

Area Source Rule for Paint Stripping and Miscellaneous Surface Coating Operations

On December 14, 2007, the US Environmental Protection Agency (US EPA) published a rule addressing air toxic emissions from paint stripping and miscellaneous surface coating operations at area sources. Implementation of this rule will reduce air toxics emitted from sources that include methylene chloride, and metal compounds containing **cadmium, chromium, lead, manganese and nickel**. These metal compounds are called the target hazardous air pollutants (HAPs) in the rule. Exposure to these compounds may cause cancer; central nervous system, reproductive, and respiratory system effects; kidney damage; and acute health disorders such as respiratory and skin irritation.

Who is affected by this rule?

This rule affects businesses in three categories:

- Paint stripping operations using materials that contain methylene chloride (MeCl) to remove old paint from wood, metal, plastic, or other substrates
- Spray application of coatings to motor vehicles and mobile equipment, including mobile repair operations
- Spray application of coatings to plastic and/or metal parts and products, if the coatings used contain one of the target HAPs

If you have one of the operations listed above, the rule's requirements apply to the following equipment at your facility.

- Mixing rooms and equipment
- Spray booths, ventilated prep stations, curing ovens and associated equipment
- Spray guns and associated equipment
- Spray gun cleaning equipment
- Equipment used for storage, handling, recovery, or recycling of cleaning solvent or waste paint
- Equipment used for paint stripping at facilities where MeCl is used

Having **any** of these operations at your facility means you are affected and must comply by the deadlines in the rule.

Are there any related operations that are exempt from the rule?

Certain sources have been excluded from this rule:

- Federal facilities conducting covered activities
- Any activities performed by individuals on personal vehicles, possessions, or property as either a hobby or maintenance, or done without compensation
- Research, laboratory, or quality control activities



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- Any activities covered by another area source rule
- Facility maintenance

Motor vehicle and mobile equipment surface coating operations can obtain an exemption from the rule. They must submit a petition to EPA and demonstrate that they do not use any coatings containing the target HAPs.

Other activities have also been excluded from the requirements. These include:

- Hand-held spray applicators with cup capacity of no more than 3.0 fluid ounces
- Powder coating
- Hand-held non-refillable aerosol containers
- Thermal spray operations using solid metallic or non-metallic materials
- Brush, roller, or hand wipe applications
- Flow, dip, electro-deposition, web, and coil applications
- Touch up markers or marking pens

Special coatings are also excluded, as follows:

- Decorative or protective oils, acids, bases
- Paper film or plastic film pre-coated with adhesive
- Adhesive, sealants, maskants, caulking materials
- Temporary protective coatings or surface prep materials
- In-mold coatings spray-applied when manufacturing reinforced plastic products

If I'm affected, what do I have to do?

The requirements affect the use of paint stripping materials, training for spray painters, spraying within booths, booth filters, and spray gun cleaning. The details are explained in the three appendices to this fact sheet. Appendix A describes the paint stripping requirements. Appendix B describes the motor vehicle and the mobile equipment requirements. Appendix C describes the plastic and/or metal parts surface coating requirements.

When do I have to comply?

All new sources are required to be in compliance by July 7, 2008 or within 180 days of the date they started, whichever is later. New sources are those that started construction or reconstruction of affected equipment after September 17, 2007. A source is not new if it constructed any of the affected equipment for the sole purpose of meeting the requirements of the rule. Existing sources—any operations that are not new—were required to comply by January 11, 2011.

Who will enforce this rule?

The Wisconsin Department of Natural Resources (DNR) is usually the primary enforcing agency for air pollution regulations. When US EPA issues rules, a state must go through the process of taking delegation of a rule and then writing it into its own state code. Because DNR does not plan to take delegation for this rule, the US EPA Region 5 office will be the primary agency responsible for enforcing the rule.

What notifications do I have to submit?

The notification process involves up to two one-time notifications and one periodic notification you must submit. Send any required notifications to both US EPA and DNR (keep a copy for your records). The mailing addresses are:

MACT Notifications WI DNR Air Management Program - AM/7 PO Box 7921 Madison WI 53707-7921	Compliance Tracker US EPA Region 5 Air Enforcement and Compliance Assurance Branch-AE-17J 77 W Jackson Blvd
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More details on submitting notifications to DNR and EPA can be found here: <https://dnr.wi.gov/topic/AirQuality/HAPFAQ.html>.

Initial Notification

This one-time notification informs EPA that you are affected by the rule and provides some information about your facility. For new sources, it is due by July 7, 2008 or within 180 days after start up, whichever is later. Existing sources had until January 11, 2010 to submit the notification.

The initial notification must contain:

- company name
- owner/operator name, title, street address, phone, email (if available), and signature
- street address of location of records if different from above
- rule title: 40 CFR part 63, subpart HHHHHH
- description of operations
- new sources – statement of compliance status
- existing sources – may include statement of compliance status and avoid second notification
- compliance statements differ by operation – refer to the appendices

Notification of Compliance Status

Existing sources that did not demonstrate compliance at initial notification were required to submit it by March 11, 2011. The Notification of Compliance Status, a one-time notification, should include the same basic company information as the Initial Notification, as well as the dates by which compliance was achieved for each of the requirements.

Notification of Changes Report

There is no annual compliance report required in this rule. Only if you make changes that affect your compliance will you need to submit a periodic report to update your compliance status. Notification is due on March 1 of the year following when changes occurred.

DISCLAIMER — This document is intended solely for compliance assistance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This document does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This document does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this document will be made by applying the governing statutes and administrative rules to the relevant facts.



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