



## Finishing Facilities Impacted by International and State Regulations



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### Industry Comments on European Restrictions

Restrictions imposed on the use of metal by the European Union (EU) continue to have significant impacts on global finishing markets and domestic surface finishing operations. As finishing facilities search for feasible alternatives to banned metals such as hexavalent chromium, cadmium and lead, the EU has recently begun to consider a variety of exemptions to the restrictions where feasible substitutes are not yet available.

The industry just submitted comments to the EU in support of one such proposed exemption that would allow the use of hexavalent chromium plating for electrical and electronic equipment under the so-called Waste Electrical and Electronic Equipment (WEEE) and Restrictions on Hazardous Substances (RoHS) directives. The comments noted that the exemption was necessary because no feasible finishing alternatives to hexavalent chromium provide the same corrosion protection and good electrical conductivity needed for electrical and electronic equipment. In addition, because such equipment works better and lasts longer with the use of hexavalent chromium plating, the exemption would help to minimize the generation of waste electrical and electronic equipment.

The EU has not yet announced when it plans to take final action on the proposed exemption, so Government Relations will continue to monitor these activities and provide updates as appropriate. A copy of the industry's comments can be found on the NASF website at [www.nasf.org](http://www.nasf.org).

### Indiana OSHA Implements Settlement on Hexavalent Chromium Workplace Exposure Limit

In November 2006 the industry negotiated a settlement with federal OSHA, Public Citizen and the labor unions regarding the new hexavalent chromium workplace exposure standard. States with authorized OSHA programs needed to take affirmative actions to implement the terms of the settlement agreement in their states. As a follow up to the settlement, the Indiana OSHA announced a new enforcement policy effective January 26, 2007 to implement the terms of the settlement agreement.

Under its enforcement policy, Indiana OSHA states that it will not issue any citations for violations of the new hexavalent chromium workplace exposure standard until March 27, 2007. All facilities under the jurisdiction of Indiana OSHA have until March 27, 2007 to submit a declaration form to opt-into the alternative enforcement policy. Employees exposed to hexavalent chromium levels over the limit of 5 ug/m<sup>3</sup> would not have to wear respirators in exchange for accelerated implementation of engineering controls (*i.e.*, by December 31, 2008). The enforcement policy is substantially similar to the terms of the federal OSHA settlement agreement with the surface finishing industry.

The alternative enforcement policy is available to all members of the NASF with facilities in Indiana. For more information about this enforcement policy, contact James Moore, Director of

Industrial Compliance, Indiana OSHA ([jmoore@dol.IN.gov](mailto:jmoore@dol.IN.gov)) or the NASF GR office ([jhannapel@thepolicygroup.com](mailto:jhannapel@thepolicygroup.com)).

### Plan to Attend NASF Washington Forum, May 1-3

The NASF will hold its annual Washington Forum May 1-3, 2007 at the L'Enfant Plaza Hotel in Washington, D.C. The forum will feature a day and a half of presentations, panel discussions and briefings on key technology, policy, regulatory and economic trends impacting the surface finishing industry such as:

- new regulations from OSHA and EPA,
- the industry's collaborative efforts with the Department of Defense,
- manufacturing and trade policy,
- aerospace certification programs,
- emerging technology issues, and
- global market and regulatory impacts.

Surface finishing technical courses on regulatory compliance, wastewater treatment and pollution prevention will also be offered. In addition, on the final day of the Washington Forum participants will have an opportunity to meet with their own congressional representatives to educate them about the surface finishing industry and to discuss those issues critical to their businesses.

Make your plans today to attend this valuable and informative industry event. For more information on the NASF Washington Forum, visit the NASF website at [www.nasf.org](http://www.nasf.org). *P&SF*