

April 4, 2011

To: Metal Fabrication and Finishing Source Operations

Subject: New Federal Regulations—Compliance and Initial Notification Form Due July 25, 2011

The Small Business Clean Air Assistance Program offers free, confidential assistance to small businesses in Wisconsin. **You are receiving this mailing because we believe you may be impacted by a new regulation.**

The United States Environmental Protection Agency (USEPA) issued rules for existing and new metal fabrication and finishing source operations “primarily engaged” in any one of the following activities: electrical and electronics equipment finishing; fabricated metal; fabricated plate work (boiler shops); fabricated structural metal; heating equipment, except electric; industrial machinery finishing; iron and steel forging; primary metals production; valves and pipe fittings. The specific NAICS covering the affected activities is on the reverse of this letter, as is a definition of “primarily engaged”. Also, to be affected by the rule you must be an area source of federal hazardous air pollutants (HAP), which means the operation cannot emit more than 10 tons per year of any one HAP or 25 tons per year of all HAPs.

An existing business affected by the rule must submit the enclosed Initial Notification Form to the Wisconsin Department of Natural Resources and USEPA (see addresses below) by July 25, 2011 (or new/reconstructed facilities must submit the form within 120 days of starting up their operations).

MACT Notifications
WI DNR Air Program - AM/7
PO Box 7921
Madison, WI 53707-7921

USEPA Region 5
Compliance Tracker AE-17J
77 W Jackson Blvd
Chicago, IL 60604

We have enclosed a USEPA brochure outlining the basic elements of these regulations for your review. This rule requires control devices and/or management practices for the operations described. *(NOTE: These requirements are independent of any existing state or federal regulations for your facility.)*

In order to determine your facility’s specific regulatory requirements, we recommend that you to read 40 CFR Part 63, Subpart XXXXXX – *National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Operations* and 40 CFR Part 63, Subpart A – *National Emission Standards for Hazardous Air Pollutants for Source Categories, Subpart A – General Provisions*. For a link to the rule and copies of additional forms that may be due, please go to http://bit.ly/sbcaap_air-toxics. On the Air Toxics page, scroll down and look for the date 7/23/08.

Please contact the EPA Region 5 office as indicated on the enclosed brochure if you have specific questions on this regulation, including whether it applies to you or how to comply. For basic questions on how to complete the form you may contact me at 608-264-6153 or 800-435-7287, ext 4.

Sincerely,



Renee Lesjak Bashel
Clean Air Specialist
Small Business Clean Air Assistance Program

Enclosures

Subpart XXXXXX - 9 METAL FABRICATION APPLICABILITY - By NAICS Code, with EPA Source Category

	NAICS Code	NAICS Description	EPA Source Category
1	332111	Iron and Steel Forging	Iron and Steel Forging
2	332117	Powder Metallurgy Part Manufacturing	Fabricated Metal Products, NEC
3	332312	Fabricated Structural Metal Manufacturing	Fabricated Structural Metal Manufacturing
4	332313	Plate Work Manufacturing	Fabricated Plate Work (Boiler Shops)
5	332410	Power Boiler and Heat Exchanger Manufacturing	Fabricated Plate Work (Boiler Shops)
6	332420	Metal Tank (Heavy Gauge) Manufacturing	Fabricated Plate Work (Boiler Shops)
7	332618	Other Fabricated Wire Product Manufacturing	Primary Metals Products Manufacturing
8	332919	Other Metal Valve and Pipe Fitting Manufacturing	Valves and Pipe Fittings, NEC
9	332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	Fabricated Metal Products, NEC
10	333120	Construction Machinery Manufacturing	Industrial Machinery and Equipment: Finishing Ops
11	333132	Oil and Gas Field Machinery and Equipment Manufacturing	Industrial Machinery and Equipment: Finishing Ops
12	333414	Heating Equipment (Except Warm Air Furnaces) Manufacturing	Heating Equipment, Except Electric
13	333911	Pump and Pumping Equipment Manufacturing	Industrial Machinery and Equipment: Finishing Ops
14	335312	Motor and Generator Manufacturing	Electrical and Electronic Equipment Finishing Ops
15	335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	Electrical and Electronic Equipment Finishing Ops

- “primarily engaged” = activity represents at least 50 percent of the production at a facility during previous continuous 12 months of operation
 - where production quantities are established by the volume, linear foot, square foot, or other value suited to the specific industry
- IMPORTANT: facilities must document and retain their rationale for the determination that their facility is not “primarily engaged”