

# SMART PRINTING

*Successful Business*

*Sustainable Environment*



## A Guide to Environmental Regulations and Permit Requirements for Printers

(Revised March 2007)



[www.nyc.gov/dep](http://www.nyc.gov/dep)

Michael R. Bloomberg, Mayor  
Emily Lloyd, Commissioner

## **I. PURPOSE OF THIS GUIDE**

The primary purpose of this guide is to assist New York City's printers, including lithographic, flexographic, screen and gravure printers, to understand and comply with regulations of the New York City Department of Environmental Protection (DEP).

## **II. DEP ENVIRONMENTAL REGULATIONS**

DEP enforces various environmental regulations that apply to printers operating in NYC. These regulations, which are contained primarily in the Rules of the City of New York (RCNY) and the New York City Administrative Code (NYCAC), include requirements for obtaining permits, controlling air emissions and wastewater discharges, and using, storing, processing or handling hazardous substances, extremely hazardous substances (EHS), and regulated toxic substances that meet or exceed certain reporting thresholds.

This guide describes the primary environmental regulations that apply to the majority of new and existing printers. It supplements the *Smart Business Guide to DEP Environmental Regulations and Permitting Requirements (Smart Business)*, which is a more general industry guide.

To obtain further information about this Guide, call the Environmental Economic Development Assistance Unit (EEDA) at (718) 595-4436. This guide also contains compliance assistance contacts at the state and federal levels.

### **A. DEP Air Regulations (See NYCAC Title 24, Chapter 1)**

As described in the *Smart Business Guide*, a DEP work permit and certificate of operation is required for equipment used in the printing process. For example, equipment used by lithographic, flexographic, screen and gravure printers requires a work permit and certificate of operation.

The work permit is required before equipment installation, and the certificate of operation is required before the equipment is operated. A professional engineer or registered architect licensed to practice in New York State must certify various aspects of the application for the work permit and certificate of operation, including that it fully complies with DEP's Bureau of Environmental Compliance regulations and directives; that the technical information on the equipment is accurate; and that the equipment has been inspected.

Certificates of operation must be renewed every three years. Modifications or alterations to equipment may require an amendment or a new certificate of operation.

In addition to permitting requirements, printers must comply with other DEP air regulations. For example, printers are required to maintain their equipment in good operating order through regular inspections, cleaning, and prompt repairs. Furthermore, any industry is prohibited from causing emissions of air contaminants or odors potentially detrimental to a person's health, safety, welfare, or comfort. The law defines an "air contaminant" as any emission into the outdoor air except water vapor; and an "odor" as any emission that creates a nuisance.

For a copy of DEP's air regulations, call the Environmental Economic Development Assistance Unit (EEDA) at (718) 595-4436. (Please see Section III for contact information regarding state and federal regulations.)

### **B. DEP Noise Regulations (see NYCAC Title 24, Chapter 2)**

All commercial and industrial operations, including printers, are subject to DEP's noise regulations. These regulations contain specific noise standards for equipment such as air compressors and air circulating devices. It is also unlawful to cause or permit "unreasonable noise." Equipment that does not have specific noise limits, such as presses, is covered under the unreasonable noise standards. To review or download amendments to the Noise Control Code Regulations, visit [www.nyc.gov/dep/html/airnoise.html](http://www.nyc.gov/dep/html/airnoise.html). The new regulations become effective in July 2007. For further information, please call (718) 595-4436.

### **C. DEP "Right-to-Know" Requirements (see NYCAC Title 24, Chapter 7 and RCNY Title 15, Chapter 41)**

As described in *Smart Business* and *Complying with the New York City Community Right-to-Know* brochures, if you use, store, process, or handle any substance on New York City's List of Hazardous Substances at or above its "threshold reporting quantity (TRQ)," including in a mixture, you must file a Facility Inventory Form (FIF) every year. Some examples of such substances are propyl alcohol, n-propyl acetate, inks, and isopropyl alcohol (e.g., in fountain solutions). This filing is due by March 1 of each year for the previous January through December calendar period and must be accompanied by the latest applicable "Material Safety Data Sheets" and the applicable filing fee.

