



New Federal Rule



Nine Metal Fabrication and Finishing Source Categories 40 CFR Part 63 Subpart XXXXXX

The U.S. EPA has new requirements to reduce air pollution of compounds of metals such as cadmium, chromium, lead, manganese and nickel from nine metal fabrication and finishing source categories. These compounds pose health risks to anyone who breathes the air when these fumes are present. These compounds are emitted to the air from various operations at metal fabrication and finishing plants.

This is a short summary of things that any affected facility in the nine metal fabrication and finishing source categories must do to comply with the new rule. More details may be found by reading the regulation.

Depending on whether your facility is a NEW SOURCE (commenced construction or reconstruction on or after April 3, 2008) or an EXISTING SOURCE (commenced construction or reconstruction before April 3, 2008) will determine what date you must be in compliance with these new federal regulations.

Does This Rule Apply To My Facility?

The rule applies **ONLY** to area sources where the primary activity of the facility is in one of the following nine source categories:

1. Electrical and Electronic Equipment Finishing Operations (including motor and generator manufacture, and electrical machinery, equipment, and supplies, not elsewhere classified);
2. Fabricated Metal Products;
3. Fabricated Plate Work (Boiler Shops);
4. Fabricated Structural Metal Manufacturing;
5. Heating Equipment, except Electric;
6. Industrial Machinery and Equipment Finishing Operations (including construction machinery manufacturing; oil and gas field machinery manufacturing; and pumps and pumping equipment manufacturing);
7. Iron and Steel Forging;
8. Primary Metal Products Manufacturing; and
9. Valves and Pipe Fittings.

Many facilities perform the metal fabrication and finishing processes addressed by this rule, but are not subject to Subpart XXXXXX unless they are "primarily engaged" in operations which are classified in one of the listed nine source categories. **"Primarily engaged"** means that the facility production of the listed products represents at least 50 percent of the total facility production.

Know Your SIC and NAICS Codes

To check if you are subject to this rule, crosscheck your Standard Industrial Classification/North American Industry Classification System (SIC/NAICS) codes with the SIC/NAICS codes that are subject to this rule and listed at this web link:

<http://www.epa.gov/ttn/atw/area/met-fab-6x-applicability.xls>

A more detailed description of the affected source categories is included in the text of the rule, available at: <http://www.epa.gov/ttn/atw/area/arearules.html>

What Are My Requirements?

The regulation contains requirements for five specific processes, described below. Any of these processes at a facility in one of the nine source categories listed above are subject to requirements. **The requirements only apply when a process uses materials that contain compounds of cadmium, chromium, lead, manganese, and nickel.** Low level use of these metals in the processes may be exempt.

1. **Dry Abrasive Blasting**: Most dry abrasive blasting operations must be enclosed, with a filtration control device. Large objects (> 8 feet) may be blasted without control devices. Small "glove box" operations have lesser requirements.
2. **Dry Grinding and Dry Polishing with Machines**: Emissions must be captured and vented to a filtration control device, and dust in the surrounding areas must be minimized, as practicable.
3. **Dry Machining**: Dust in the surrounding areas must be minimized, as practicable.
4. **Spray Painting**: Spray paint must be applied with high volume low pressure (HVLV) spray guns (or equivalent), workers must be properly trained, and spray guns must be cleaned properly. Most spray painting of objects < 15 feet must be performed in a booth with filters to capture metal particulates. Note: Spray painting operations painting objects > 15 feet, or spray painting any objects in the Fabricated Structural Metal source category are not required to comply with the paint booth and filter requirement.
5. **Welding**: Welding operations must implement one or more of the following management practices to minimize emissions, as practicable, and in accordance with sound welding engineering principles while maintaining weld quality: (i) Use welding processes with reduced fume generation capabilities; (ii) Use welding process variations which can reduce fume generation rates; (iii) Use welding filler metals, shielding gases, carrier gases, or other process materials which are capable of reduced welding fume generation; (iv) Optimize welding process variables to reduce the amount of welding fume generated; and (v) Use a welding fume capture and control system.

Are There Any Monitoring Requirements?

The regulation requires periodic monitoring for some operations. Visible emissions monitoring using Method 22 is required for abrasive blasting performed on large objects (i.e., greater than 8 feet in any dimension) that is not performed in an

enclosure vented to a filtration control device. If visible emissions are detected, corrective actions are required until the visible fugitive emissions are eliminated.

Visible emissions monitoring using Method 22 is also required for welding operations. Welding operations that only use small amounts of rod or wire that contains any of the five metals may be exempt. If visible emissions are detected, corrective actions are required until the visible fugitive emissions are eliminated. However, if visible emissions from welding operations are detected more than one time in a year, opacity testing using Method 9 is then required. An opacity reading of more than 20 percent then results in the requirement to prepare and implement a site-specific welding emissions management plan.

What is Method 9 and 22?

For Method 9, see: <http://www.epa.gov/ttn/emc/methods/method9.html>

For Method 22, see: <http://www.epa.gov/ttn/emc/methods/method22.html>

Do I Need to Submit Anything?

1. Yes. Existing sources must submit an **Initial Notification by July 25, 2011** and must submit a **Notification of Compliance Status report by November 22, 2011**. New sources must submit the Initial Notification and Notice of Compliance Status report immediately unless it has not been 120 days since your initial startup date. You must submit both before the 120 days passes.

Please note that every facility in one of the nine source categories must submit an Initial Notification whether or not any process at the facility is subject to the standards and management practices.

2. Annual certification and compliance reports (ACCR) must be prepared and submitted for each affected source. The first ACCR must cover the reporting period beginning the day after the compliance date (depending on if you are a new or existing source) through December 31. Each subsequent ACCR period shall be from January 1- December 31. The ACCR is not to be submitted any later than January 31 and should be kept in a location for an inspector to review. In addition, if any exceedence has occurred during the year, included the exceedence report along with the ACCR no later than January 31 and postmarked before then.

For complete details of what the reports must include see section 63.11518 on page 43006 in the Federal Register/Vol.73, No. 142/ Wednesday July 23, 2008/Rules and Regulations.

Still Have Questions?

Please talk to your local environmental contact for more details and assistance. These web links to government contacts are a good place to start:

http://www.epa.gov/ttn/atw/area/regional_contacts.pdf

<http://www.smallbiz-enviroweb.org/Contacts/sbosbeap.aspx>

**Note: NMED Air Quality Bureau plans to take official delegation of authority from the U.S. EPA by mid August 2009.*