues arising
on the industry side. The major issue
is one of companies that have per-
formed a significant amount of goal-
related work prior to 1992 (which is
not credited).

For example, if a company installed
a co-gen system prior to 1992 to
generate their own power, they will
have a very difficult time meeting the
25-percent energy reduction goal. The
real problem lies in the fact that the
other stakeholders (EPA, environmen-
talists, trade union reps.) signed on to
an undefined set of benefits that
industry would derive from belonging
to the program. As a result, almost
any benefit industry suggests be given
to participants must go through a
myriad of "red tape" before approval.
Here is the picture, as best as I see it:

Industry Wish List

The metal finishing industry is faced
with significant expenditures of
funds, in order to participate and be
successful in achieving the Strategic

Goals outlined in the program: 98-
percent utilization of metals, 50-
percent reduction in water usage, 25-
percent reduction in energy consump-
tion, 50-percent reduction in land
disposal of hazardous waste,
(unquantified) reduction in sludge
generation, 50-percent reduction in
metals emissions to air, 90-percent
reduction in organic emissions to air
and water. Companies participating in
this program recognize the economics
involved, and are working with the
local task force to define specific
benefits that would justify the
expenditures. The four most important
of these are:

1. Exemption from MP&M Regulation

Strategic Goals participants (SGPs)
are highly concerned that they will
spend many thousands of dollars
under this program, and two years
later will be faced with spending more
money and/or abandoning some of the
equipment purchased in order to
comply with the as-yet undefined
Metal Products and Machinery
regulations that EPA intends to
propose in the year 2000. SGPs feel
that this issue is the major reason
more companies have not/will not join
the program. The industry has
suggested that SGPs be given an
exemption from regulation under
MP&M, to avoid wasting time,
energy and funds.

In their 1995 proposal of MP&M
regulations, EPA stated a firm
intention **not** to include jobshop
electroplaters under MP&M. Recent
communications from EPA have
indicated that they may change their
mind. This uncertainty causes many
companies to decide it is wiser to save
their funds and wait until 2000 to
determine their course of action.

Free Details: Circle 116 on reader service card.

Status: All members of the Region 5 task group agreed that this uncertainty is not conducive to progress under strategic goals, and have recommended that approval be sought for the granting of either an exemption or a deferral of compliance with MP&M regulations for all companies that are SGPs.

Reality: This benefit to industry must be approved by the other stake-holders.

2. Use of "Equivalency" vs. Hard Numbers

Industry feels that many companies may have a difficult time achieving the exact numerical goal stated in the program. It has been proposed that participants that can show to a third-party auditor that the participant has installed all the necessary equipment and has made all the economically justifiable process changes toward achievement of the goal, but because of past improvements prior to 1992 or for other viable reasons, cannot achieve the numerical goal be granted an "equivalency" to the numerical goal.

Status: The task force unanimously felt this was a viable way to handle the stated situation and recommended approval.

Reality: This cannot be implemented without concurrence on the part of all stakeholders.

3. Reclassification of F-006 Waste

About 50 percent of the metal finishing industry pays approximately 10 times more to dispose of its waste than is necessary. This is because (with a few exceptions) EPA has listed waste from wastewater treatment systems as "hazardous." Such listing leaves any electroplating company that generates a sludge from a wastewater treatment system only two options: Delist the waste and pay 90-percent less for disposal, or dispose of the waste as hazardous and pay the "hazardous" disposal rate.

The impact is more than financial. By disposing of a waste as hazardous, when in reality it is not, an electroplating company can be painted as the generator of large volumes of hazardous waste (as has been done in numerous newspaper articles). This makes them an environmentally "unfriendly" company, when in reality they are not. It also skews the data EPA assimilates and disseminates. How many of those thousands of tons of sludges that are on annual waste-

generation reports are in reality hazardous, only because almost 20 years ago EPA "said so." Very few companies have chosen to delist the waste because the process is expensive, time-consuming and frustrating, because EPA can choose to continue asking for more and different data on a petitioner's application, over and over.

The environment would suffer no deterioration if generators were allowed to test their waste to confirm that it was not hazardous, and then to dispose of it at lower cost. In many cases, this waste would end up in the same landfill. Hazardous and special wastes are often disposed of in the same landfill by the same disposal firm, but at different cost!

Status: The CSI process is now completing a study to determine the current chemical nature of F-006 wastes generated by the metal finishing industry. Following the completion of this study, EPA may decide if reconsideration of listing is warranted.

Reality: While numerous companies generate F-006 waste that is not hazardous by EPA analytical methods, a significant number of companies do generate waste that is hazardous. While industry believes that current analytical characterization of wastes is sufficient to separate the two, EPA apparently has some unpublished criteria for characterizing such wastes, rendering a cloud of confusion over the issue.

4. Extension of Hazardous Waste Storage Rules

Current regulations allow industry to

store hazardous waste for a period of 90 days (180 days under special circumstances). Failure to remove hazardous waste in a timely manner typically results in the requiring of the closure of the storage facility, fines or application of a part B permit. Industry spends hard-earned money to dispose of partially filled containers of hazardous waste, at full-container prices. The ironic part is that the more waste reduction (pollution prevention) a company performs, the more partially filled containers of waste get disposed, wasting more money. Industry feels that this storage period can be increased to 365 days without significant impact on the environment.

Status: Before the region 5 task force was formed, the CSI committee for RCRA issues had already proposed an extension of the F-006 storage period. As of this writing, I believe, a proposal is on the desk for Administrator Browner's signature.

Reality: Until the proposal is made, commented on by all the stakeholders and finalized, another year or more will go by under the old rules. When finalized, all generators will benefit from this modification, whether they are SGPs or not. The SGPs feel that an incentive to become an SGP would be created if the storage rule for SGPs was extended to 365 days. Further, SGPs should be given more storage time than non-SGPs, because their program will reduce waste generation by the stated goal. P&SF