

at the State level) following 90-days notice based on the progress reports or on other information.

(iv) You must develop and maintain onsite a plan demonstrating the manner through which your facility is participating in the EPA-approved program.

(A) The plan must include facility-specific implementation elements, corporate-wide policies, and/or efforts coordinated by a trade association as appropriate for each facility.

(B) You must provide in the plan documentation of direction to appropriate staff to communicate to suppliers throughout the scrap supply chain the need to promote the removal or mercury switches from end-of-life vehicles. Upon the request of the Administrator or delegated authority, you must provide examples of materials that are used for outreach to suppliers, such as letters, contract language, policies for purchasing agents, and scrap inspection protocols.

(C) You must conduct periodic inspections or other means of corroboration to ensure that scrap providers are aware of the need for and are implementing appropriate steps to minimize the presence of mercury in scrap from end-of-life vehicles.

(3) *Option for specialty metal scrap.* You must certify in your notification of compliance status and maintain records of documentation that the only materials from motor vehicles in the scrap are materials recovered for their specialty alloy (including, but not limited to, chromium, nickel, molybdenum, or other alloys) content (such as certain exhaust systems) and, based on the nature of the scrap and purchase specifications, that the type of scrap is not reasonably expected to contain mercury switches.

(4) *Scrap that does not contain motor vehicle scrap.* For scrap not subject to the requirements in paragraphs (b)(1) through (3) of this section, you must certify in your notification of compliance status and maintain records of documentation that this scrap does not contain motor vehicle scrap.

§ 63.10886 What are my management practices for binder formulations?

For each furfuryl alcohol warm box mold or core making line at a new or existing iron and steel foundry, you must use a binder chemical formulation that does not use methanol as a specific ingredient of the catalyst formulation. This requirement does not apply to the resin portion of the binder system.

REQUIREMENTS FOR NEW AND EXISTING AFFECTED SOURCES CLASSIFIED AS SMALL FOUNDRIES

§ 63.10890 What are my management practices and compliance requirements?

(a) You must comply with the pollution prevention management practices for metallic scrap and mercury switches in § 63.10885 and binder formulations in § 63.10886.

(b) You must submit an initial notification of applicability according to § 63.9(b)(2).

(c) You must submit a notification of compliance status according to § 63.9(h)(1)(i). You must send the notification of compliance status before the close of business on the 30th day after the applicable compliance date specified in § 63.10881. The notification must include the following compliance certifications, as applicable:

(1) “This facility has prepared, and will operate by, written material specifications for metallic scrap according to § 63.10885(a)(1)” and/or “This facility has prepared, and will operate by, written material specifications for general iron and steel scrap according to § 63.10885(a)(2).”

(2) “This facility has prepared, and will operate by, written material specifications for the removal of mercury switches and a site-specific plan implementing the material specifications according to § 63.10885(b)(1) and/or “This facility participates in and purchases motor vehicle scrap only from scrap providers who participate in a program for removal of mercury switches that has been approved by the Administrator according to § 63.10885(b)(2) and has prepared a plan for participation in the EPA-approved program according to § 63.10885(b)(2)(iv)” and/or “The only

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materials from motor vehicles in the scrap charged to a metal melting furnace at this facility are materials recovered for their specialty alloy content in accordance with § 63.10885(b)(3) which are not reasonably expected to contain mercury switches” and/or “This facility complies with the requirements for scrap that does not contain motor vehicle scrap in accordance with § 63.10885(b)(4).”

(3) “This facility complies with the no methanol requirement for the catalyst portion of each binder chemical formulation for a furfuryl alcohol warm box mold or core making line according to § 63.10886.”

(d) As required by § 63.10(b)(1), you must maintain files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(e) You must maintain records of the information specified in paragraphs (e)(1) through (7) of this section according to the requirements in § 63.10(b)(1).

(1) Records supporting your initial notification of applicability and your notification of compliance status according to § 63.10(b)(2)(xiv).

(2) Records of your written materials specifications according to § 63.10885(a) and records that demonstrate compliance with the requirements for restricted metallic scrap in § 63.10885(a)(1) and/or for the use of general scrap in § 63.10885(a)(2) and for mercury in § 63.10885(b)(1) through (3), as applicable. You must keep records documenting compliance with § 63.10885(b)(4) for scrap that does not contain motor vehicle scrap.

(3) If you are subject to the requirements for a site-specific plan for mercury switch removal under § 63.10885(b)(1), you must:

(i) Maintain records of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed,

and an estimate of the percent of mercury switches recovered; and

(ii) Submit semiannual reports of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and a certification that the recovered mercury switches were recycled at RCRA-permitted facilities. The semiannual reports must include a certification that you have conducted periodic inspections or taken other means of corroboration as required under § 63.10885(b)(1)(ii)(C). You must identify which option in paragraph § 63.10885(b) applies to each scrap provider, contract, or shipment. You may include this information in the semiannual compliance reports required under paragraph (f) of this section.

