

DEPARTMENT OF HEALTH, SAFETY & ENVIRONMENT

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--BULLETIN--

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IMPORTANT NEWS RELEASED APRIL 5, 2002!!!

EPA releases notice of May 15, 2002 filing deadline for 112(j) MACT Part 1 Applications: The EPA missed its 10-year scheduled deadline of promulgating a final MACT Standard for Reinforced Plastics Composites Fabrication, among many others. Under the Clean Air Act, this triggers the “hammer” provision in which the owner or operator of a major source must then submit a permit application 18 months after the missed promulgation deadline for a “case-by-case” MACT – hence the May 15 deadline for Reinforced Plastics Composites Fabrication.

The amount of work in preparing a “case-by-case” MACT is immense. To ease some of the burden, the EPA came up with a 2-part plan. Part 1 is just a simple notification form, which must be filed with the applicable permitting authority by May 15, 2002. The more detailed Part 2 of the application will not be due until May 15, 2004. If the EPA promulgates a major source standard before that deadline, the Part 2 application will never be needed.

It is the responsibility of major sources to submit Part 1 applications by May 15 ***even if permitting authorities do NOT notify them.*** If there are isolated instances where a Part 1 application is erroneously submitted when none is required, it is the responsibility of the permitting authority to notify an owner that a source is not subject to 112(j).

For sources that do not receive guidance from their state, a letter containing the following should be prepared:

- Name and address of the major source
- Brief description of major source and identification of the relevant source category, i.e. “engaged in reinforce plastics composites manufacturing as described in proposed Subpart WWW to 40 CFR Part 63, the proposed MACT standard for reinforced plastics composites production, 66 Fed. Reg. 40324 (August 2, 2001)”
- Identification of the types of emission points belonging to the relevant source category
- Identification of any affected sources for which a Section 112(g) MACT control determination has been made

The letter should be marked “Part 1 CAA 112(j) air toxics control permit application” and sent to the local permitting authority by Certified Mail with return receipt requested.

OSHA Announces Effective Ergonomics Plan: OSHA also announced its plan to reduce ergonomic injuries:

- Industry-targeted guidelines to be developed some time this year. In the meantime, OSHA encourages businesses to develop their own.
- Tough enforcement measures – 5 (a)(1) General Duty clause will be used for citations
- Workplace outreach – OSHA will develop training programs and compliance assistance tools

As always, should you have any questions on the above information or any other regulatory compliance concerns, please e-mail Nancy Dehmlow at ndehmlow@compositesone.com or call 800/621-8003, Ext. 4134.

Information Line...800-621-8003