



SMALL BUSINESS AND ENVIRONMENTAL  
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T e x a s N a t u r a l R e s o u r c e C o n s e r v a t i o n C o m m i s s i o n

# Small Business *The Advocate*

*For and about small businesses affected by environmental regulations*

*Healthy Environment. Strong Business. Good Sense.*

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## EPA and TNRCC Announce Enforcement Alerts

**M**etal finishing facilities and foundries have been targeted for enforcement by the U.S. Environmental Protection Agency (EPA). The TNRCC also is planning site inspections for metal finishers that (1) have not received an EPA waste generator identification number and (2) are not listed as discharging wastewater to a local water treatment system.

### Metal Finishers and Foundries Failing to Report Toxic Chemicals

According to EPA, many metal finishing facilities and foundries are failing to report nitrate compounds produced as a by-product of their wastewater treatment process and thus are not complying with Toxics Release Inventory (TRI) reporting requirements. The EPA is launching an enforcement initiative; penalties could add up to \$27,500 per day. Facilities will be required to submit reports dating back to 1995!

TRI rules require annual reports from facilities covered under certain Standard Industrial Classification (SIC) codes that manufacture, process, or use various toxic chemicals above specified threshold levels. Generally, threshold quantities are 25,000 pounds for manufacturing and processing activities and 10,000 pounds for other uses. "Manufacturing" also encompasses "coincidental" production of a toxic chemical as a by-product. In the

case of metal finishers and foundries, neutralizing nitric acid can create water-soluble nitrate compounds. These by-products of the treatment process can be generated in quantities above TRI threshold levels.

#### Are you subject to TRI reporting?

Foundries and metal finishers are classified as manufacturers under SIC codes 33 and 34, respectively, and must submit a TRI if the facility:

- has 10 or more full-time employees (or 20,000 employment hours per year); and
- meets or exceeds threshold levels for any toxic chemical listed by EPA under the Emergency Planning & Community Right-to-Know Act (EPCRA) Section 313.

#### Don't be an enforcement target

For free, confidential help in determining and meeting your regulatory responsibilities (both federal and state), contact your local Small Business and Local Government Assistance (SBLGA) compliance specialist. Compliance specialists can help by providing you:

- a compliance assessment checklist to help determine your regulatory requirements;
- a free and confidential site visit;

- information on the EPA's voluntary Strategic Goals Program, which offers incentives for implementing pollution prevention practices and maintaining compliance; and
- fact sheets on evaporator standards, compliance requirements, and training workshops scheduled for publication and presentation in the fall.

Call us at 1-800-447-2827 for more information or the name of your regional compliance assistance specialist.

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**T**he regulatory information you need can be right at your fingertips. *The Environmental Guide for Texas Metal Finishers* (RG-291) has recently been revised to reflect the latest changes in environmental regulations. This guide covers waste reduction tips, air regulations, TRI requirements, and wastewater issues. A separate guide for foundries is planned for publication later this year.

To order a copy of a TNRCC publication:

- ▼ go to the TNRCC's Web site at <http://www.tnrcc.state.tx.us> and click on the link to "Publications";
- ▼ fax orders to 512/239-4488, or order by voice at 512/239-0028; or
- ▼ write to TNRCC Publications, MC-195, P.O. Box 13087, Austin, TX 78711-3087.

## Foundries Cited for Mismanagement of Hazardous Waste

In a separate *Enforcement Alert*, EPA says it will focus on "RCRA noncompliance issues at foundries nationwide" because evidence "indicates that many owners and operators of foundries are failing to properly manage hazardous waste." RCRA—the Resource Conservation and Recovery Act—requires certain actions by facilities that generate or manage hazardous waste.

The EPA says it will be concentrating its enforcement efforts on foundries that

are skirting RCRA rules by:

- failing to notify the state or EPA of their hazardous waste activities;
- failing to characterize hazardous wastes (such as foundry sand for metals content);
- improperly storing and managing wastes; and/or
- operating thermal units without a permit.

If you need help understanding RCRA requirements, call us at 1-800-447-2827 for confidential assistance. EPA enforcement alerts are posted on the Internet at [www.epa.gov/oeca/ore/enfalert](http://www.epa.gov/oeca/ore/enfalert). ■



## Are You a Winner?

Does your business recycle? Have you started an efficient waste-reduction program? Do you organize com-

munity events to raise awareness about environmental issues? If you've done any of these activities—or other environmental projects—you should consider nominating your business for a Texas Environmental Excellence Award.