Note: DEP has introduced a web-based reporting system called the Tier II Filing System. For information, please call DEP's Bureau of Environmental Compliance, Right-To-Know Program, at (718) 595-4659, or go to [www.nyc.gov/dep/tier2filing](http://www.nyc.gov/dep/tier2filing) to initiate the online registration process.

On this website you will find the NYC Community Right-To-Know Laws and Regulations which contain the Hazardous Substances List, threshold reporting quantities and labeling requirements, and the NYC Community Right-to-Know Guidelines for Reporting to assist NYC-based facilities in completing the Facility Inventory Form (FIF).

#### **D. Requirements for Spills and Other Emergencies Involving Hazardous Substances (see NYCAC Title 24, Chapter 6 & RCNY Title 15, Chapter 11)**

If you know of a release or spill of a hazardous substance or abandoned material, you are required to immediately telephone the NYCDEP's Division of Emergency Response and Technical Assessment (DERTA), at (718) 595-4646, and send written notification by certified mail within one week of the release, to: DERTA, 59-17 Junction Blvd, 1st Fl-LR, Flushing, NY 11373-5108.

In the event of a significant incident involving a hazardous substance, which presents a danger to the public, contact 911 immediately.

For a copy of the Emergency Response Regulations, known as the "Spill Bill," which contains the "Hazardous Substances" List, reportable quantities and other requirements, visit [www.nyc.gov/dep/tier2filing](http://www.nyc.gov/dep/tier2filing) or call DEP's Bureau of Environmental Compliance, Division of Emergency Response & Technical Assessment (DERTA), at (718) 595-4784.

#### **E. DEP Wastewater Regulations (see NYCAC Title 24, Chapter 5, and RCNY Title 15, Chapter 19)**

All NYC businesses must comply with DEP's wastewater regulations, namely RCNY, Title 15, Chapter 19 "Use of the Public Sewers." Please call 311 to obtain a copy. These regulations restrict or prohibit the discharge of various substances to public sewers such as flammables, inks, toxic substances, blanket wash, fountain solution, and untreated developer. They also require certain operations to obtain a wastewater discharge permit.

Printers who are involved in film processing and discharge "total silver halide" process wastewater to NYC public sewers must implement a "Best Management Practices Plan" (BMPP). BMPP requirements include installing appropriate silver-recovery pretreatment equipment, meeting silver-recovery rates, proper off-site disposal and reclamation of silver-rich solutions, and sampling and record-keeping. For more information on wastewater regulations, please call 311.

#### **F. Violations**

Printers who fail to comply with DEP regulations are subject to Notices of Violation and/or fines. For example, it is a violation to cause emissions of air contaminants or odors potentially detrimental to a person's health or comfort. The first violation for such air or odor emissions carries a penalty of between \$500-\$5,000. Penalties could be significantly higher for subsequent violations, or if the violation is not responded to in person or in writing.

Other typical violations for printers include:

- Not having the required certificate of operation for equipment, e.g., printing equipment (\$800-\$4,800 penalty for first violation);
- not renewing a certificate of operation (\$350-\$875 penalty for first violation);
- failing to file the annual Right-to-Know "Facility Inventory Form" (penalty for first violation \$500 to \$5000; subsequent violations up to \$20,000 penalty).

#### **DEP'S "POLLUTION PREVENTION PROGRAM"**

Pollution prevention (P2) is a production strategy that reduces waste emissions into the environment. It is the minimizing or elimination of waste at the beginning of a process. It can involve using more environmentally safe chemicals, reusing process waste or improving housekeeping practices. It can also save money. For more information, please refer to DEP's *Guide to Pollution Prevention for New York City Businesses*.

DEP's Environmental Economic Development Assistance Unit (EEDA) can provide you with updated information on environmental rules and regulations, and can recommend free, confidential pollution prevention technical assistance support. To learn more about the program, call EEDA at (718) 595-4436.

