

Colorado Department of Public Health and Environment

Air Pollution Control Division



Air Toxics Standard for Miscellaneous Surface Coating Operations At Area Sources, Final Rule

FACT SHEET

ACTION

On January 9, 2008, the Environmental Protection Agency (EPA) finalized standards for area sources for paint stripping and surface coating Operations (40 CFR Part 63, Subpart HHHHHH). A summary of the final rule for **surface coating** operations is provided in this document. The final rule for paint stripping operations is included in a separate guidance document. EPA will implement and enforce this rule until it is determined whether the State of Colorado will adopt and enforce it.

This Fact Sheet is For Summary Purposes Only – See Final Rule for Specific Requirements

APPLICABILITY

The final rule for surface coating operations **applies to** area sources that engage in:

- ❖ Autobody refinishing operations that includes motor vehicles and mobile equipment spray-applied surface coating operations.

Note: Motor vehicle or mobile equipment surface coating operations may petition the EPA or State (if the rule is adopted by the State) 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 are spray applied and a certification that you do not spray apply any coatings containing a target HAP.

- ❖ Spray application of coatings that contain a target Hazardous Air Pollutant (HAP) to a plastic and/or metal substrate on a part or product that is neither a motor vehicle or mobile equipment.

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

- ❖ Spray coating applications for facility maintenance or space vehicle applications (refer to definitions).
- ❖ Surface coating at installations owned or operated by the Armed Forces of the United States (including the Coast Guard and the National Guard of any such State), NASA, or the National Nuclear Security Administration.
- ❖ Surface coating of military munitions (ammunition products and components) manufactured by or for the Armed Forces of the United States or equipment used exclusively for the purposes of transporting military munitions.
- ❖ Surface coating of personal vehicles, possessions, or property, either as a hobby or for maintenance purposes unless this individual spray applies a coating of no more than two motor vehicles or pieces of mobile equipment per year.

- ❖ Spray coating applications performed by individuals for others without compensation unless apply surface coating of no more than two motor vehicles or pieces of mobile equipment per year.
- ❖ Surface coating that meets the definition of research and laboratory activities as defined in the final rule under 40 CFR Part 63.11180.
- ❖ Surface coating that meets the definition of Quality Control activities as defined in the final rule under 40 CFR Part 63.11180.
- ❖ Surface coating activities that are covered under another federal area source standard such as a National Emission Standard for Hazardous Air Pollutants (NESHAP).
- ❖ Surface coating using hand-held aerosol cans, or hand-held devices with a cup capacity of 3 fluid ounces or less

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 for this rule was initiated after September 17, 2007 (date of the proposed rule) by installing new 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** – is a source that is not a new area source.
- ⤴ **Facility Maintenance** – surface coating performed as part of the routine repair, installation, or renovation of tools, equipment, machinery, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity. Includes surface coating of stationary structures at the site of installation. (Refer to rule definitions under 40 CFR Part 63. 11180)
- ⤴ **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 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. The activities are not a normal part of the surface coating operation and are not facility maintenance.
- ⤴ **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** – conducted at a laboratory - 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. (see full definition in rule under 40 CFR Part 63 63.11180)
- ⤴ **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).
- ⤴ **Target HAP Containing coating**- a spray applied coating that contains any individual target Hazardous Air Pollutant at a concentration greater than 0.1 percent by mass (OSHA-defined carcinogen) or 1.0 percent by mass (any other individual target HAP compound). This information is ordinarily obtained from the MSDS, or from the coating manufacturer.

COMPLIANCE DEADLINES

- √ If you are a new area source, you must be in compliance with the new requirements by January 9, 2008 or by the date of initial start up, whichever is later.
- √ If you are an existing area source, you must be in compliance with the new requirements by January 10, 2011.

RULE REQUIREMENTS

◆ **Surface Coating operations must:**

- Confine all spray operations to within properly filtered spray booths, preparation stations, or mobile enclosures. The filtered spray booths, preparation stations, and mobile enclosures 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.
 - Spray booths and preparation 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 be ventilated at negative pressure.
 - If a spray booth, that is used to refinish complete motor vehicles or mobile equipment, 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.
 - Spray booths and preparation 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) spray gun, electrostatic application, airless spray gun, air-assisted airless spray gun, or an equivalent technology for all spray-applied coatings.

Equivalent technology must be demonstrated by the spray gun manufacturer to achieve transfer efficiency comparable to one of the spray gun technologies listed above

- The procedure used to demonstrate spray gun transfer efficiency is listed in the final rule under Part 63.11173(e)(3);
- Written approval to use this technology must be obtained from the EPA (or State, if the rule is adopted) 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.
 - New area sources must train and certify operators no later than 180 days after hiring or no later than July 7, 2008, 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 180 days after hiring or no later than January 10, 2011, whichever is later. New employees are subject to the same requirements as a new hire.
 - 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.
 - Initial training will not be required if it can be demonstrated that a spray equipment operator's work experience and/or previous training meets the requirements in the rule and is within 5 years of the date the training is required.
 - Spray equipment operators must be re-certified every 5 years.
 - Initial and Refresher training must, at a minimum, meet the following requirements (refer to 40 CFR Part 63.11173(f)):
 - ✓ A list must be maintained of current personnel by name and job description that are required to be trained.
 - ✓ Hands-on and classroom instruction that addresses, at a minimum, the following:
 - Spray gun equipment selection, set up, and operation, including measuring coating viscosity, selecting the proper fluid tip or nozzle, and achieving the proper spray pattern, air pressure and volume, and fluid delivery rate.

- Spray technique for different types of coatings to improve transfer efficiency and minimize coating usage and overspray, including maintaining the correct spray gun distance and angle to the part, using proper banding and overlap, and reducing lead and lag spraying at the beginning and end of each stroke.
- Routine spray booth and filter maintenance, including filter selection and installation.
- Environmental compliance with the requirements of this surface coating rule.
- A description of methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of training.

◆ **Recordkeeping**

- Maintain all records for at least five years after the date of each record. Copies of records must be kept on-site for at least 2 years after their date. 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 spray gun, electrostatic application, airless spray gun, 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 by July 7, 2008, whichever is later.
- Existing area sources must submit this form no later than January 11, 2010.
- Information on the Initial Notification is outlined in the final rule under 40 CFR Part 63.11175(a). See EPA's example Initial Notification at: http://www.epa.gov/ttn/atw/area/paint_strip_example.doc

◆ **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 March 11, 2011.
- Information on the Notification of Compliance Status is outlined in the final rule under 40 CFR 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 only if reportable changes have occurred.
- Information on the Notification of Changes Report is outlined in the final rule under 40 CFR Part 63.11176(a).

◆ **FOR MORE INFORMATION**

- ❖ The Small Business Assistance Program offers free and confidential assistance to small businesses with environmental questions.

Small Business Assistance Program: (303) 692-3175 or (303) 692-3148
Small Business Ombudsman: (303) 692-2135

Website: <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251582562056>

- ❖ Website: **EPA's air toxics website:** <http://www.epa.gov/ttn/atw/area/arearules.html>