These awards, started in 1992, honor those who have created successful programs or projects to preserve and protect the Texas environment. Every business, industry, local government, school, civic organization, and resident of the state of Texas is eligible to apply for an award by undertaking or completing one environmental program or project. There are a variety of categories, including one just for small businesses.

Winning projects have included recycling, pollution prevention, waste reduction, environmental awareness, and innovative technology, to name a few.

The applications are available from the Event Coordination and Education Section of the Small Business and Environmental Assistance Division. Call Dana Macomb at 512-239-4745 or download the application from [www.teea.org](http://www.teea.org). The deadline is November 15, 2000. ■

## New Rules, Fees Pending for Concrete Batch Plants

Permanent, temporary, and specialty concrete batch plants (CBP) all could apply for one type of standard air permit under proposals being considered by the TNRCC. The single standard permit would replace the "permit by rule" now applicable to most CBPs.

The proposed standard permit would require all plants to register with the TNRCC and receive the agency's written approval before beginning construction. A plant also would have to provide public notice of its construction plans, unless it was a temporary plant located in or adjacent to the right-of-way of a public works project. The TNRCC is considering a fee of \$450 for plants that are required to provide public notice.

The proposed standard permit also would specify requirements for controlling emissions from activities and equipment at a site. Temporary CBPs, for example, would be required to use a suction shroud and fabric filter/cartridge filter system if they supplied concrete for any single project or related project segments and occupied a given site for more than 180 consecutive days.

The TNRCC is reviewing comments on these proposed rules. Final rules are expected to go before the three-member Commission in mid-August.

To view the proposals, go to [www.tnrcc.state.tx.us/air/nsr\\_permits](http://www.tnrcc.state.tx.us/air/nsr_permits). ■

## Printers in Houston-Galveston Area Face New Controls for VOCs

Air quality improvement plans for the Houston-Galveston area are likely to activate requirements for offset lithographic printers. The requirements, originally established in 1993, are expected to apply to printers with total uncontrolled emissions of more than 25 tons of volatile organic compounds (VOCs) per year. Under the State Implementation Plan (SIP) for the Houston-Galveston area now being developed by the TNRCC, the VOC content of solvents used in fountain and cleaning solutions would be limited. Such "reasonably available control technologies," mandated by the federal Clean Air Act, already are required of printers in the Dallas-Fort Worth area and in El Paso.

The complete Houston-Galveston SIP proposal is expected to be published in mid-August and open for public comments for 30 days. The TNRCC will schedule several public hearings in the Houston-Galveston area in early- and mid-September. The locations and times of hearings will be posted on the TNRCC's web site at [www.tnrcc.state.tx.us/homepgs/oepaa.html](http://www.tnrcc.state.tx.us/homepgs/oepaa.html). Click on "public hearings" under the category of "Policy & Regulations." ■

## Calling All Engineers!

Any firm offering engineering services in the state of Texas now must register annually with the Texas Board of Professional Engineers and pay a \$75 registration fee, under a new law enacted during the last legislative session. Download the application form from [www.tbpe.state.tx.us](http://www.tbpe.state.tx.us) or call the board at 512-440-7723. ■

## UPCOMING EVENTS:

**Water Conservation in Landscape and Irrigation** (512-239-6333)  
Houston: Aug. 4

**Electronic Reporting Training for generators and receivers of industrial and/or hazardous waste** (512-239-6925)  
Austin: Sept. 1, Oct. 6, & Nov. 3

**Pollution Prevention Week** - Sept. 18-22

**Pollution Prevention Workshops** (512-239-6333)  
Houston: Sept. 27-28 • Dallas: Oct. 25-26

**Texas Recycling Summit** (512-239-6742)  
San Antonio: Oct. 15-17

**TSTC Environmental Health & Safety Conference** (1-800-792-8784, ext. 3438)  
Waco: Oct. 23-25

**Small Business Advisory Committee Meetings**  
Dallas: Aug. 22 & Nov. 7 • Fort Worth: Aug. 23 & Nov. 8 • Houston: Sept. 7  
Beaumont (Golden Triangle): Sept. 14

**Texas Recycles Day** - Nov. 15 (deadline for Environmental Excellence Award applications)

*The Small Business Advocate is published bi-monthly by the Small Business Assistance Program. Comments or suggestions for future articles should be sent to:*

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(All calls are confidential)

**Fax: 512/239-1065**

**Web Site:**  
[www.tnrcc.state.tx.us/exec/sbea/smallbus.html](http://www.tnrcc.state.tx.us/exec/sbea/smallbus.html)

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