



# Petition for Exemption

## Paint Stripping and Miscellaneous Surface Coating Operations Area Source Rule

40 CFR Part 63 Subpart HHHHHH (§§ 63.11169 – 63.11180 and Table 1)

In accordance with 40 CFR §63.11170(a)(2), an owner or operator of a motor vehicle or mobile equipment surface coating operation (including refinishing operations) may petition the U.S. Environmental Protection Agency (EPA) Administrator to exempt the operation from the surface coating regulatory requirements of 40 CFR Part 63 Subpart HHHHHH, if the owner or operator can demonstrate that the spray-applied coatings used by the facility do not contain target hazardous air pollutants (HAP) (paint stripping requirements still apply).

Note: In determining whether you spray apply target HAP containing coatings, do not include coatings applied using handheld aerosol cans, or hand-held devices (e.g., spray guns) with a paint cup capacity of 3 fluid ounces or less. These are not considered spray-applied coatings under the rule. See, "Spray-applied Coating Operations" definition at 40 CFR §63.11180.

As defined in 40 CFR §63.11180, coatings are "target HAP containing coatings" if they contain compounds of chromium (Cr), lead (Pb), nickel (Ni), cadmium (Cd), or manganese (Mn) above a given concentration. If a compound is not carcinogenic, then the rule allows a higher concentration of the compound before the coating is considered to be a target HAP containing coating, as described here:

- Coatings containing compounds of chromium (e.g., chromates) including hexavalent chromium (Cr+6) or trivalent chromium (Cr+3), lead (Pb), nickel (Ni), cadmium (Cd), or manganese (Mn) that are carcinogens and are present at more than 0.1% of the coating by mass are target HAP containing coatings.
- Coatings containing compounds of trivalent chromium (Cr+3) or manganese (Mn) that are not carcinogens, and are present at more than 1.0% of the coating by mass are also target HAP containing coatings.
- Refer to the coating Material Safety Data Sheets (MSDS) or obtain documentation from your supplier for each coating you spray apply without mixing. If you mix coatings prior to application, determine the target HAP concentration for each coating mixture you spray apply.

### 1. General Information

Company Name: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Facility Location (if different from above):**

*For mobile refinishing operations, indicate "at various customer locations"*

Street Address: \_\_\_\_\_ County: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Location where your facility compliance records are maintained:**

Street Address: \_\_\_\_\_ County: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**2. Describe your surface coating operation and explain why your facility qualifies for the exemption under 40 CFR §63.11170 (a)(2).** (For example: Our facility repairs automobile collision damage. We are seeking an exemption because we do not use any target HAP containing coatings.)

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**3. Description of Spray-Applied Coatings**

Identify the manufacturer(s) and product line(s) of all the spray-applied coatings used at this facility. Attach additional pages to this petition, if necessary.

<i>Manufacturer</i>	<i>Product Line</i>

**4. Certification Statement**

*I have consulted reliable analyses (material safety data sheets or information obtained from the coating manufacturer) of the coatings used in this facility and have determined that we do not spray apply target HAP containing coatings as defined in 40 CFR §63.11180. Furthermore, I have verified that none of the coatings mixed prior to application contain target HAP as spray-applied, based on the definition of “target HAP containing coatings”. I certify, under penalty of law, to the truth, accuracy, and completeness of the information provided in this petition. If circumstances change such that we intend to spray apply target HAP containing coatings in surface coating operations, we will submit the initial notification required by 40 CFR §63.11175 and will comply with the requirements of 40 CFR Part 63 Subpart HHHHHH (National Emission Standard for Hazardous Air Pollutants: Paint Stripping & Miscellaneous Surface Coating Operations at Area Sources). Spray application of target HAP containing coatings in a surface coating operation voids any exemption that may be granted as a result of this petition.*

*If your petition is approved, then you must keep a copy of the approval on site at your facility until you change your operation(s) to include spray application of target HAP containing coatings, or discontinue motor vehicle and mobile equipment surface coating operations. Certifying official must be the owner or operator of the facility.*

<b>Signature of Certifying Official</b>	<b>Date</b>
<b>Printed Name</b>	<b>Telephone Number</b>
<b>Mailing Address, City, State, Zip Code</b>	

Check the one or both that apply:  Owner  Operator

## 5. Where should I send this Petition for Exemption?

- a. To the appropriate Regional Office of the EPA (see addresses below).
- b. If the State has been delegated the authority for this regulation under section 112(l) of the Clean Air Act, submit the notification to the appropriate State agency found at the following link:  
<http://www.4cleanair.org/contactUsaLevel.asp>

### Address of EPA Regional Office:

EPA Region VI  
David Eppler  
Mail Code: 6EN-AT  
1445 Ross Avenue  
Dallas, TX 75202-2733

### Who may be subject to the rule and may need to use this form?

Spray painting of motor vehicles or mobile equipment is subject to 40 CFR Part 63 Subpart HHHHHH unless exempted (see 40 CFR §63.11180 for definitions). The following will generally be subject to the rule:

- Businesses at a fixed location
- Mobile operations that spray paint at various customer locations using their own equipment
- Individuals that coat more than 2 motor vehicles or pieces of mobile equipment per year without compensation, or any number for compensation

### Who may petition for exemption?

If you as the owner or operator of a facility are subject to the rule and do not spray paint with any target HAP containing coatings, then you may petition for exemption from the spray-painting requirements of the rule.

The petition form references facilities, but any of the above may petition for exemption provided that they are eligible. **Note: If you are subject to the rule and do not obtain the exemption, then you are required to satisfy the rule requirements.**