

US EPA ARCHIVE DOCUMENT



## **NBC Project XL Summary Description**

### **NBC Project XL Direction and Goals**

Through EPA's Project XL Program NBC will attempt to improve the environmental performance of a select number of metal finishing companies by establishing regulatory flexibility incentives that both award superior environmental performance and allow for focussed compliance and technical assistance attention on lower level environmental performers.

As part of a pilot Project XL NBC will redirect Pretreatment Program regulatory efforts away from a select number of metal finishing companies that have demonstrated superior environmental performance records (Tier I Companies) and will focus these efforts on companies with lower performance records (Tier II Companies). Utilizing the regulatory flexibility options offered through Project XL NBC will establish a "ladder" of environmental performance recognition where top performers are allowed regulatory flexibility and lessened regulatory oversight and lower level performers are given more regulatory oversight and pollution prevention technical assistance. Through more efficient use of existing resources and manpower NBC will work toward the goal of achieving measurable improvements in the environmental performance levels of Tier II companies while encouraging and assisting Tier I companies to maintain their current level of superior environmental performance.

### **Defining Tier I and Tier II Performance Levels**

Utilizing seven to ten years of environmental data NBC will establish quantitative performance levels that distinguish superior (Tier I) and lower level (Tier II) environmental performance levels in relation to industry wide average performance levels. Data collected and analyzed will include but will not be limited to:

- Industrial wastewater effluent quality based on sampling and monitoring activities conducted by NBC's Environmental Monitoring and Data Analysis (EMDA) Program staff
- Hazardous waste generation based on hazardous waste manifests and Biennial Reports
- Water Consumption based on water bills and actual water meter readings
- Toxic chemical usage based on TRI Reports
- Number Effluent Limitation Violations
- Number of pH Violations
- Number of Reporting Requirement Violations

Based on the experiences of NBC's Pretreatment (PT) staff a list containing the names of 13 potential Tier I and 10 potential Tier II metal finishing companies has been compiled. Utilizing the environmental compliance data listed above average performance levels for each Tier level will be calculated and measured against average industry wide performance levels. This analysis will help to designate a particular company's performance level and will establish quantitative performance goals for the metal finishing community and NBC to work towards.

Metal finishing companies selected to participate in NBC's Metal Finishing 2000 Program will be afforded the opportunity to utilize regulatory flexibility options made available through Project XL. For each metal finishing company recognized as a Tier I environmental performer one Tier II metal finishing company will be selected to receive additional regulatory compliance oversight and pollution prevention assistance. Participation in this Project XL by Tier II companies may come about as a result of a company's request for compliance and/or technical assistance or as a result of enforcement actions taken by NBC. Efforts put forth by NBC's PT and P2 staff to improve the performance level of each Tier II company will be documented and the resulting changes in environmental performance will be measured.

<b>Requested Regulatory Flexibility</b>	<b>Federal Regulation</b>
1. Modify the definition of SIU to exclude metal finishing companies designated as Tier I through NBC's Metal Finishing 2000 Program.	40 CFR 403.3 (t)
2. Replace annual regulatory inspections of metal finishing companies designated as Tier I through NBC's Metal Finishing 2000 Program with Pollution Prevention Audits.	40 CFR 403.8 (f) (2) (v)
3. Eliminate self-monitoring requirements of certain constituents by metal finishing companies designated as Tier I through NBC's Metal Finishing 2000 Program based on historical non-use of any materials containing such constituents.	40 CFR 403.6 (c) (i)
4. Replacement of the "rolling quarters" determination of Significant Non-Compliance (SNC) with either a six month or a calendar year assessment of SNC.	40 CFR 403.8 (f) (2) (vii)
5. Modify the definition of SIU to exclude very small metal finishing operations that have little to no impact on NBC	40 CFR 403.3 (t)

operations.

Implementation of items 1 through 3 listed above will give top environmental performing companies an "award" for their efforts and will give lower performing companies incentives to improve their environmental programs. Implementation of items 4 and 5 will allow NBC's PT staff to redirect their time and effort toward working on projects that will result in greater environmental benefit.

### **NBC Voluntary Commitments**

As part of this Project XL NBC will commit to the following tasks and/or activities:

1. Perform 10 whole facility Pollution Prevention Audits of 10 individual Tier I Metal Finishing companies over a two-year period.
2. Perform 10 combined pollution prevention audits/regulatory inspections of 10 individual Tier II metal finishing companies. These combined pollution prevention audits/regulatory inspections may take the place of one annually required regulatory inspection.
3. Increase the effluent sampling collection and analysis of each company involved with this study by one additional sampling event per year for a two year period (20 additional sampling events per year). Should the approach of minimizing regulatory oversight of Tier I companies prove successful future sampling of the Tier I companies would also be minimized.

### **NBC Corporate Aspirations**

As part of this Project XL NBC anticipates improving the environmental performance levels of 10 Tier II metal finishing companies by:

1. Decreasing their average process water usage by x %.
2. Decreasing their average hazardous waste (F006) generation by x %.
3. Decreasing the average concentration of total metals in their effluent by x %.
4. Decreasing the number of NBC enforcement actions taken against these ten Tier II companies by x %.

## **Projected Outcomes**

By realigning Pretreatment regulatory efforts and Pollution Prevention technical assistance efforts toward specifically identified Tier II metal finishing companies NBC expects to demonstrate measurable and cost effective environmental improvements. Should this approach prove successful NBC would work toward extending appropriate regulatory flexibility options to qualifying companies within other industrial sectors.