(4) If you are subject to the option for approved mercury programs under § 63.10885(b)(2), you must maintain records identifying each scrap provider and documenting the scrap provider's participation in an approved mercury switch removal program. If you purchase motor vehicle scrap from a broker, you must maintain records identifying each broker and documentation that all scrap provided by the broker was obtained from other scrap providers who participate in an approved mercury switch removal program.

(5) Records to document use of binder chemical formulation that does not contain methanol as a specific ingredient of the catalyst formulation for each furfuryl alcohol warm box mold or core making line as required by § 63.10886. These records must be the Material Safety Data Sheet (provided that it contains appropriate information), a certified product data sheet, or a manufacturer's hazardous air pollutant data sheet.

(6) Records of the annual quantity and composition of each HAP-containing chemical binder or coating material used to make molds and cores. These records must be copies of purchasing records, Material Safety Data Sheets, or other documentation that provides information on the binder or coating materials used.

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(7) Records of metal melt production for each calendar year.

(f) You must submit semiannual compliance reports to the Administrator according to the requirements in § 63.10(e). The report must clearly identify any deviation from the pollution prevention management practices in § 63.10885 or § 63.10886 and the corrective action taken.

(g) You must submit a written notification to the Administrator of the initial classification of your facility as a small foundry as required in § 63.10880(f) and (g), as applicable, and for any subsequent reclassification as required in § 63.10881(d)(1) or (e), as applicable.

(h) Following the initial determination for an existing affected source as a small foundry, if the annual metal melt production exceeds 20,000 tons during the preceding year, you must comply with the requirements for large foundries by the applicable dates in § 63.10881(d)(1)(i) or (d)(1)(ii). Following the initial determination for a new affected source as a small foundry, if you increase the annual metal melt capacity to exceed 10,000 tons, you must comply with the requirements for a large foundry by the applicable dates in § 63.10881(e)(1).

(i) You must comply with the following requirements of the General Provisions (40 CFR part 63, subpart A): §§ 63.1 through 63.5; § 63.6(a), (b), (c), and (e)(1); § 63.9; § 63.10(a), (b)(1), (b)(2)(xiv), (b)(3), (d)(1), (d)(4), and (f); and §§ 63.13 through 63.16. Requirements of the General Provisions not cited in the preceding sentence do not apply to the owner or operator of a new or existing affected source that is classified as a small foundry.

REQUIREMENTS FOR NEW AND EXISTING AFFECTED SOURCES CLASSIFIED AS LARGE IRON AND STEEL FOUNDRIES

§ 63.10895 What are my standards and management practices?

(a) If you own or operate an affected source that is a large foundry as defined in § 63.10906, you must comply with the pollution prevention management practices in §§ 63.10885 and 63.10886, the requirements in paragraphs (b) through (e) of this section,

and the requirements in §§ 63.10896 through 63.10900.

(b) You must operate a capture and collection system for each metal melting furnace at a new or existing iron and steel foundry unless that furnace is specifically uncontrolled as part of an emissions averaging group. Each capture and collection system must meet accepted engineering standards, such as those published by the American Conference of Governmental Industrial Hygienists.

(c) You must not discharge to the atmosphere emissions from any metal melting furnace or group of all metal melting furnaces that exceed the applicable limit in paragraph (c)(1) or (2) of this section. When an alternative emissions limit is provided for a given emissions source, you are not restricted in the selection of which applicable alternative emissions limit is used to demonstrate compliance.

(1) For an existing iron and steel foundry, 0.8 pounds of particulate matter (PM) per ton of metal charged or 0.06 pounds of total metal HAP per ton of metal charged.

(2) For a new iron and steel foundry, 0.1 pounds of PM per ton of metal charged or 0.008 pounds of total metal HAP per ton of metal charged.

(d) If you own or operate a new affected source, you must comply with each control device parameter operating limit in paragraphs (d)(1) and (2) of this section that applies to you.

(1) For each wet scrubber applied to emissions from a metal melting furnace, you must maintain the 3-hour average pressure drop and scrubber water flow rate at or above the minimum levels established during the initial or subsequent performance test.

(2) For each electrostatic precipitator applied to emissions from a metal melting furnace, you must maintain the voltage and secondary current (or total power input) to the control device at or above the level established during the initial or subsequent performance test.

(e) If you own or operate a new or existing iron and steel foundry, you must not discharge to the atmosphere fugitive emissions from foundry operations that exhibit opacity greater than 20 percent (6-minute average), except for