### **III. STATE & FEDERAL REGULATIONS AND PROGRAMS**

#### **A. New York State Department of Environmental Conservation (NYSDEC) Requirements**

NYSDEC has various requirements relating to printers including those under Title 6, Chapter 3 (see various "Parts") of the New York State Codes, Rules and Regulations. For example, under Part 201 you may be required to obtain a registration or a permit for your operations from NYSDEC in addition to DEP's certificate of operation.

Part 234 ("Graphic Arts") contains provisions relating to emissions from printers. For example, it contains stan-

dards for volatile organic compound (“VOC”) contents in inks and fountain solutions, and requirements for control equipment and monitoring, ink and solvent storage, as well as other requirements. Please note that different printing processes have different VOC and control requirements.

NYSDEC has other regulations specific to printers including those covering hazardous waste management, discharges to ground or surface waters and spill reporting. For example, companies are required to report a spill of petroleum products or hazardous materials within two hours to NYSDEC’s 24-Hour Hotline, (800) 457-7362. For general information, please call NYSDEC at (518) 402-8545.

NYSDEC has been delegated EPA “Code of Federal Regulations” (CFR) Title 40, Part 60.430, Subpart QQ, which covers rotogravure presses constructed, reconstructed, or modified after October 28, 1980. These rules contain requirements (which can be incorporated into your state permit), including emission controls, record-keeping, monitoring, testing, and reporting. NYSDEC also has received delegation from EPA for CFR Title 40, Part 63, Subpart KK, which covers requirements for certain types of rotogravure and flexographic printing presses.

NYSDEC also offers free pollution prevention technical assistance for small quantity generators. To learn more, call (800) 462-6553, or go to the website [www.dec.state.ny.us/website/ppu](http://www.dec.state.ny.us/website/ppu). For further assistance on state requirements, permits and compliance assistance, call NYSDEC at (518) 402-9167.

### **B. New York State Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM)**

If your business is independently owned and operated with fewer than 100 employees, you may contact the PROGRAM to learn more about your rights and responsibilities under New York State’s air regulations, such as Part 234. The PROGRAM provides free and confidential technical and compliance assistance to small businesses in New York State.

The PROGRAM has two elements, both of which are provided by non-regulatory state agencies: The Small Business Environmental Ombudsman (SBEO) at Empire State Development and the Small Business Assistance Program (SBAP), provided by the New York State Environmental Facilities Corporation. For general information about air regulations and for help locating sources of financing for compliance projects, contact the SBEO via phone at (877) 247-2329, via e-mail at [environment@empire.state.ny.us](mailto:environment@empire.state.ny.us), or visit their

website at [www.empire.state.ny.us](http://www.empire.state.ny.us). For technical and compliance assistance, help in completing required New York State permits, fact sheets, workshops and other information for printers, contact the SBAP via phone at (800)780-7227, e-mail at [sbap@nysefc.org](mailto:sbap@nysefc.org), or visit their website at [www.nysefc.org](http://www.nysefc.org), and click on Small Business Assistance.

### **C. U.S. Environmental Protection Agency, Region 2**

Federal EPA regulations affecting printers have been predominantly delegated to NYSDEC. This includes permit and other air pollution requirements under the Clean Air Act, hazardous waste management under the Resource Conservation and Recovery Act (RCRA), and direct discharges to surface waters from industrial processes or stormwater systems under the Clean Water Act. The following outlines federal program requirements affecting printers that have not been delegated to NYSDEC. Some, but not necessarily all, of the following EPA-administered regulations may apply to your individual print shop.

Under the Clean Air Act, requirements for facilities which emit hazardous air pollutants (HAPS) and operate certain types of rotogravure and flexographic printing presses can be found in the Code of Federal Regulations (CFR), Title 40, Part 63, Subpart KK. For further information on reporting, record-keeping, and control requirements, call (212) 637-4067.

Under the Emergency Planning Community Right-to-Know Act (EPCRA) Section 313, printers using quantities of specified chemicals above established thresholds must file Form “R,” the Toxic Release Reporting Form annually with the EPA by July 1 (for the previous January through December calendar period). For further information, call (732) 906-6890 or the EPCRA Hotline at (800) 424-9346.

