

Area Source NESHAP for Motor Vehicle and Mobile Equipment Surface Coating (Auto Body Shops)

On January 9, 2008, the Environmental Protection Agency (EPA) published the final rule for 40 CFR Part 63, Subpart HHHHHH National Emissions Standards for Hazardous Air Pollutants (NESHAP): Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. New sources must be in compliance immediately, and existing sources must be in compliance by January 10, 2011. This fact sheet provides important information on rule requirements for motor vehicle and mobile equipment surface coating (auto body shops). This rule is in addition to Texas Commission on Environmental Quality (TCEQ) rules you must follow. If you currently operate under a TCEQ Permit by Rule (PBR), please see the NESHAP/PBR comparison table for a comparison of changes that you may need to make.

Does This Rule Apply to My Facility?

Applicability:

This rule applies to all motor vehicle and mobile equipment surface coating operations that use a target Hazardous Air Pollutant (HAP) containing coating and do not meet one of the exemptions listed below. If you can demonstrate that you spray apply **only** coatings that do not meet the definition of a target HAP containing coating, you may petition the EPA Administrator for an exemption from this subpart.

Definitions:

Motor Vehicle and Mobile Equipment Surface Coating: spray application of coatings to assembled motor vehicles or mobile equipment. Motor vehicle means any self-propelled vehicle. Mobile equipment is any device that may be drawn and/or driven on a roadway. This definition does not include coating of motor vehicle or mobile equipment parts or subassemblies at a vehicle assembly plant or parts manufacturing plant.

Target HAP containing coating: a spray-applied coating that contains any individual target HAP that is an Occupational Safety and Health Administration (OSHA)-defined carcinogen as specified in 29 CFR 1910.1200(d)(4) at a concentration greater than 0.1 percent by mass, or greater than 1.0 percent by mass for any other individual target HAP compound.

How do I tell if my coating is a Target HAP containing coating?

Target HAPs are compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd). Review the MSDS for *each* coating (including any additives) that you use at your facility.

If any coating, as applied, has *more than* 1.0 percent by mass of a compound that has one or more of the above elements, then it is a target HAP containing coating.

If any coating, as applied, has *less than* 1.0 percent by mass of a compound that has one or more of the above elements, you will need to review the list of OSHA defined carcinogens.

If the compound is on the list, and is present in more than 0.1 percent by mass, then it is a target HAP containing coating.

Review these two sources to determine if the compound is an OSHA carcinogen:

- 1.) National Toxicology Program at <http://ntp.niehs.nih.gov/> and click on “Report on Carcinogens” under the Public Health section;
- 2.) International Agency for Research on Cancer Monographs at <http://monographs.iarc.fr/>

Area Source of HAP: any stationary source that emits (and has potential to emit) less than 10 tons per year (tpy) of a single HAP or 25 tpy of a combination of HAPs. Your “potential to emit” is the total amount of air contaminants that would be emitted if you could operate 24 hours a day for 365 days per year.

New Source: You are a new source if you 1) began operation or construction of motor vehicle or mobile equipment surface coating after September 17, 2007, and/or 2) began the use of new coating equipment (new source of HAP emissions) after September 17, 2007.

Note: If you purchase and install spray booths, enclosed spray gun cleaners, or purchase new spray guns to comply with this rule at an existing source (facility that was coating prior to September 17, 2007), these actions would not make your existing source a new source.

Exemptions:

This rule does not apply to:

- Facility maintenance, which includes the application of coatings to:
 - stationary structures or their accessories at the site of installation;
 - portable buildings at the site of installation;
 - pavements or curbs;
 - the refinishing of mobile equipment in the field or at the site where they are used in service and at which they are intended to remain indefinitely after refinishing;
 - farm equipment and mining equipment for which it is not practical or feasible to move to a dedicated mobile equipment refinishing facility;
 - equipment, such as fork trucks, that are used in a manufacturing facility and which are refinished in that same facility.

Facility maintenance does not include surface coating of motor vehicles, mobile equipment, or items that routinely leave and return to the facility, such as delivery trucks, rental equipment, or containers used to transport, deliver, distribute, or dispense commercial products to customers, such as compressed gas canisters.

- Surface coating or paint stripping performed by individuals on their personal vehicles, possessions, or property, either as a hobby or for maintenance. This rule also does not apply when these operations are performed by individuals for others without compensation. However, an individual who spray applies surface coating to more than

two motor vehicles or pieces of mobile equipment per year is subject to the rule regardless of whether compensation is received;

- Surface coating performed on site at installations owned or operated by the Armed Forces of the United States (US) (including the Coast Guard and the National Guard of any State), the National Aeronautics and Space Administration, or the National Nuclear Security Administration;
- Surface coating of military munitions, as defined in subsection 63.11180, manufactured by or for the Armed Forces of the US (including the Coast Guard and the National Guard of any State) or equipment directly and exclusively used for the purposes of transporting military munitions;
- Surface coating that meets the definition of “research and laboratory activities” in subsection 63.11180 of the final rule
- Surface coating that meets the definition of “quality control activities” in subsection 63.11180 of the final rule;
- Surface coating that is specifically covered by another area source NESHAP.

