

# Identify Relevant Legal Requirements

## What

Once you determine your facility's environmental aspects, you must develop a procedure to identify

and access the legal and other requirements that are applicable to them. In addition to the federal regulations listed below in the Overview of Federal Environmental Laws Applicable to Metal Finishing, be sure to check with your state and local authorities to determine other applicable requirements.

## Overview of Federal Environmental Laws Applicable to Metal Finishing

Federal Environmental Laws	Applicability of the Laws
<p><b>Clean Air Act (CAA)</b> [40 CFR Parts 50-99] Establishes ambient and source emission standards and permit requirements for conventional and hazardous air pollutants.</p> <ul style="list-style-type: none"> <li>• Title V air permits and/or follow the standards for hazardous air pollutants under the NESHAP</li> <li>• State air permits</li> </ul>	<p>The Clean Air Act established a list of hazardous air pollutants (HAPs). Thirty-three substances in the TRI database for SIC 3471 (metal finishing) are HAPs. EPA promulgates emission standards for listed source categories. These standards are known as National Emission Standards for Hazardous Air Pollutants (NESHAPS). Two NESHAPS affect the metal finishing industry.</p> <ul style="list-style-type: none"> <li>• Chromium Electroplating (40 CFR 63, Subpart N).</li> <li>• Halogenated Solvent Degreasing/Cleaning (40 CFR 63, Subpart T).</li> <li>• Aerospace Manufacturing and Rework Facilities (40 CFR 63, Subpart GG).</li> </ul>
<p><b>Clean Water Act (CWA)</b> [40 CFR Parts 100-145, 220-232, 410-471] Establishes standards and permit requirements for water pollutants, including sources that discharge directly to a water body or to a public sewer system. Also includes storm water management requirements.</p>	<p>The CWA regulates the amount of chemicals that are released by direct and indirect wastewater/effluent discharges. Facilities that discharge directly into a body of water must obtain a National Pollution Discharge Elimination System (NPDES) Permit. Facilities that discharge to a POTW must adhere to specified Pretreatment Standards. These standards include concentration-based limits on the discharge of a given chemical or toxic by a facility. There may be state or local conditions that require more stringent requirements than the guidelines.</p> <ul style="list-style-type: none"> <li>• Metal Finishing Effluent Guideline (40 CFR 433).</li> <li>• Electroplating Effluent Guideline (40 CFR 413).</li> </ul>
<p><b>Resource Conservation and Recovery Act (RCRA)</b> [40 CFR Parts 240-299] Establishes regulations and permit requirements for hazardous waste management. Also creates standards for underground storage tanks that hold oil or hazardous substances.</p>	<p>RCRA classifies wastes such as solid waste sludge and requires certain methods for treatment, storage, and disposal. One of the classifications under RCRA is hazardous waste. A material is a hazardous waste if it meets the definition of solid waste (40 CFR 261.2) and exhibits one of the characteristics of a hazardous waste (40 CFR 261.20-24) or is listed as a hazardous waste (40 CFR 261.31-33). A hazardous waste is subject to Subtitle C generator (40 CFR 262), transporter (40 CFR 263) and Treatment, Storage, and Disposal Facility (TSDF) (40 CFR 254 and 265) requirements.</p> <p>Within RCRA Subtitle C, EPA has subcategories of hazardous wastes called "F" listings. F hazardous wastes include spent solvents (F001-F005) and electroplating wastewater treatment sludge (F006).</p>

Federal Environmental Laws	Applicability of the Laws
<b>Toxic Substances Control Act (TSCA)</b> [40 CFR Parts 700-799]	Regulates the use, development, manufacture, distribution, and disposal of chemicals.
<b>Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or “Superfund”)</b> [40 CFR Parts 300-311]	Establishes a program for cleaning up contaminated waste sites and establishes liability for clean-up costs. Provides reporting requirements for releases of hazardous substances.
<b>Emergency Planning and Community Right-To-Know Act (EPCRA)</b> [40 CFR Parts 350-374]	Establishes a program (the “Toxic Release Inventory”) to inform the public about releases of hazardous and toxic chemicals. Reporting requirements apply to companies that use, process, or store specific chemicals over certain quantities.
<b>Hazardous Materials Transportation Act (HMTA)</b> [49 CFR Parts 100-180]	Establishes standards for the safe transportation of hazardous materials.

\* Check with your state and local authorities to determine other requirements your facility must meet.

## Who

The EMS Coordinator determines applicable regulatory requirements.

## Why

Identifying and having access to the legal and other requirements that are applicable to your environmental aspects is a crucial step in meeting your environmental commitments.

## How

Determine your regulatory requirements by listing all of the environmental regulations that are applicable to your environmental aspects. Visit the National Metal Finishing Resource Center’s Web site at [www.nmfrc.org/](http://www.nmfrc.org/) for updated information about applicable regulations. See Sample Form 3: List of Legal and Other Requirements, below, for an excerpt of a table you can use to track your legal and other requirements.

### Sample Form 3: List of Legal and Other Requirements (Excerpt)

Category/ Aspect	Legal or Other Requirement	Description	Laboratory Operations	Surface Preparation/ Finishing Processes	Metal Finishing Processes	Chrome Plating	Wastewater Pretreatment	Building/Ground Maintenance	General Administration	All Operations
Material Use*	Corporate Directive	Facility Strategy, Planning, and Implementation	X	X	X	X	X	X	X	
Air Emissions	40CFR Part 50	NAAQS National Primary and Secondary Air Quality Standards	X	X	X	X				
Air Emissions	40CFR Part 51	Emission of Hazardous Air Pollutants	X	X	X	X				
Air Emissions	40CFR Part 52	Emission of Hazardous Air Pollutants	X	X	X	X				
Air Emissions	40CFR Part 60 40CFR 60.42c and 60.43c (Boiler emission standards for sulfur dioxide and particulate matter)	Verification of Emissions		X	X	X				