

Initial Notification/Compliance Certification

For Paint Stripping and Miscellaneous Surface Coating Operations

Area Source Rule
40 CFR Part 63 Subpart HHHHHH (Parts 63.11169 – 63.11180)

INSTRUCTIONS

1. Who Must Complete This Form?

On January 9, 2008, the U.S. Environmental Protection Agency promulgated federal regulations codified in 40 CFR Part 63, Subpart HHHHHH to reduce air emissions from the following area sources:

- Paint stripping operations using methylene chloride (MeCl)-containing paint strippers
- Motor vehicle and mobile equipment surface coating operations
- Miscellaneous surface coating operations

Specific operations are exempt from the regulation as described in Section 6 below.

If the area source conducts any one of the operations listed above, and does not meet the exemption criteria in Section 6, then this form must be completed and submitted to U.S. EPA at the address listed in Section 6, and also on page 4 of the form.

However, the regulation allows for the owner or operator of a motor vehicle or mobile equipment surface coating operation to petition U.S.EPA for an exemption from the regulation if you can demonstrate that the coatings you spray apply do not contain the target hazardous air pollutants, known as the target HAPs, as defined in Section 2.

The Petition for Exemption form can be obtained from the Georgia Small Business Environmental Assistance Program (SBEAP) website at www.gasmallbiz.org or by calling 1-877-427-6255.

2. Definitions

Area source – any stationary source of hazardous air pollutants (HAP) that is not a major source.

Existing area source – an area source that does not meet the definition of new source (that has conducted paint stripping or surface coating operations prior to September 17, 2007).

Major source – any stationary source or group of stationary sources located within a contiguous area and under common control that emits, or has the potential to emit, considering controls, 10 tons per year (tpy) or more of any single HAP, or 25 tpy or more of any combination of HAP.

Miscellaneous surface coating operations – those operations that involve spray application of coatings that contain the target HAP compounds of chromium, lead, manganese, nickel, or cadmium to miscellaneous parts and/products made of metal or plastic, or combination of metal or plastic that are not motor vehicles or mobile equipment.

Motor vehicle and mobile equipment surface coating operations – those operations that involve spray application of coatings at area sources to automobiles, light trucks, heavy duty trucks, buses, construction equipment, self-propelled vehicles and equipment that may be drawn and/or driven on a roadway.

New area source – an area source that commenced construction after September 17, 2007 by installing new paint stripping or surface coating equipment. Or new paint stripping or surface coating equipment, not previously installed, is used at a source that was not actively engaged in paint stripping or surface coating prior to September 17, 2007.

Paint stripping operations – those operations that perform paint stripping using methylene chloride (MeCl) for the removal of dried paint (including but not limited to paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates at area sources, where paint stripping is either the principal activity, or an incidental activity at the source.

Target Hazardous Air Pollutants (HAP) – compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd).

3. What Sections of the Form Must Be Completed?

This form is a combined form that can be used to satisfy the following three notification requirements:

1. Initial Notification (Part A of form)
2. Notification of Compliance Status (Part B of form)
3. Annual Notification of Changes (portions of Part A and B)

New area sources must complete both Part A and Part B by the compliance date specified in Section 4 below, provided that they are in compliance with the regulation. *Please refer to the definition of "new source" in Section 2 above.*

Existing area sources must complete Part A by the specified compliance date, and can complete Part B at the later date specified in Section 4. However, if the source is in compliance with the regulation, Parts A and B can be completed to satisfy both the Initial Notification and the Notification of Compliance Status requirements. *Please refer to the definition of "existing source" in Section 2 above.*

Part B – Certification of Compliance Information

Part B.1. requires the area source to indicate its compliance status with the regulations; Part B.2 requires a certifying official to attest to the compliance status of the area source; and Part B.3. is specific to paint stripping operations that use more than 1 ton per year (tpy) of MeCl, and therefore must certify that a Methylene Chloride Minimization Plan is being implemented in accordance with the regulation.

Annual Notification of Changes

You are required to submit the annual notification of changes report on or before **March 1** of each calendar year **if**:

- Initial Notification or Notification of Compliance form previously submitted contained information that has since changed within the previous calendar year, **or**
- Deviations from the regulatory requirements, as specified in §63.11173(a) through (d) or §63.11173(e) through (g), occurred during the previous calendar year.
- Information on MeCl use. This includes actually using more than 1 ton per year (tpy) MeCl in a calendar year but you declared on a previous Initial Notification form that less than 1 tpy was used. (If this is the case, then you are subject to develop and implement a written MeCl Minimization Plan, and must achieve compliance with this requirement by **December 31** of the year in which the Annual Notification of Changes report was submitted to U.S. EPA.)

If you are using this form to satisfy the Annual Notification of Changes reporting requirement, you must complete the following sections:

- Parts A.1., A.2, and A.3, and
- Parts B.1, B.2, and B.3, and
- Part A.7 **only if** you conduct paint stripping operations and have made changes to the amount of MeCl used in the previous calendar year.

4. When Must This Form Be Submitted?

The following table explains the type of notification form required by the regulations and the date of achieving compliance (compliance date) with the regulations. The compliance date depends on whether you are a new or existing area source, and also establishes the date for submitting the required notification forms to U.S. EPA Region 4.

Source Type	Type of Notification and Compliance Dates	
	Initial Notification (Part A of form)	Notification of Compliance Status (Part B of form)
New source	Must submit within 180 days after start up or by July 9, 2008 (whichever date is later)	Must certify compliance with the regulation simultaneously with the Initial Notification and submit within 180 days after start up or by July 9, 2008 (whichever date is later)
Existing source	Must submit no later than January 9, 2010	Must submit no later than March 11, 2011

5. Where Do I Send The Completed Form?

The completed form must be mailed to the following U.S. EPA official:

Ms. Beverly Bannister, Director
Air, Pesticides, and Toxics Management Division
U.S. Environmental Protection Agency Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

It is recommended that the form be sent by registered mail, and that a copy is retained for your records.

6. Who Is Exempt from the Regulation?

The regulations do not apply to the following activities:

1. Surface coating or paint stripping performed on site 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), the National Aeronautics and Space Administration, or the National Nuclear Security Administration.
2. Surface coating or paint stripping of military munitions, as defined in §63.11180, manufactured by or for the Armed Forces of the United States (including the Coast Guard and the National Guard of any such State) or equipment directly and exclusively used for the purposes of transporting military munitions.
3. Surface coating or paint stripping performed by individuals on their personal vehicles, possessions, or property, either as a hobby or for maintenance of their personal vehicles, possessions, or property. This subpart 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 regulation pertaining to motor vehicles and mobile equipment regardless of whether compensation is received.
4. Surface coating or paint stripping that meets the definition of "research and laboratory activities" in §63.11180.
5. Surface coating or paint stripping that meets the definition of "quality control activities" in §63.11180.
6. Surface coating or paint stripping activities that are covered under another area source National Emission Standard for Hazardous Air Pollutants (NESHAP) regulation.