

An Unofficial Summary of EPA 40 CFR, Part 63, Subpart HHHHHH

National Emission Standards for Hazardous Air Pollutants (NESHAP): Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

Effective January 9, 2008



This information is offered in good faith by Matthews Paint to assist MPC customers in understanding the scope of the 6H rule and its requirements. The 6H rule encompasses a variety of operations; this presentation focuses on typical sign manufacturing operations. It is ultimately the responsibility of each owner/operator to fully understand the rule and comply with all requirements. For official clarifications, contact your regional or state EPA representative(s), who can be identified through links at <http://www.epa.gov/ttn/atw/area/arearules.html>

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Does this rule apply to me?

Yes, if you engage in the following manufacturing operations...

! The new EPA 6H Rule applies to paint stripping operations that use MeCl and surface coating operations using chromium, lead manganese, nickel or cadmium.

- Paint stripping operations that use methylene-chloride (MeCl) containing paint strippers
- Spray application of coatings containing compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd), **(collectively referred to as target HAPs, or Hazardous Air Pollutants)** to any part or product made of metal or plastic, or combinations of metal and plastic that are not motor vehicles or mobile equipment



Are there any exclusions to the rule?

Yes, only for Surface Coating or Paint Stripping Operations that...

! Your operation may be exempt if you do not use MeCl strippers or any target HAP containing coatings.

- **Do not use MeCl strippers or target HAP containing coatings**
- **Only use spray guns with cup size \leq 3 oz., non-refillable aerosol cans, non-atomizing applications (e.g. brush/roll), or thermal spraying (metallizing); even with target HAPs**
- Are owned or operated by US Armed Forces
- Manufacture military munitions
- Are for personal vehicles, possessions, or property
- Meet definition for R&D lab activities
- Meet definition of QC activities
- Are covered under another ruling
- Are classified as maintenance activities
- Coat space vehicles

What does the rule require of Paint Stripping Operations?



- Implement management practices that reduce emissions by minimizing evaporation of MeCl
 - Use alternative stripping methods when possible
 - Optimize stripper operations to limit air/evaporation
 - Use proper storage and disposal methods
 - Maintain records of annual usage on site at all times
- Develop and implement an MeCl minimization plan for sources using >1 ton of MeCL strippers per year
 - Provide notification of a written plan
 - Keep the plan on site
 - Post placards outlining methods at each operation
 - Perform an annual review of the plan, make amendments as needed, and keep records of the review and amendments



Paint stripping operations must implement practices that reduce emissions such as using alternative stripping methods and optimizing paint stripping to limit air/evaporation. **!**



What does the rule require of Surface Coating Operations?

! Surface Coating Operations must apply all spray-applied coatings in a spray booth using high efficiency spray equipment (e.g. HVLP) and practices.

- Use HVLP, electrostatic, airless, air assisted airless, or equal (to HVLP) technology
- Apply all spray-applied coatings in a spray booth (Pollution Control Device)
 - 3 walls/curtains and a roof; large enough to contain part being painted; sides may have parts conveyor ports
 - Exhaust that draws overspray into booth and through rated 98% efficient filters
 - Fully enclosed and filtered mobile structure for field spray operations
- Clean spray guns in an enclosed gun cleaner or by hand - no atomizing cleaning solvents in the cleaning process
- Implement required management practices
 - Certify that painters are trained every five years in techniques to minimize overspray
 - Existing painters must be trained by the Compliance Date
 - Training received within five years prior to the Compliance Date is acknowledged, provided it meets the training requirements
 - Maintain complete records as required by the rule

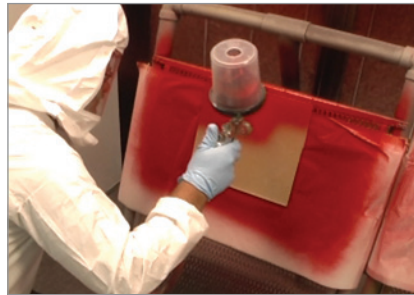


What are the painter training requirements?



The Owner/Operator must certify that each painter has been trained in the following topics, including both classroom and hands-on training:

- Measuring paint viscosity
- The proper selection, setup, operation, and maintenance of spray equipment
 - Proper fluid tip selection
 - Achieving the proper spray pattern
 - Adjusting air pressure, volume, and fluid delivery rate
- Proper spray application of surface coatings
 - Proper spray technique for different types of coatings to improve transfer efficiency and minimize coating usage and overspray
 - 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 (and proper disposal)
- Filter selection and installation
- Environmental compliance with the requirements of this rule



Painters must be trained and certified after the compliance date with skills such as proper spray technique for various coatings to improve transfer efficiency and minimize usage and overspray. 

After the Compliance Date, spray application of surface coatings is prohibited for persons who have not been trained and certified by the owner/operator



What are the record keeping requirements?

Sources must keep records sufficient to demonstrate their compliance at all times

! Records must be kept on-site for five (5) years and readily accessible for inspection for the first two (2) years.

