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## Breathe Easier

Posted 1/5/2010

**By Angie Kilbourne**

### Complying with EPA's Surface Coating NESHAP is not as difficult as you might imagine.

For those of you who opened your collision repair businesses on or before Sept. 17, 2007, listen very closely: The clock is ticking. By Jan. 11, 2010, you should have submitted the initial notification for the U.S. Environmental Protection Agency's (EPA) Paint Stripping and Miscellaneous Surface Coating Rule (40 Code of Federal Regulations 63.11169 - 63.11180), also known as the "Surface Coating NESHAP."

What's that? You missed the deadline? Well, all is not lost. Sources at the EPA and state environmental agencies have told us that the EPA will look more kindly on a shop that has filed the notification, albeit late, than one that hasn't filed it at all.

But that's just the first stop on this journey. Let's take a look at the rest of the tasks you'll need to complete within the year to comply.

#### Is My Business Subject to the Rule?

National Emission Standards for Hazardous Air Pollutants (NESHAPs) are federal



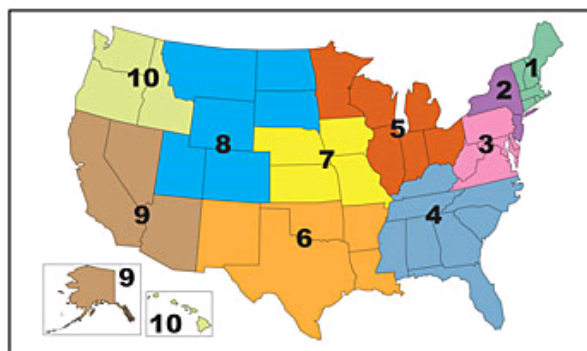
#### Step 1: Notification

The Initial Notification document required by the EPA can be [downloaded from the Web](#) to help you get your paperwork filed.

In addition, the agency also provides a [downloadable brochure](#) that outlines the new regulation's requirements.

standards set by the EPA. The agency has identified and targeted 30 hazardous air pollutants (HAPs) in urban areas for reduction from sources that are small but numerous.

The Surface Coating NESHAP is designed to reduce emissions of HAP metals (chromium, lead, manganese, nickel and cadmium) from spray coating operations and reduce use of methylene chloride paint strippers. It does not require shops to switch to a waterborne coating system, though they are encouraged to do so, and it does not limit volatile organic compound (VOC) content in the coatings used.



Contact your local EPA region office for resources, training information and enforcement jurisdiction. Visit [epa.gov/epahome/regions.htm](http://epa.gov/epahome/regions.htm) for contact information for all EPA offices. Region Two also includes Puerto Rico and Virgin Islands. Region Nine also includes Guam, Trust Territories, American Samoa and Northern Mariana Islands.

All facilities that spray-apply coatings on assembled motor vehicles and/or mobile equipment are subject to the rule. Exceptions must be able to prove they use coatings that do not contain metal HAPs or that their spray guns use paint cups of 3 ounces or less. Shops must submit a "Petition for Exemption," which can be found on the EPA's Collision Repair Campaign Web site, to demonstrate their coatings are HAP-free.

"But, let me caution you," says David Fiedler, manager, Michigan

Department of Environmental Quality (DEQ) Outreach Program. "Even if your petition is approved by the EPA, your facility still needs to comply with existing state environmental regulations."

### What Am I Required to Do?

Let's first look at the work you'll need to complete regarding your facility, equipment and staff training. These requirements must be met by Jan. 10, 2011.

The rule requires that the painting of complete vehicles must be done in prep stations and booths that are fully enclosed with a roof and four walls or side curtains. They must also be ventilated at negative pressure. If your paint booth is fully enclosed and sealed and it has an auto balancing system (positive pressure), it can be operated up to (but not more than) 0.05 inches water gauge positive pressure. Parts painting booths and prep stations must have full roof and at least three complete walls or side curtains, and they must be ventilated so air is drawn into the station booth.

### Help Is on the Way

EPA's Collision Repair Campaign Web site at [www.epa.gov/collisionrepair](http://www.epa.gov/collisionrepair), as well as the agency's Design for the Environment Program ([www.epa.gov/dfe/pubs/index.htm#best](http://www.epa.gov/dfe/pubs/index.htm#best)), offer a wealth of information on best practices and training resources, as well as the forms and additional tools needed to help you meet your compliance deadline.



James White (left), U.S. Environmental Protection Agency, explains the agency's resources and training information available to shop owners with attendee Loren Hursh during the recent ASRW expo in Las Vegas last November.

The painting system must be fitted with either a water wash or filter system to contain overspray. Water wash-type systems must meet the manufacturer's specifications to comply. Filters, on the other hand, must achieve a 98 percent capture of paint overspray. You do not have to test the filters' efficiency yourself; the technical data sheets provided with the product are sufficient proof of compliance. In addition, filters must be changed before there is a breakthrough of paint solids.

