



# Indiana Department of Environmental Management (IDEM) Compliance and Technical Assistance Program (CTAP)





# **National Association for Surface Finishing (NASF)**

Indiana Chapter meeting  
Tuesday, September 15, 2015  
Brenntag – Indianapolis, IN



# Acronyms

- ESP: Environmental Stewardship Program
- NESHAP: National Emission Standards for Hazardous Air Pollutants
- P2: pollution prevention
- PFOS: Perfluorooctane Sulfonate
- SGP: Strategic Goals Program
- SCW: Solvent-contaminated wipes



# Overview of the overview

- NESHAP outreach – 1995
- SGP, Indiana 5-Star and ESP
- Sept 21, 2015 – discontinue adding PFOS
- SCW
- Hazardous waste
- Storm water – no exposure certification
- CTAP assessment



# Chrome NESHAP Outreach - 1995

- Initial notification
- Achieving compliance
- Pollution prevention
- “The Finishing Industry and State Agencies Cooperate,” Products Finishing, Blair Vandivier and Kathy Prosser



# **National Metal Finishing SGP**

## **1999 – 2005+**

1. Improved resource use
2. Reduced hazardous emissions and employee/community exposure
3. Improved economic performance



# SGP Participants, 2000

## Cities:

Fort Wayne, Goshen, Indianapolis, LaPorte,  
Michigan City, Muncie, South Bend, Terre Haute



# SGP Participants, 2000

## **Metal finishers:**

Ampcor, Baycote, Best Access, C&R, Certified Metal Finishers, Commercial Plating, Electrochemical Coatings, Franke, HH Sumco, Imagineering, IAF, McDowell, Metal Plate Polishing, Seleco, Triplex, Wayne Metal



# **5-Star Environmental Recognition for Metal Finishing - 2005**

1. Triplex Plating - Michigan City
2. Commercial Plating - Indianapolis
3. H.H. Sumco - Indianapolis
4. Imagineering Finishing Technologies - South Bend
5. Metal Plate Polishing - Fort Wayne (2002)



# ESP

## Members include:

1. Allegion (Von Duprin LLC)
2. Electro-Spec Inc.
3. SAMTec Inc.
4. SRG Global



# **Environmental Rules Board**

## **July 8, 2015**

Titles 326, 327 and 329

Voluntary performance based leadership programs  
ESP

1. Term of membership increased to 4 years
2. Added benefit: A member may request 24-hour advance notification prior to an IDEM routine inspection



# **Partners for P2**

## **June 3, 2015 quarterly meeting**

### **Electro-Spec Inc.**

**Topic:** ISO 14001

**Goals and Objectives:** Eliminate  
Landfill/Precious Metal Hazardous  
Waste, Ben McKnight, EHS Manager



# **NESHAP: Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks 40 CFR 63, Subpart N**



# September 21, 2015

- Discontinue adding a wetting agent containing one percent or greater PFOS by weight
- Open surface or enclosed hard chromium electroplating tank
- Decorative chromium electroplating tank
- Chromium anodizing tank



# PFOS alternatives

- Fumetrol<sup>®</sup> 21 – Atotech
- Macuplex STR NPFX – MacDermid
- Ankor – Enthone Inc.
- Suract CR-H – TIB Chemicals
- FS-600 high and low foam – Plating Resources Inc.



# **PFOS alternatives – demonstrating compliance**

- Fume suppressant manufacturer
- Product name
- Safety Data Sheet or written statement from the manufacturer



# **SCW – Launderer/drycleaner exclusion**

Per 40 CFR 261.4(a)(26), SCW are not solid wastes from the point of generation, provided certain conditions are met.



