

Small Business

The Advocate

For and about small businesses affected by environmental regulations

Healthy Environment. Strong Business. Good Sense.

PD-006/97-3

Volume 2, Issue 3 / July - August 1997

On the Horizon: Standard Exemptions Being Reviewed for Two Industries

Changes to Standard Exemption 106.321 (Foundries—Formerly #58)

Standard Exemption 106.321 generally applies to foundries with furnaces that hold 1,000 pounds or less of ferrous metal or 2,000 pounds or less of aluminum. This standard exemption was written in the early 1970s when fluxing of aluminum was not allowed because of chlorinated compounds. Changes in chemistry used in the fluxing process are one of the reasons a revision of the standard exemption is being considered.

New Standard Exemption for Decorative Chrome Platers (106.376)

Standard Exemption 106.376 is being created for decorative chrome platers. The exemption will apply to decorative chrome platers that use a rectifier with a maximum capacity of less than 5,000 amperes. The platers must also use a fume suppressant or other equipment control measure. **The standard exemption does not apply to hard chrome platers.** The rule is expected to be final in February 1998. ■

Proposition 2 Tax Exemption

Did you know that your pollution control equipment may be tax exempt? Under Proposition 2 which was adopted by the Texas Legislature in 1993, certain property used for compliance with environmental rules may be exempt from property taxes. If the equipment was purchased, acquired, constructed, installed, replaced, or reconstructed after **January 1, 1994**, it may be eligible. Property or equipment that has been installed to control pollution will be considered. Even if the equipment was installed for quality control purposes (a spray booth, for example), it may be eligible if it also controls pollution. If you think your business might qualify for this tax exemption, contact Ron Hatlett at 512-239-6348. ■

Rule Roundup: A Summary of Recent Regulatory Developments

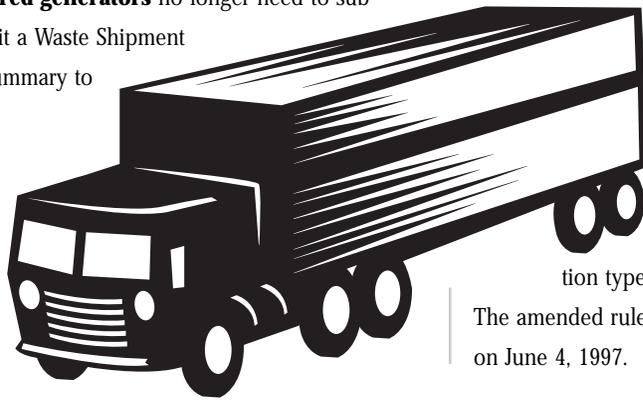
Out-of-State Hazardous Waste Shipments (TNRCC #96160-335-WS)

This amendment makes changes to 30 TAC section 335.13 for Waste Shipment Summaries submitted by **registered generators**. The new regulation states that **registered generators** no longer need to submit a Waste Shipment Summary to

the TNRCC. **Registered generators** that ship hazardous or Class 1 waste out of state will continue to include that information on the Annual Waste Summary at the end of the year.

The new regulation removes the duplicate reporting requirement for these generators. The amendment also adds a reference table to the rule illustrating waste generation types and reporting methods.

The amended rule language became effective on June 4, 1997.



Halogenated Solvent Cleaning Sources (TNRCC 96161-113)

The TNRCC adopted the Maximum Achievable Control Technology (MACT) National Emissions Standard for Hazardous Air Pollutants (NESHAP) for halogenated solvents at the June 25th agenda meeting. It became effective on July 16, 1997. A halogenated solvent is one of the following chemicals:

- ▼ Methyl Chloride
- ▼ Chloroform
- ▼ 1,1,1, Trichloroethane
- ▼ Carbon Tetrachloride
- ▼ Trichloroethylene
- ▼ **Perchloroethylene (not including dry cleaners)**

The TNRCC rule package that refers to the change

is **96161-113**. This standard is currently enforced by the EPA, but it is not unusual for states to assume responsibility for such rules. This means that the TNRCC will have responsibility for air pollution rules that apply to sources of halogenated solvent cleaning such as parts cleaners. These halogenated sources may include metal finishing operations, among others.

The rule may affect small businesses because the TNRCC will be required to conduct inspections of facilities using these types of materials. Businesses with violations may be subject to penalties. If you think this rule may apply to you, contact the SBAP for details on the MACT standard.

Update for Standard Exemption 106.231— Manufacturing, Refinishing, and Restoring Wood Products

The TNRCC adopted Standard Exemption 106.231 on June 25, 1997, and it became effective July 16, 1997. The Standard Exemption

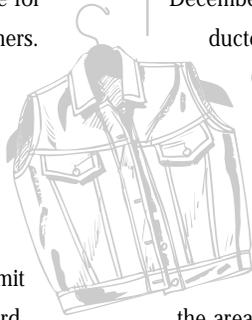
applies to businesses that manufacture, refinish, or restore wood products. A checklist was mailed to this industry in early July.

Remember the amnesty for the wood industry ends on August 31, 1997! ■

Inspectors Focus on Dry Cleaning Industry

Two events will cause an increase in enforcement activities for the dry cleaning industry, beginning in September 1997. First, there is a new national standard in place for perchloroethylene (perc) dry cleaners. This National Emission Standard for Hazardous Air Pollutants, or NESHAP, became fully effective in September 1996. It requires perc dry cleaners to register their machines and install controls to limit air emissions. This national standard brings attention to the entire industry.

The second event is that Texas is in the process of accepting responsibility from the



EPA for checking to see if perc dry cleaners are in compliance with this new standard. Inspections by the TNRCC may begin as early as December 1997. Most recently, the EPA conducted a number of inspections in the

Corpus Christi area and has expanded its efforts to Houston—Austin may follow. Both air and waste requirements are being checked (the inspections are "multimedia"). Major deficiencies are being identified in the areas of record keeping and waste handling (see story below on waste workshops).

A previous workshop on pollution reduction for Corpus Christi dry cleaners is credited with

helping them avoid violations. Call the SBAP if you want a presentation in your area on dry cleaner rules. ■

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

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CESQG Tips

The SBAP has received reports that some waste haulers are unwilling to take hazardous waste from Conditionally Exempt Small-Quantity Generators (CESQGs) because they do not have waste registration numbers (CESQGs are not required by the EPA or TNRCC to have them). Should this happen with your hauler, have the driver call the company's home office and refer them to this article.

If you had a registration number before and it has been withdrawn by the TNRCC, don't worry. Waste registration numbers are not necessary, and the TNRCC is recalling the numbers and reassigning them to small- and large- quantity generators. For a full explanation or to correct your records, you can call the Industrial and Hazardous Waste Evaluation Team at 512-239-6832. You can also call the SBAP. ■



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UPCOMING EVENTS:

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|-------------|---|----------------|
| JUL. | Dry Cleaners' Environmental Workshop
<i>Farmer's Branch</i> | Jul. 26 |
| | RCRA Waste Record Keeping Workshop
<i>Corpus Christi</i> | Jul. 28 |
| | (Note: This workshop is not for sewage sludge transporters.) | |
| AUG. | Dallas SBAC Meeting
<i>Dallas</i> | Aug. 19 |
| SEP. | Houston/Galveston SBAC Meeting
<i>Houston</i> | Sep. 4 |

RETURN SERVICE REQUESTED

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