

## Environmental Fact Sheet

### Air Toxics Standard for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

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#### Regulation

On September 17, 2007, the Environmental Protection Agency (EPA) issued proposed air toxics standards for smaller emitting sources, called Area Sources for Paint Stripping and Surface Coating Operations (Part 63, Subpart HHHHHH). On December 14, 2007, the final rule was issued. A summary of the final rule is provided below.

#### Applicability

The final rule **applies to** area sources that engage in:

- ❖ Paint stripping operations (wood, metal, plastics, and other substrates) that use methylene chloride (MeCl) for the removal of dried paint (includes paint, enamel, varnish, shellac, and lacquer) – targets MeCl evaporative losses;
- ❖ Spray application of coatings to motor vehicles and mobile equipment (includes stationary and mobile repair and refinishing operations, except spray coating applications for facility maintenance purposes).
- ❖ Spray application of coatings that contain a target HAP to a plastic and/or metal substrate on a part or product, except spray coating applications for facility maintenance or space vehicle applications.
- ❖ Autobody refinishing operations that includes motor vehicle and mobile equipment spray-applied surface coating operations.

The final rule **does not apply** to:

- ❖ Installations owned or operated by the Armed Forces of the United States (including the Coast Guard and the National Guard).
- ❖ Military munitions (ammunition products and components) manufactured by or for the Armed Forces of the United States or equipment used for the purposes of transporting military munitions.
- ❖ Personal vehicles, possessions, or property, either as a hobby or for maintenance purposes unless this individual spray applies surface coating to more than two motor vehicles or pieces of mobile equipment per year.
- ❖ Research and laboratory activities as defined in the final rule under Part 63.11180.

- ❖ Quality Control activities as defined in the final rule under Part 63.11180.
- ❖ Surface coating or paint stripping activities that are covered under another area source NESHAP.

The final rule and background information is available online at  
<http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.htm>

## Definitions

- ⤴ **Area source** – has the potential to emit less than 10 tons per year of a single hazardous air pollutant (HAP) or less than 25 tons per year of any combination of HAPs. If sources emit more than these amounts, they are called “major” sources.
- ⤴ **New area source** – construction or reconstruction of the source was initiated after September 17, 2007 by installing new paint stripping or surface coating equipment for a new facility or a facility that was not actively engaged in these operations prior to this date.
- ⤴ **Existing area source** – the source was actively engaged in paint stripping or surface coating operations on or before September 17, 2007.
- ⤴ **Facility Maintenance** – surface coating performed as part of the routine repair, installation, or renovation of tools, equipment, machinery, and structures that are necessary for the facility to function in its intended capacity.
- ⤴ **Mobile Equipment** – any device that may be drawn and/or driven on a roadway including, but not limited to, heavy-duty trucks, truck trailers, fleet delivery trucks, buses, mobile cranes, bulldozers, agriculture equipment, motor homes, and other recreational vehicles.
- ⤴ **Motor Vehicle** – any self-propelled vehicle including, but not limited to, automobiles, light duty trucks, golf carts, vans, and motorcycles.
- ⤴ **NESHAP** – National Emission Standard for Hazardous Air Pollutants.
- ⤴ **Quality control activities** – activities associated with a surface coating or paint stripping operation intended to detect and correct defects in the final product and do not include the production of an intermediate or final product for sale or exchange for commercial profit.
- ⤴ **Reconstruction** – fixed capital cost of replacement components exceeds 50% of the fixed capital cost required to construct a comparable new source. A reconstructed source is subject to relevant standards for new sources.
- ⤴ **Research and laboratory activities** – activities to test more efficient production processes, research and development into new processes and products and that is not engaged in the manufacture of products for sale or exchange for commercial profit.
- ⤴ **Space Vehicle** – vehicles designed to travel beyond the limit of the earth’s atmosphere e.g., satellites, space stations, and the space shuttle system.
- ⤴ **Target HAP** – compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd) in coating overspray, collectively referred to as the target Hazardous Air Pollutant at a concentration greater than 0.1 percent by mass (OSHA-designed carcinogen) or 1.0 percent by mass (any other individual target HAP compound).