## **SCW - disposal**

Per 40 CFR 261.4(b)(18), SCW are not hazardous waste provided certain conditions are met. The exclusion does not include wipes contaminated with Trichloroethylene (TCE)



## **SCW - Storage**

- Non-leaking and closed containers
- Bags can be used if the neck of the bag is tightly bound



## **F001-F005 solvents only**

- Containers must be labeled “excluded solvent-contaminated wipes” or other words indicating the contents
- Up to 180 days from the start date of accumulation
  - Establish schedule for pickups or
  - Container date log



# Ineligible for the exclusion

- Contaminants other than F001-F005 solvents
- Exhibits hazardous waste characteristics due to contaminants other than solvents
- Other items, i.e., contaminated gloves



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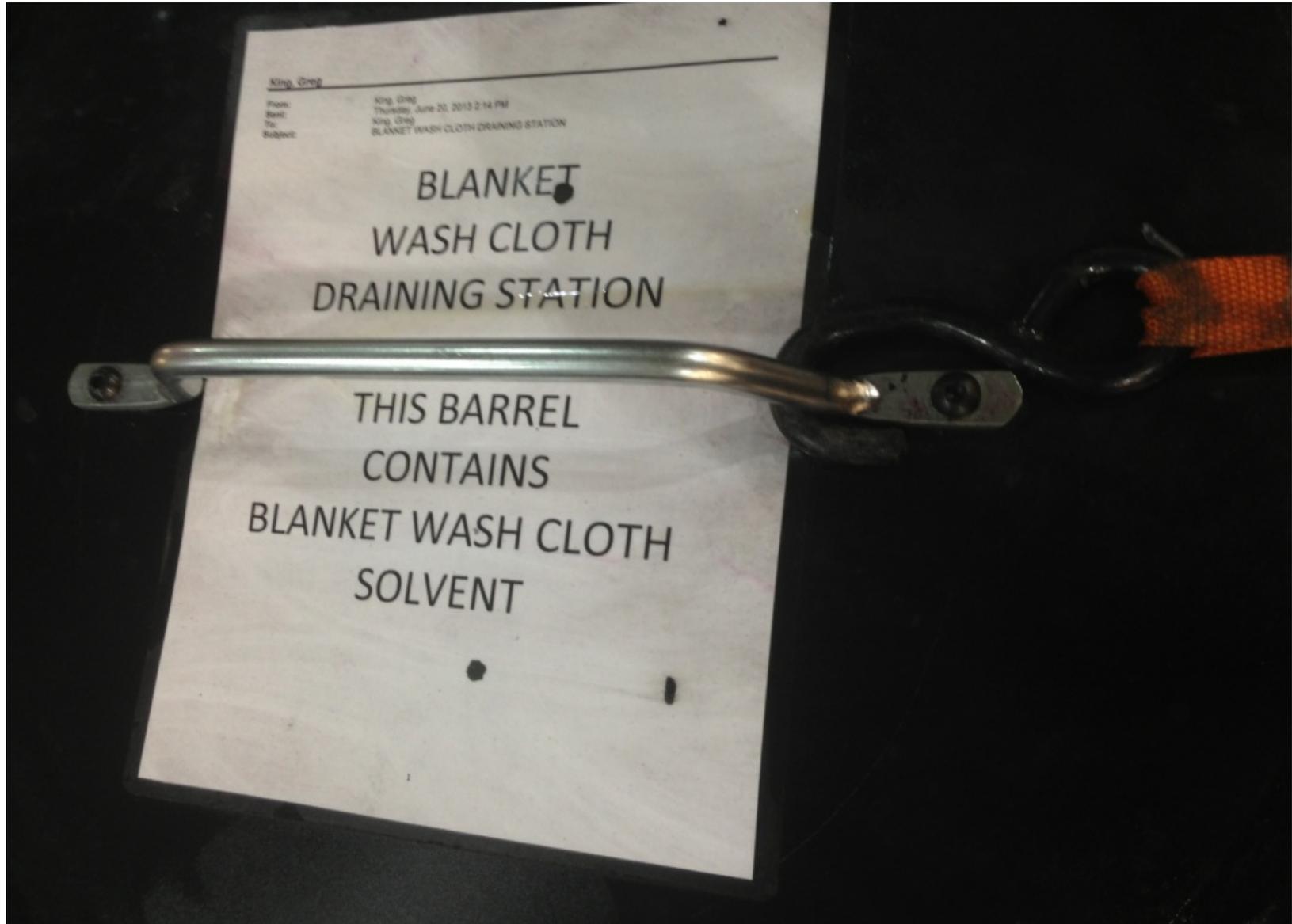
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# No free liquids at time of transport

- Document process to separate wipes and free liquids
- Free liquids are subject to hazardous waste regulations



# Recordkeeping

- Name and address of the destination facility
- Document 180-day accumulation time limit
- Document “no free liquids” condition