"We recommend you have a manometer or similar type of pressure drop gauge to measure the resistance to the air flow across the filters so you know when to change the filters," says Fiedler.

### What About My Equipment?

According to the rule, all spray-applied coatings must be applied with a high-volume low-pressure (HVLP), electrostatic application, airless or air-assisted airless, or "approved equivalent technology," spray gun. This equipment is required to reduce the amount of paint being used per job.

In addition, paint spray gun cleaning cannot allow an atomized mist or spray of the cleaning solvent and paint residue outside of a container that collects the used material. The agency recommends shops use a spray gun washer; however, manual cleaning of parts of the disassembled spray gun is acceptable. When manually cleaning guns, you must ensure the used solvent and paint is collected, along with the rags used, and the materials are disposed of according to applicable hazardous waste regulations.



Mark Williamson (right) of the Iowa Waste Reduction Center, demonstrates the VirtualPaint tool to ASRW attendee Jay Mosquera. The tool simulates painting to develop technique without the use of paint or solvents.

### What Do My Painters Need to Know?

All employees that will be painting must complete training and certification no later than 180 days after hiring, or no later than Jan. 10, 2011, whichever is later. After initial certification, employees must be recertified every five years. The rule specifies that hands-on and classroom instruction address:

- Spray gun selection, setup and operation.
- Paint spray techniques designed to improve transfer efficiency.
- Booth and filter maintenance.
- Environmental compliance with the rule.

### Paint Stripping

The rule also covers paint stripping activities using methylene chloride (MeCl) for the removal of dried paint from wood, metal, plastic and other materials. Space limitations prevent us from going into detail on this subject.

However, the Michigan Department of Environmental Quality has created an excellent article on how the rule applies to these activities. You can download the article from its Web page at [www.michigan.gov/deq](http://www.michigan.gov/deq). Visit the "Air" section, then choose "Clean Air Assistance." From there, select

The rule does not require a shop to attend third-party training; instruction can be presented by anyone. However, you must maintain complete documentation of training, including the curriculum to demonstrate how it meets rule requirements, as well as who attended and when the training was held.

"Paint Stripping and Miscellaneous Surface Coating at Area Sources" from the "Federal Regulations" section.

The EPA Collision Repair Campaign (CRC) Web site has information about training, as well as a checklist for ensuring your staff is receiving the necessary training. In addition, your state's environmental agency and many of the paint manufacturers will likely have training information.

### **How Much Paperwork Is Involved?**

Like death and taxes, there is always paperwork to complete. As we stated earlier, the initial notification's deadline is Jan. 11, 2010. This form asks for basic information about the facility and acknowledgement that the facility is subject to the NESHAP rule.

The other form is the "Compliance Certification," which affirms your facility's compliance with the rule, and it is due by March 11, 2011.

In addition, you must file an Annual Notification of Changes Report, when appropriate. This form, filed no later than March 1, documents any changes within your facility, your staff or deviations from the rule that may have occurred in the previous calendar year and what you did to return the facility to compliance. From the agency's perspective, an example of a deviation is the failure to use filters that meet the 98 percent capture efficiency requirement.

Finally, you need to document all the work you've done. Your records should include training certification, paint filter efficiency documents, copies of your initial notification and compliance certification, and documentation of any deviation incident. Records must be in place by Jan. 10, 2011, and you must keep them for at least five years from date of the record.

### **Why Bother with Doing All This Work?**

The most likely reason to comply with the rule is to avoid federal prosecution for violation of the Clean Air Act. But it's not the only one.

"There are many co-benefits of following [industry] best practices, including improved worker health and cost savings associated with improved transfer efficiency," says Ashley Zanolli, environmental engineer, EPA Region 10. "There are also several insurance companies that are developing programs for auto body shops, where behavior change can be used to reduce premiums on health insurance."

In other words, following best practices can actually help your bottom line by reducing your paint, solvent, hazardous waste disposal and - possibly -

### **Enforcement**

You should note that the EPA CRC Web site has a list of states that have assumed delegation on this rule, which means the states have jurisdiction of enforcement and administration. However, the EPA maintains it can and will exercise its enforcement authority if needed.

You can submit violations online at

insurance costs. And then there's the "feel-good" aspect: helping reach the goal of reducing HAP and VOC emissions by 3.5 million pounds annually and toxic exposures by 90 percent, all while keeping your employees safer.

[www.epa.gov/compliance/complaints](http://www.epa.gov/compliance/complaints).

*Editor's Note: If you opened your shop after Sept. 17, 2007, you should be operating in compliance with all the requirements now. Check with your EPA Region local office for requirements for new businesses.*

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