## Compliance Deadlines

- √ If initial startup of your new or reconstructed source is after September 17, 2007, you must be in compliance with the new requirements by **the date of the publication of the final rule in the Federal Register – January 9, 2008** or by the date of initial start up, whichever is later.
- √ If you are an existing source, you must be in compliance with the new requirements within three (3) years after **the date of publication of the final rule. January 9, 2008**

## Rule Requirements

### Paint Stripping Operations

#### ◆ **Paint Stripping operations that use MeCl must:**

- Implement “Best Management Practices” to minimize evaporative emissions of MeCl. At a minimum you must:
  - Evaluate each application to ensure there is a need for paint stripping.
  - Evaluate each application using MeCl to ensure there is no alternative technology that can be used.
    - √ Remember, if you don’t use MeCl in your paint stripping operations, you won’t have to worry about complying with the new rule. Look for MeCl alternatives.
  - Reduce exposure of paint strippers containing MeCl to the air.
  - Optimize application conditions to reduce evaporation (maintaining low temperatures to reduce evaporation when the stripper is heated);
  - Practice proper storage and disposal of paint strippers (store in closed, air-tight containers).

#### ◆ **Paint Stripping operations that use more than one ton of MeCl annually must:**

- Implement “Best Management Practices” as outlined above.
- Develop and implement a written MeCl Minimization Plan. This plan must be kept on-site.
- Post a placard or sign outlining the MeCl minimization plan in each area where paint stripping using MeCl occurs.

#### ◆ **Recordkeeping**

- Records must be maintained for at least five years. Copies of records must be kept on-site for at least 2 years. Records should include:
  - Documentation to verify annual usage of paint strippers containing MeCl (e.g., material safety data sheets, purchase receipts, records of paint stripper usage, MeCl content, engineering calculations).

- If you use more than one ton of MeCl, you are required to maintain a record of your most current MeCl minimization plan, annual review of, and updates to, the plan.
- Copies of Initial and Compliance Notifications, if applicable.
- Copies of Annual Notification of Changes report.
- Records of any deviations from the requirements of this rule (e.g., date and time period of deviation, description, and actions taken to correct the deviation).

## Surface Coating Operations

### ◆ Surface Coating operations must:

- Implement equipment and management practices that minimize the amount of coating required and capture toxic metal particulates from the process.
- Motor vehicle or mobile equipment surface coating operations may petition the **Air Division** for an exemption from this rule if you can demonstrate that you spray apply no coatings that contain a target HAP. Petitions must include a description of the coatings that you spray apply and a certification that you do not spray apply any coatings containing a target HAP.
- Confine all spray operations to within properly filtered spray booths, preparation stations, or mobile enclosures. The stations must be fitted with a type of filter technology that is demonstrated to achieve at least 98 percent capture of paint overspray (ASHRAE Method 52.1). Published filter efficiency data provided by filter vendors may be used to demonstrate compliance with this requirement.
  - Stations used to refinish complete motor vehicles or mobile equipment must be fully enclosed with a full roof, and four complete walls or side curtains and ventilated at negative pressure.
  - If a spray booth is fully enclosed and has seals on all doors and openings and has an automatic pressure balancing system, it may be operated at up to, but not more than, 0.05 inches water gauge positive pressure.
  - Stations used to coat miscellaneous parts and products or vehicle subassemblies must have a full roof, at least three complete walls or side curtains, and ventilated at negative pressure.
  - The walls and roof of a booth may have openings, if needed, to allow for conveyors and parts to pass through the booth during the coating process.
  - Mobile ventilated enclosures used to perform spot repairs must enclose (and seal against the surface around the area, if necessary) the area being coated such that paint overspray is retained within the enclosure and directed to a filter.
- Use high-volume low-pressure (HVLP), electrostatic, airless, air-assisted airless applications, or an equivalent technology for all spray-applied coatings.
  - Equivalent technology must achieve transfer efficiency comparable to one of the spray gun technologies listed above (procedure is listed in the final rule under Part 63.11173(e)(3)) and;