- Painter training records (Name, Job Description, Training Dates)
- Copy of the written painter training plan used for self-certification
- Documentation of filter efficiency
- If not using specified spray equipment, documentation from the equipment manufacturer that equipment meets requirements
- Copies of all submitted or filed EPA notifications and reports
- Records of paint strippers used, including MeCl content and annual usage
- Records of annual review and amendments to MeCl minimization plan
- Records of deviation from the requirements of the rule, including date, time period, nature of deviation, and corrective actions
- Records of any assessments of source compliance performed in support of any EPA reporting



Records must be kept for five (5) years and on-site and readily accessible for inspection for the first two (2) years

What are the Key Reporting and Compliance Milestones?



• Initial Notification

- **Existing sources** (sources in operation before Jan 9, 2008) must submit Initial Notification to the EPA by January 11, 2010
- **New sources** (sources in operation after Jan 9, 2008), must submit Initial Notification to the EPA within 180 days of starting operations; however, they must be fully compliant on day one.
- **Exempt sources** (operations not impacted by the rule) need not make any notifications



Existing sources must be compliant by January 10, 2011 and new sources must be fully compliant on day one of operations. !

• Compliance Date

- Existing sources must be fully compliant by January 10, 2011
- New sources must be fully compliant on day one of operations

• Notification of Compliance Status

- Existing sources that state they are not compliant on their Initial Notification, must submit a Notification of Compliance Status by March 1, 2011, stating they are fully compliant as of January 10, 2011

• Annual Notification of Changes Report

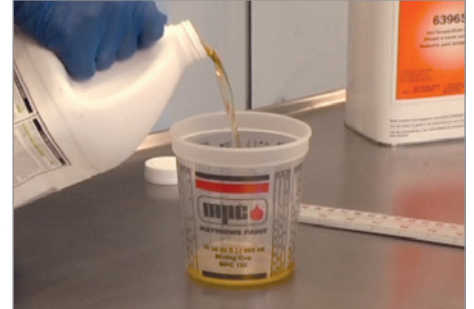
- Submitting a change report is only necessary if material changes (changes which would make prior submittals incorrect) occurred in the process during the prior calendar year
- Annual Notification of Changes must be submitted to the EPA by March 1 of the calendar year following the calendar year in which the changes occurred



What if this rule does not apply to me?

! Be aware that you are still subject to state requirements, or other requirements such as OSHA or NFPA 33 which govern your specific operation(s). This document only specifically addresses the requirements of the subject federal 6H rule.

- It is MPC's understanding that you need not comply with the requirements of this rule or make any specific EPA notifications related to this rule if you:
 - Do not use MeCl strippers or any coatings containing the target HAPs in your surface coating operations
 - Meet any of the listed exclusions
- **Be aware that you are still subject to state requirements, or other requirements such as OSHA or NFPA 33 which govern your specific operation(s). This document only specifically addresses the requirements of the subject federal 6H rule.**
- A section of the rule states that a Petition for Exemption is required for surface coating operations that do not use target HAPs. It is MPC's understanding that this applies strictly to motor vehicle and mobile equipment surface coating operations, and that for typical sign shops, no Petition for Exemption is required.
- MPC suggests that you should still learn about and understand the requirements of the rule and keep documentation of your process review. If you are audited or inspected, you will be able to share your documentation to assure authorities you understand the rule and it does not apply to your operation.
- You will need to maintain vigilance about what products are used in your shop, ensuring affected materials are not in any of the products you use or have on hand.
- MPC advocates that the fundamental requirements of the rule represent good and responsible surface coating application practices and should be considered for implementation whether or not the rule is directly applicable to your operation.



What if the rule currently applies to me, but I intend to eliminate use of the affected materials prior to the Compliance Date?



It is the understanding of MPC that you must submit Initial Notification to the EPA, stating that you are a source, as well



as stating your compliance status. Once you have eliminated the affected materials you may submit change notification to the EPA stating the rule no longer applies to you.

If you submit an Initial Notification, you must submit a Notification of Compliance by March 1, 2011 stating that you are in compliance or that the rule does not apply to you. **!**

If you submit Initial Notification as a source stating you are not in compliance, you **MUST** submit a Notification of Compliance Status by March 1, 2011, stating either that you are in compliance **OR** that the rule no longer applies to you.



What if the rule does not currently apply to me, but I wish/need to use affected materials in the future?

! If you decide to use any affected materials after the Compliance Date, you must immediately be in compliance with the rule and submit an Initial Notification within 180 days to the Federal EPA or to the state/local EPA.

It is the understanding of MPC that if you begin using any of the affected materials after the Compliance Date, you must immediately be in compliance with all requirements of the rule. You have 180 days to submit Initial Notification.



Where do I submit my notifications and who has authority?