# Top ten hazardous waste violations



# 1. Hazardous waste determination

## 40 CFR 262.11

- Failure to make a determination
- Inadequate determination
- Lack of supporting documentation



## **2. Satellite containers of hazardous waste not properly managed**

### **40 CFR 262.34(c)(1)**

- Containers not at or near the point of generation
  
- Open containers



### **3. Containers not marked with the words “Used Oil”**

**40 CFR 279.22(c) and  
329 IAC 13-4-3**



## **4. Hazardous waste containers not marked with the start of accumulation date 40 CFR 262.34(a)(2)**

- Storage over allowable time limits



## **5. Lack of training or training documents**

**40 CFR 262.34**

**264.16 and**

**265.16**



## **6. Containers not marked with the words “Hazardous Waste”**

### **40 CFR 262.34(a)(3)**

- While being accumulated
- Labeled or marked



## **7. Lack of a proper contingency plan**

**40 CFR 262.34**

**264.52 and**

**265.52**



**8. Satellite containers not marked with the words “Hazardous Waste” or with other words that identify the contents  
40 CFR 262.34(c)(1)(ii)**



# 9. Release of contaminants

## IC 13-30-2-1



**327 IAC 2-6.1-5(5) Any spill (release) for which a spill response has not been done must be reported**



# Preparedness and Prevention:

- Fire
- Explosion
- Unplanned sudden/not-sudden release

## 40 CFR 265, Subpart C



# **10. Hazardous waste containers not closed**

**40 CFR 262.34,  
264.173(a) and  
265.173(a)**



# **Unknown waste material stored near plating line and several 10-15 gallon containers**

Two example photos follow







# **Unlabeled hazardous waste container and debris surrounding container**

Two example photos follow





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**Open and  
unlabeled  
universal waste  
[fluorescent]  
lamps**



# **Satellite accumulation containment debris**

One example photo follows



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# Satellite accumulation containers good practices

- Aerosol container puncturing
- What good practices do you see in the following two slides?



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# Hazardous material management