- Written approval to use this technology must be obtained from the Air Division prior to use.
- Clean paint spray guns so that an atomized mist or spray of gun cleaning solvent and paint residue is not created outside of a container that collects the used gun cleaning solvent. Examples include:
  - Hand cleaning of gun parts in a solvent container by flushing solvent through the gun without atomizing the solvent and paint residue or;
  - Use of a fully enclosed spray gun washer.
- Train and certify all spray equipment operators in proper application of surface coatings and the proper setup and maintenance of spray equipment. This includes contract personnel. A list of specific requirements is outlined in the rule under Part 63.11173(f).
  - New area sources must train and certify operators no later than 180 days after hiring or no later than 180 days after the date of publication of the final rule in the Federal Register, whichever is later.
  - Employees who transfer within a company to a position as a painter are subject to the same requirements as a new hire.
  - Existing area sources must train and certify operators no later than three (3) years after the date of publication of the final rule and provide required training within 180 days of hiring a new employee.
  - The training requirements do not apply to the students of an accredited surface coating training program who are under the direct supervision of a certified instructor.
  - Spray equipment operators that have completed previous training that meets the requirements in the rule and within 5 years prior to the date training is required will not have to be re-certified.
  - Spray equipment operators must be re-certified every 5 years. Refresher training must meet the requirements outlined in the final rule.

◆ **Recordkeeping**

- Maintain all records for at least five years. Copies of records must be kept on-site for at least 2 years. Records should include:
  - Training certifications with the date the initial and the most recent refresher training was completed.
  - Documentation of the filter efficiency of any spray booth exhaust filter material.
  - Documentation from the spray gun manufacturer that each spray gun with a cup capacity equal to or greater than 3.0 fluid ounces (89cc) that does not meet the definition of an HVLP, electrostatic, airless, or air-assisted airless spray gun, has been determined to achieve an equivalent transfer efficiency to one of these technologies.
  - Approval to use alternative spray gun technology, if applicable.
  - Copies of Initial and Compliance Notifications, if applicable.

- Copies of Annual Notification of Changes report.
- Records of any assessments of source compliance performed in support of the initial notification, notification of compliance status, or annual notification of changes report.
- Records of any deviations from the requirements of this rule (e.g., date and time period of deviation, description, and actions taken to correct the deviation).

## Notifications and Reports

### ◆ Initial Notification

- New area sources must submit the Initial Notification no later than 180 days after initial startup or 180 days after the date of publication of the final rule in the Federal Register, whichever is later.
- Existing area sources must submit this form no later than two (2) years after the date of publication of the final rule. January 9, 2008
- Information on the Initial Notification is outlined in the final rule under Part 63.11175(a).

### ◆ Notification of Compliance Status

- New area sources are not required to submit a separate Notification of Compliance Status in addition to the Initial Notification provided you were able to certify compliance as part of the Initial Notification and your compliance status has not since changed.
- Existing area sources that did not certify compliance in the Initial Notification must submit a Notification of Compliance Status form on or before three (3) years and 60 days after the date of publication of the final rule.
- Information on the Notification of Compliance Status is outlined in the final rule under Part 63.11175(b).

### ◆ Annual Notification of Changes Report

- Submit a report in each calendar year in which information previously submitted in either the Initial Notification, Notification of Compliance Status, or a previous Annual Notification of Changes Report has changed.
- Must be submitted prior to March 1 of each calendar year when reportable changes have occurred.
- Information on the Notification of Changes Report is outlined in the final rule under Part 63.11176(a).
- Paint stripping operations using more than one ton of MeCl annually:
  - Paint stripping operations that have not developed and implemented a written MeCl Minimization Plan must submit a report for any calendar year for which more than one ton of MeCl was used. This must be submitted no later than March 1 of the following calendar year.

- A written MeCI Minimization Plan must be developed and implemented by no later than December 31.
- A Notification of Compliance Status Report form must be submitted by March 1 of the following year.

## For More Information

- ❖ Contact the [Air Pollution Control Division](#) at the Vermont Department of Environmental Conservation.
- ❖ Contact the [Small Business Compliance Assistance Program \(SBAP\)](#) or the [Municipal Compliance Assistance Program](#) at the Vermont Department of Environmental Conservation.
- ❖ Both Assistance Programs offer free and confidential assistance with environmental questions.

Air Pollution Control Division: 802-241-3840  
[www.anr.state.vt.us/air/index.htm](http://www.anr.state.vt.us/air/index.htm)

or

Municipal Compliance Assistance Program: (800) 974-9559 or 802-241-3471  
Small Business Compliance Assistance Program: (800) 974-9559 or 802-241-3745  
[www.eaovt.org](http://www.eaovt.org)