New York City has its own Community Right-to-Know law as described in Section II-C of this guide. Compliance with DEP’s Right-to-Know requirements will satisfy Section 311 chemical hazard and Section 312 chemical inventory reporting requirements of the federal EPCRA. For further information on federal requirements, call the Response Prevention Branch at (732) 321-4348 or the EPCRA Hotline at (800) 424-9346.

DEP administers a pretreatment program approved by EPA, under 40 CFR Part 403 of the Clean Water Act, regulating industrial wastewater discharges to municipal sewer systems (see Section II-E of this guide).

Under the Safe Drinking Water Act (40 CFR Parts 144-148), EPA regulates underground disposal of liquid

industrial wastes. Types of wells or sources that may receive these industrial wastes are septic tanks, dug holes, dry wells, and leachfields. Under 40 CFR Part 280 of the Resource Conservation and Recovery Act (RCRA), EPA regulates the storage of petroleum or hazardous substances in underground storage tanks (USTs). For further information on USTs or permitting or closure requirements for wells, call (212) 637-4232.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as Superfund, requires that any release of a hazardous substance that meets or exceeds a designated “reportable quantity” must be immediately reported to the National Response Center (800) 424-8802. Reportable quantities and notification requirements can be found in 40 CFR Part 302. For further information, call (732) 321-6654.

Oil pollution prevention regulations, under 40 CFR, Part 112 of the Clean Water Act, require facilities that meet certain oil storage capacity requirements and can be reasonably expected, in the event of a spill, to discharge oil into or upon the navigable waters of the U.S. or adjoining shoreline, to develop and implement a professional engineer-certified Spill Prevention Control and Countermeasure (SPCC) Plan. For further information, call the Emergency & Remedial Response Division at (732) 321-6656.

Under the Toxic Substances Control Act (TSCA), the import of chemicals, reporting related to chemical manufacturing and polychlorinated biphenyls (PCBs) are regulated under 40 CFR Parts 702-799. For further information, call (732) 906-6179.

***Information on pollution prevention, regulatory compliance and training opportunities for printers may be found by visiting the following EPA Internet Web Sites:***

EPA National Homepage: [www.epa.gov](http://www.epa.gov)

EPA Region 2 Homepage: [www.epa.gov/region02/capp](http://www.epa.gov/region02/capp)

Design for the Environment: [www.epa.gov/dfc](http://www.epa.gov/dfc)

Envirosense: [www.epa.gov/envirosense](http://www.epa.gov/envirosense)

Small Business Environmental Home Page:  
[www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

Printer’s National Environmental Assistance Center (PNEAC): [www.pneac.org](http://www.pneac.org)

For further information on EPA Internet resources, videos, publications and the Small Business Compliance Incentive Policy, or to request an on-site compliance assistance visit, call (212) 637-3521.

## **PUBLICATIONS AVAILABLE:**

“Graphic Arts: An Overview of Pollution Prevention, Rules and Regulations.” NYS Small Business Stationary Source Technical and Environmental Compliance Assistance Program. To obtain a copy, call (877) 247-2329.

“Environmental Compliance Pollution Prevention Guide for Lithographic Printers.” NYS Department of Environmental Conservation. To obtain a copy, call (518) 402-9167.

“Environmental Self-Assessment for Lithographic Printers.” NYS Department of Environmental Conservation. To obtain a copy, call (518) 402-9167.

“Environmental Compliance and Pollution Prevention Technical Assistance Directory for Printers - New York City.” U.S. Environmental Protection Agency. To obtain a copy, call (212) 637-3521.

For further information about the topics outlined in this guide, call DEP’s Environmental Economic Development Assistance Unit (EEDAU) at (718) 595-4436. For other information about DEP, visit DEP On-Line at: [www.nyc.gov/dep](http://www.nyc.gov/dep) or call the 311 Citizen Service Center.



# Government Information and Services for NYC



[www.nyc.gov/dep](http://www.nyc.gov/dep)

**New York City Department of Environmental Protection  
Bureau of Environmental Compliance  
59-17 Junction Blvd.  
Flushing, NY 11373-5108**