

US EPA ARCHIVE DOCUMENT

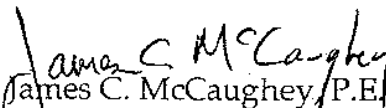


as a whole. Our various meetings and discussions with representatives of the metal finishing industry have indicated that if involvement by the industrial community in Metal Finishing 2000 and Project XL invites regulatory scrutiny - no companies will voluntarily participate.

- 3) This request for flexibility has been removed from the Project XL Proposal.
- 4) Section III A - 3 address specific proposed activities.
- 5) NBC Voluntary Commitment # 3 outlined in the August 26, 1999 letter is now under NBC Voluntary Commitment # 4 in Section II E - 1 of the revised proposal. This commitment has been changed to indicate NBC sampling of Tier II companies will be increased by one sampling event per year for each Tier II company. Sampling of Tier I companies will remain at the current two events per year.
- 6) Based on our review of environmental performance data on selected Tier II companies NBC feels that these goals can be reached provided these companies are given the incentives, technical assistance and regulatory oversight outlined in the Project XL proposal.
- 7) Environmental goals are outlined in detail in Section II E - 2 and throughout Section III.
- 8) Any change in NBC's inspection procedures associated with SIUs will require regulatory flexibility through Project XL. Specifically, 40 CFR 403.3 (t) classifies all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I and N as Significant Industrial Users (SIUs) and 40 CFR 403.8 (f) (2) (v) requires the NBC to inspect and sample the effluent for each SIU at least once per year. Changes in how NBC regulates self-monitoring of SIUs will also require regulatory flexibility through Project XL. 40 CFR 403.12 (e) (1) requires all SIUs to sample and monitor for each categorical pollutant at least twice per year. In order for NBC to eliminate inspections of Tier I company and in order to reduce their self-monitoring requirements these regulations will need to be modified.

I hope this letter and the enclosed revised proposal address all your concerns. If you have any questions, please feel free to contact me at 401/222-6680 x 352.

Sincerely,

  
James C. McCaughey, P.E.  
Pollution Prevention Manager