- Sources must submit reports to the Federal EPA or to the state/local EPA as designated by the Federal EPA. You may need to cc: the Federal EPA, depending on local requirements
- Authorities with jurisdiction depend on your locality and can include:
 - EPA officials: state, region, Federal
 - Any delegated authority, including state, local, or tribal agencies.
- Contact your EPA representatives for specifics in your area

What if I failed to submit notifications or achieve compliance as required?



Matthews Paint Company cannot advise on legal matters, but in the interest of citizenship and putting your “best foot forward,” consider promptly contacting your EPA representative and taking appropriate remedial actions to achieve full compliance in a timely manner.



Consider MPC as alternative Make every effort to achieve compliance as quickly as possible. Fines for non-compliance can be substantial. **!**



What information is required on the Initial Notification?

There is a variety of forms available on the internet or through your local EPA representative, but the fundamental information requirements are:

- Company name
- Name, title, street address, phone number, email address, and signature of the owner and operator or other certifying company official
- Addresses of the actual source(s)
- A statement that the source is subject to 40 CFR part 63, subpart 6H
- Authorities with jurisdiction depend on your locality and can include:
 - Number of booths, prep stations, and painters usually employed
 - Stripping processes (e.g. chemical, mechanical) used, substrates stripped (e.g. wood, plastic, metal), and declaration of plans to use > 1 ton per year.
- A statement indicating whether the source is currently in compliance OR whether the source will be in compliance by the Compliance Date:
 - New sources **MUST** be compliant and state compliance
 - Initial Notifications from Existing and New sources stating compliance must include:
 - A clear statement that the source is in compliance with each of the requirements of 40 CFR, Part 63, subpart HHHHHH
 - A statement by the responsible company official certifying the truth, accuracy, and completeness of the notification, a statement that the source has complied with all the relevant standards of this subpart, and that the Initial Notification also serves as the Notification of Compliance Status
 - The name, title, phone number, email address, and signature of the responsible official

What information is required on the Notification of Compliance Status?



There is a variety of forms available on the internet or through your local EPA representative, but the fundamental information requirements are:

- Company name
- Street address of the source(s)
- Street address where compliance records are maintained, if different than source address
- A statement indicating whether the source is in compliance including:
 - A statement by the responsible company official certifying the truth, accuracy, and completeness of the notification, and a statement that the source has complied with all the relevant standards of 40 CFR, Part 63, subpart 6H
 - A statement certifying that a written MeCl minimization plan has been developed and implemented (if applicable)
 - The name, title, phone number, email address, and signature of the responsible official
 - The date of the Notification of Compliance Status



What information is required on the Annual Notification of Changes Report?

There is a variety of forms available on the internet or through your local EPA representative, but the fundamental information requirements are:

- Company name
- Street address of the source
- Street address where compliance records are maintained, if different than source address
- A summary of specific changes
- A statement by a responsible official certifying the truth, accuracy, and completeness of the notification, a statement that the source has complied with all the relevant standards of this subpart, or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance.
- The name, title, phone number, email address, and signature of the responsible official

Where can I learn more?



- The rule, contacts, and other materials are available from the EPA at:
<http://www.epa.gov/ttn/atw/area/arearules.html>
- An abridged “brochure” of the rule is available from the EPA at:
http://www.epa.gov/ttn/atw/area/paint_stripb.pdf
- Information on state requirements and state representatives can be found at:
http://www.epa.gov/ttn/atw/area/table_state_contacts.doc
<http://www.4cleanair.org/contactUsaLevel.asp>
- Local/state business support agencies can provide information and resources. For example, the Illinois Department of Commerce and Economic Opportunity offers several forms, including notification and exemption, at:
<http://www.ildceo.net/dceo/Bureaus/Entrepreneurship+and+Small+Business/Regulatory+Compliance+Assistance/3-permit+summart.htm>
- Check with your paint and equipment suppliers especially for brand and product specific information and training
- GRC-Pirk Management Company offers training services

Government Regulatory Compliance LLC

d.b.a. GRC-Pirk Management Company

Registered Environmental Assessors

P.O. Box 21270, Reno, NV 89515

1135 Terminal Way, Reno, NV 89502

888-374-7475 (Toll Free Phone)

775-824-9008 (Reno Local)

866-729-3892 (Toll Free Fax)

<http://www.haps6h.com>

- National, regional, state, and local sign associations may offer training events and webinars



Who is ultimately responsible for training, certifications, and compliance?

! This document is not intended to define or create legal rights or obligations. It is the responsibility of each customer, reseller and end-user to comply with federal, state and local laws.

There are many resources available for help, some of which have been identified in this document.

Ultimately it is the owner/operator of the source who is responsible to understand, assess, and comply with all applicable federal, state, and local laws.

This 40 CFR Part 63, Subpart HHHHHH summary document is intended to provide information for review by MPC's customers. In providing this document, MPC makes no separate or additional warranties, express or implied, and assumes no liability or responsibility arising out of its use. It is the responsibility of each customer, reseller, end-user of MPC's products to independently ascertain that their practices are legal, appropriate, and constitute sound product stewardship.

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