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# EPA Plating and Polishing Area Source Final Rule

On July 1, 2008, EPA published the final regulation for plating and polishing area sources in the Federal Register (73 Fed. Reg. 37728). The final rule, 40 CFR Part 63, Subpart W, is effective immediately for new affected sources (*i.e.*, those that begin operations on or after July 1, 2008). Existing plating and polishing operations must comply with the new regulatory requirements by July 1, 2010.

## Plating and Polishing Operations Subject to the Rule

The plating and polishing processes that are subject to the new area source rule are those "processes performed at an affected plating and polishing facility that uses or has the potential to emit" any compound of any of the following metal HAPs: cadmium, chromium, lead, manganese and nickel. This includes electrolytic and non-electrolytic plating and coating processes (*e.g.*, electroplating, conversion coating, sealing and phosphating), electroforming, dry mechanical polishing and thermal spray at approximately 2,900 existing plating and polishing facilities.

Our goal at the NASF was to engage EPA early in the rulemaking process, and as a result of the efforts of the Government Advisory Committee (GAC) and key NASF volunteers, EPA did not establish more stringent emission limits for plating and polishing operations, but required plating and polishing facilities to follow management practices as the generally available control technology (GACT) standards. EPA also acknowledged in the preamble to the final rule that not all of the management practices may be practicable for some processes due to production and product quality concerns.

In addition to the management practices discussed above, the final rule has other regulatory requirements for some specific

plating and polishing processes such as the use of wetting agents, tank covers, and emission control devices.

## Initial Notification for Affected Sources Is Due November 1, 2008

Finishers should keep in mind that under the new plating and polishing rule, owners and operators of affected sources must comply with several notification and recordkeeping requirements:

- **NASF Sample Notification Letter** – A sample initial notification letter is available for NASF members on the NASF website at [www.nasf.org](http://www.nasf.org).
- **Initial Notification** – An initial notification must be submitted to EPA or an authorized state no later than November 1, 2008.
- **Information for EPA/State Agencies** – The notification should include the name and address of the owner or operator, the location of the facility, the relevant applicable air emission standard for the facility, a brief description of the affected source, the fact that the facility is an area source, and the compliance method for each affected source.

Existing sources must also submit a notification of compliance status by July 1, 2010 and an annual certification of compliance in subsequent years that include a description of how the facility has complied with the applicable regulatory provisions. The certification should also report any deviations from the compliance requirements during the year and any corrective actions taken to remedy the deviation.

A copy of the final rule and a more complete summary of the new regulatory requirements are available on the NASF website at [www.nasf.org](http://www.nasf.org). If you have any questions or need additional information, please contact Christian Richter of Jeff Hannapel at [crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com) or [jhannapel@thepolicygroup.com](mailto:jhannapel@thepolicygroup.com). **P&SF**



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