- Organized
- Labeled
- Compatibility

Two example photos follow

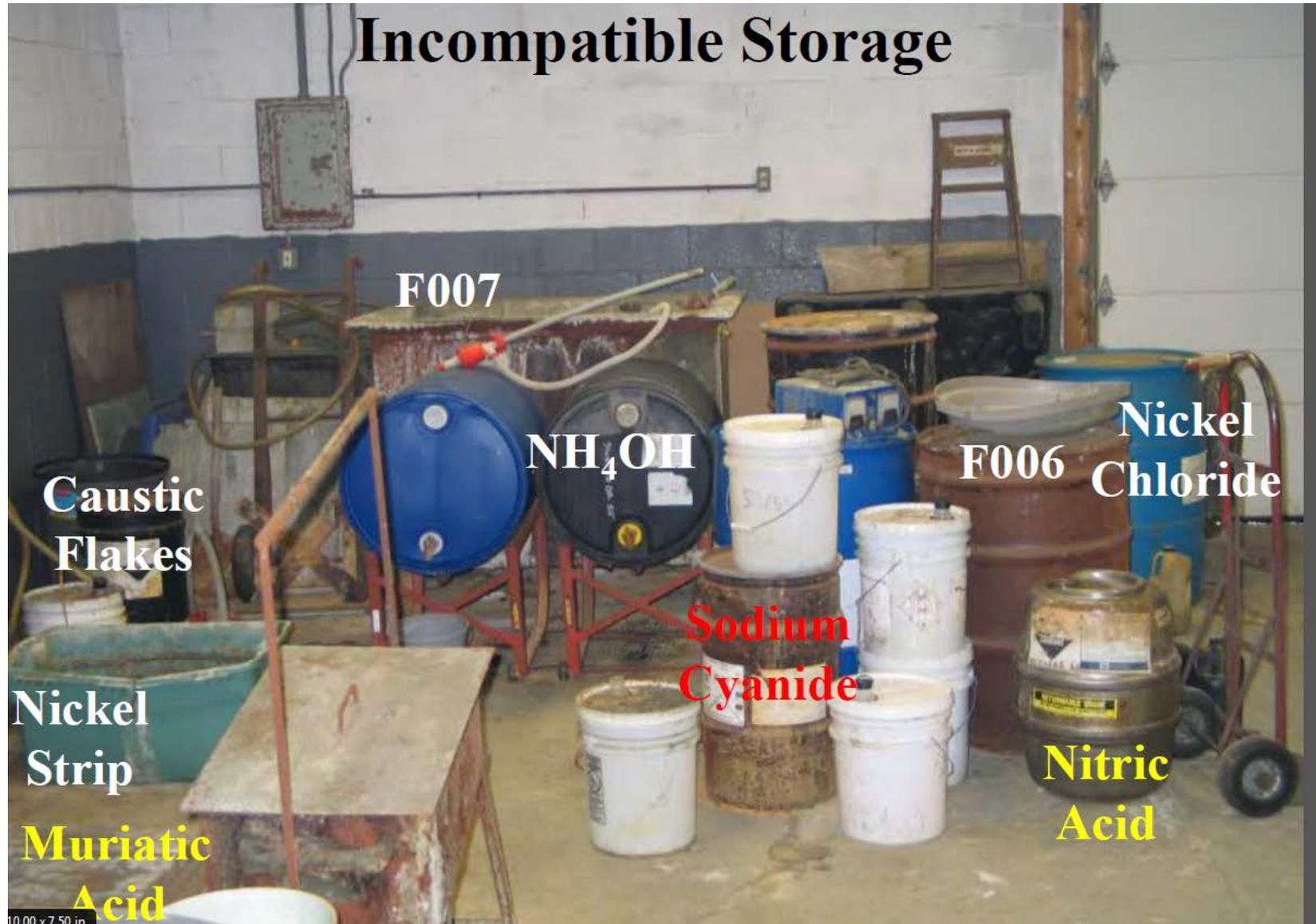


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# Incompatible Storage





# **Inside containment floor slopes away from the wall**

One example photo follows



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# Managing oil laden scrap metal

**Lower compartment allows oil to be separated and removed**

Two example photos follow



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## **Storm Water Discharges Exposed to Industrial Activity – 327 IAC 15-6**

- Regulated industrial activity includes SIC code 3471 – Electroplating, plating, polishing, anodizing and coloring
- It is rainwater making contact with
  - Manufacturing and processing activities
  - Raw and waste material storage
  - Intermediate products



## **Discernible, confined and discrete conveyance**

- Does a pathway exist between your site and Waters of the State?
  - Point source examples: pipes, ditches, channels, etc.
  - Waters of the State: the accumulation and flow of water throughout
- If no, a storm water permit is not required.
- If yes, does an exposure exist?



# Point source example





# **No exposure certification – storm water permitting**

- Exposure checklist
  1. Using, storing or cleaning industrial machinery or equipment and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to storm water



**Unlabeled  
used oil  
containers  
near storm  
drain**



# Exposure checklist

2. Materials or residuals on the ground or in storm water inlets from spills/leaks

One example photo follows



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# Exposure checklist

3. Materials or products from past industrial activity



# Exposure checklist

4. Material handling equipment (except adequately maintained vehicles)



# Exposure checklist

5. Materials or products during loading/unloading or transportation activities

Two example photos follow



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**Be aware  
of  
potential  
for a  
release**



# Exposure checklist

6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants)

One example photo follows



**Be aware  
of  
potential  
for a  
release –  
adjacent  
storm  
water  
inlet**



# Exposure checklist

7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks and similar containers

Two example photos follow







# Exposure checklist

8. Materials or products handled/stored on roads or railways owned or maintained by the discharger

**It probably does not apply to many of you.**



# Exposure checklist

9. Waste material (except waste in covered, non leaking containers [e.g., dumpsters])



# Exposure checklist

10. Application or disposal of process wastewater (unless otherwise permitted)

**It probably does not apply to many of you.**



# Exposure checklist

11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow



## **No exposure means...**

all industrial materials and activities are protected by a storm resistant shelter

Two example photos follow



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# Storm resistant shelter

- Is not required for:
  - Drums or similar containers in good condition
  - Above ground storage tanks
  - Lidded dumpsters
  - Adequately maintained vehicles
  - Final products intended for use outdoors



# Exposure checklist

- You are eligible for the no exposure exclusion if you answer no to all of the eleven items in the list