How Do I Comply?

This rule requires you to submit an initial notification, certify compliance, use certain management practices, train painters, and keep records. You may also have to submit an annual report.

Notification Requirements:

New sources must notify that they are subject to this rule by 180 days after operations began or by July 7, 2008, whichever is later. Existing sources must notify by January 11, 2010.

Note: Actual compliance is required immediately for new sources, and by January 10, 2011, for existing sources.

Management Practices:

- You must apply coatings with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless spray gun, or air-assisted airless spray gun. You may use an equivalent technology that is demonstrated by the spray gun manufacturer to achieve transfer efficiency comparable to one of the spray gun technologies listed above, and for which written approval has been obtained from the Administrator (EPA).
- All spray-applied coatings must be applied in a preparation station or spray booth. Prep stations and spray booths must be fully enclosed with a full roof and four complete walls or complete side curtains. They must be ventilated at negative pressure so that air is drawn into any openings in the booth walls or prep station curtains.
- The exhaust from the prep station or spray booth must be fitted with filters demonstrated to achieve at least 98 percent filter efficiency of paint overspray.
- **Note:** If you operate under a TCEQ auto body refinishing Permit by Rule with more/less stringent filter requirements, you must meet the more stringent requirements. Please see PBR/NESHAP comparison table at www.sblga.info and click on “Assistance Tools for Auto Body, Surface Coating, and Paint Stripping”.

- Spray guns are to be cleaned in an enclosed spray gun cleaner or by cleaning the disassembled gun parts by hand. No spray gun cleaning is to be performed by spraying solvent through the gun, creating an atomized mist.

Training:

- All painters that spray or apply coatings must certify that they have completed training in techniques to minimize paint overspray.
- To comply with the painter training requirements, all spray painters at new sources must complete training no later than 180 days after hiring, or by July 7, 2008, whichever is later. All spray painters at existing sources must complete training no later than 180 days after hiring, or by January 9, 2011, whichever is later.
- Initial painter training will be valid for a period of five years, and refresher training must be repeated at least once every five years. Painters that completed training in the last five years before the compliance date will be able to use that training to satisfy the initial requirement. These painters must still renew training within five years of the initial training date.

Initial and refresher training must address the **following topics** to reduce coating overspray and emissions:

- 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; and
- environmental compliance with the requirements of this subpart.

Owners and operators who can show by documentation or certification that a painter's work experience and/or training has resulted in training equivalent to what is required as stated above are not required to provide the initial training.

Record Keeping:

Records must be kept for five years. They must be kept on site for at least two years, and must include the following:

- certification that each painter has completed training, with the date of the initial training and dates of any refresher training;
- documentation of the spray booth filter-efficiency, such as data from the manufacturer;
- records of notifications and reports sent to EPA;
- records of any deviation from the requirements of this rule, including the date and time, description, and corrective action taken regarding the deviation;

- records verifying the compliance used in the preparation of the initial notification, certification of compliance, and annual notification of changes report; and
- documentation from the manufacturer for any spray gun that does not meet the definition of an HVLP spray gun, electrostatic spray gun, airless spray gun, or air-assisted airless spray gun that demonstrates the gun meets transfer efficiency equal to one of the other allowed types of spray guns.

Annual Reporting:

You are required to submit an Annual Notification of Changes Report in each calendar year in which information submitted in either the initial notification, certification of compliance, or if a previous annual notification of changes report has changed. The annual notifications of changes report also includes any deviations from the requirements regarding training and management practices outlined in this fact sheet.

The annual notification of changes report must be submitted before March 1 of each calendar year when reportable changes have occurred and must include the following information:

- your company's name and the street address (physical location) of the affected source and the street address where compliance records are maintained, if different; and
- the name, title, address, telephone, e-mail address (if available) and signature of the certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance.

Website link to the rule: <http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.pdf>

Important Dates to Remember

	New Sources	Existing Sources
Initial Notification	July 7, 2008, or 180 days after startup, whichever is later	January 11, 2010
Compliance with rule	Immediately	January 10, 2011
Certification of Compliance	Included with Initial Notification	March 11, 2011
Training	July 7, 2008, or 180 days after hire, whichever is later Refresher every 5 years	January 9, 2011, or 180 days after hire, whichever is later Refresher every 5 years
Annual reporting	March 1 each year if changes or deviations occurred	March 1 each year if changes or deviations occurred