# Net DMR

- Earn two technical contact hours
  - Complete enrollment process
  - Submit first DMRs with MMRs/MROs electronically prior to effective date of federal rule or December 31, 2015, whichever comes first
- Contact Rose McDaniel
  - [RMcDaniel@idem.IN.gov](mailto:RMcDaniel@idem.IN.gov)
  - (317) 233-2653



# **Wastewater operator certification and continuing education**

[www.idem.IN.gov/cleanwater/2393.htm](http://www.idem.IN.gov/cleanwater/2393.htm)



# **Wastewater operator certification and continuing education**

Ivy Tech Community College Certification  
Centers – 25 locations, April 22, 2015 -

[http://www.in.gov/idem/ctap/files/announce\\_20150423\\_ivy\\_tech\\_locations.pdf](http://www.in.gov/idem/ctap/files/announce_20150423_ivy_tech_locations.pdf)



## CTAP

- Section 507 of the Clean Air Act, U. S. Code 7611(f), requires states to establish “Small Business Stationary Source Technical and Environmental Compliance Assistance Program”
- Established by Indiana legislators in January 1995, Indiana Code 13-28
  - Multimedia (air, waste, and water)



- Promote IDEM’s goal of “assistance first, enforcement second” by assisting Hoosier businesses in understanding and achieving environmental compliance
- All of our services are:
  - Free
  - Voluntary
  - Confidential



## CTAP Services

- Assistance via phone
- Site visits
- Sector-specific compliance manuals and fact sheets
- Online resources
- Initiatives and Training
- Outreach and Partnerships



- We are a non-regulatory division of IDEM, that means we will never issue a:
  - Violation;
  - Permit;
  - Fee;
  - Fine; or
  - Take enforcement action



## **CTAP Site Visits**

- Full site compliance review or targeted issue
- Summary letters provided within 45 days
- Quality Assurance Guarantee (QAG)



# **CTAP Quality Assurance Guarantee**

IDEM shall not issue either a Violation Letter or a Notice of Violation assessing a gravity-based penalty against a Regulated Entity upon learning that a Regulated Entity sought out, received, and relied upon CTAP's written compliance assistance prior to the alleged violation.



## IDEM/Compliance

- Unannounced
- Single Media Inspections
- Violations
- Fines/penalties
- Not Confidential (matter of public record)

## CTAP

- Voluntary (you invite us)
- Multimedia Review
- Recommendations, will not impose obligations
- Confidential



# How can CTAP save you money?

- Helping businesses avoid enforcement penalties
- Identifying P2 and other opportunities to reduce your regulatory burden
- Empowering businesses to handle compliance issues



# CTAP

[www.idem.IN.gov/ctap/index.htm](http://www.idem.IN.gov/ctap/index.htm)

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## Compliance and Technical Assistance Program

**We can HELP**

Confidential assistance is available. Complete the online request now.



# Partners for P2

[www.idem.IN.gov/ppp/index.htm](http://www.idem.IN.gov/ppp/index.htm)





# ESP

[www.idem.IN.gov/prevention/2359.htm](http://www.idem.IN.gov/prevention/2359.htm)



Indiana Department of Environmental Management



# Contact information

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**(317) 233-1039**

**[www.idem.IN.gov/ctap/index.htm](http://www.idem.IN.gov/ctap/index.htm)**



## **Informational resources:**

The Finishing Industry and State Agencies Cooperate, Blair Vandivier, President, Benchmark Products Inc. and Kathy Prosser, Commissioner, IDEM, Products Finishing, August 1995



# **Informational resources:**

Low Cost Pollution Prevention, Frank Altmayer,  
Scientific Control Labs Inc., October 1996



## **Informational resources:**

A Guide to Developing an Environmental Management System for Metal Finishing Facilities, AESF, MFSA, NAMF, EPA Sector Strategies, May 2004

[http://www.epa.gov/sectors/pdf/finishing\\_ems\\_all.pdf](http://www.epa.gov/sectors/pdf/finishing_ems_all.pdf)



## **Informational resources:**

Metal Finishing Checklist, keys to pollution prevention, Michigan Manufacturing Technology Center, February 1999

[https://www.michigan.gov/documents/deq/deq-ess-retap-tm\\_P2-Electroplating-att1\\_448070\\_7.pdf](https://www.michigan.gov/documents/deq/deq-ess-retap-tm_P2-Electroplating-att1_448070_7.pdf)



## **Informational resources:**

Identifying and Reducing Contamination in Metal Cleaning, Plating and Rinsing Baths, North Carolina Division of Pollution Prevention and Environmental Assistance, 2 pages, April 1997

<http://infohouse.p2ric.org/ref/01/00225.pdf>



## **Informational resources:**

Substitution of PFOS for use in non-decorative hard chrome plating, Danish EPA, 2011

<http://www2.mst.dk/udgiv/publications/2011/06/978-87-92779-10-6.pdf>



## **Informational resources:**

Guidance on alternatives to perfluorooctane sulfonic acid, its salts, perfluorooctane sulfonyl fluoride and their related chemicals, 2<sup>nd</sup> revised draft, 26 April 2013, Stockholm Convention

<http://chm.pops.int/Portals/0/download.aspx?d=UNEP-POPS-POPRC8WG-GUID-PFOS-draft-20130426.En.docx>



## **Informational resources:**

PFOS Detections in the City of Brainerd,  
Minnesota, ATSDR, August 13, 2008

MPCA initiated a study of perfluorochemicals  
(PFCs) in influent, effluent and sludge at WWTPs  
across the state.

[http://www.atsdr.cdc.gov/HAC/pha/PFOsDetectionsintheCityofBrainerd/PFOS Detection Brainerd Minnesota%20HC%208-13-2008.pdf](http://www.atsdr.cdc.gov/HAC/pha/PFOsDetectionsintheCityofBrainerd/PFOS%20Detection%20Brainerd%20Minnesota%20HC%208-13-2008.pdf)



## **Informational resources:**

Management of Contaminated Wipes and Reusable Cloth Items, Guidance Document, July 27, 2015,

[http://www.in.gov/idem/landquality/files/hw\\_info\\_contaminated\\_wipes.pdf](http://www.in.gov/idem/landquality/files/hw_info_contaminated_wipes.pdf)



# Informational resources:

Method 9095B

Paint Filter Liquids Test

<http://www.epa.gov/osw/hazard/testmethods/sw846/pdfs/9095b.pdf>



## **Informational resources:**

Hazardous Waste Regulations and the Metal Finishing Industry, EPA Region 9

<http://www.epa.gov/region9/waste/enforcement/pdf/Metal-Finishing-Presentation.pdf>



## **Informational resources:**

Top Ten Hazardous Waste Violations, IDEM  
Office of Land Quality, January 24, 2000

[http://www.in.gov/idem/landquality/files/hw\\_info\\_top\\_ten\\_violations.pdf](http://www.in.gov/idem/landquality/files/hw_info_top_ten_violations.pdf)



## **Informational resources:**

Understanding the Hazardous Waste  
Determination Process, guidance document,  
IDEM Office of Land Quality, March 7, 2014

[http://www.in.gov/idem/landquality/files/hw\\_waste\\_info\\_determination\\_process.pdf](http://www.in.gov/idem/landquality/files/hw_waste_info_determination_process.pdf)



## Informational resources:

### Uncontaminated Soil Policy

<http://www.in.gov/idem/files/nrpd-waste-0064.pdf>

This NPD applies to soils, which do not include waste streams that are specifically regulated by 329 IAC 10 and which contain human introduced constituents (or chemicals) below RCG residential screening levels, and designates how those soils may be managed when excavated.



## **Informational resources:**

Contained-in Determination Policy

<http://www.in.gov/idem/files/nrpd-waste-0061.pdf>

Environmental media that has become mixed with “listed” hazardous wastes must be managed as hazardous waste when generated (e.g., exhumed for discard during remedial activities) because it contains “listed” hazardous waste(s).



## **Informational resources:**

Guidance Manual for Conditional Exclusion from Storm Water Permitting Based on “No Exposure” of Industrial Activities to Storm Water  
<http://water.epa.gov/polwaste/npdes/stormwater/upload/noxguide.pdf>



# Informational resources:

IDEM Virtual File Cabinet

[vfc.idem.IN.gov](http://vfc.idem.IN.gov)

IDEM Air Quality Permit Status Search

[www.IN.gov/ai/appfiles/idem-caats/](http://www.IN.gov/ai/appfiles/idem-caats/)