

# 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)

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You may use your own form as long as you include all the information required by the rule for a petition. We will respond to your petition after we have evaluated the information you provide.

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 United States 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 hand-held 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:

- Target HAP containing coatings are defined to include carcinogens, such as coatings containing compounds of hexavalent chromium (Cr+6) (e.g., chromates), lead (Pb), nickel (Ni), or cadmium (Cd), if those compounds comprise more than 0.1% of the coating by mass.
- Target HAP containing coatings also include noncarcinogens, coatings containing compounds of trivalent chromium (Cr+3) or manganese (Mn), if those compounds comprise more than 1.0% of the coating by mass.
- Refer to the coating Material Safety Data Sheets (MSDS) or obtain documentation from your supplier for each coating that you spray apply without mixing. If you mix coatings prior to application, determine the target HAP concentration for each coating mixture that you spray apply.
- EPA has approved the following tool with the cooperation of vendors to easily assess whether or not the coatings you use contain Target HAP:

<https://nationalsbeap.org/compliance/petition>

### 1. General Information

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

Parent Company: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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

#### Facility Location (If different from above)

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

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

### 2. Indicate why your facility qualifies for the exemption (check one):

- My facility no longer has a spray-applied surface coating operation.
- My facility does not use any target HAP-containing coatings (Complete Section 3 below).

### 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.)

Manufacturer	Product Line

### 4. Does your facility use methylene chloride(MeCl) in paint stripping operations?

- YES     NO

## 5. Certification Statement

I have consulted reliable analyses (EPA resources, MSDS, or other information obtained from the coating manufacturer or supplier) of the coatings that are 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 (the National Emission Standard for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources). Spray application of target HAP containing coatings in a surface coating operation voids any exemption that might be granted as a result of this petition.

If your petition is approved, MDEQ (on behalf of EPA) will send you an approval letter which you must keep a copy of on site at your facility until you discontinue spray coating operation(s) or begin using new coatings with target HAP.

Signature of Certifying Official

Printed Name and Telephone  
of Certifying Official

Date

Mailing Address of Certifying  
Official

Certifying official must be the owner or operator of the facility. Check the one or both that apply:  Owner  Operator

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**Please Submit This Form by Email, Mail or Fax To:**

**Mississippi Department of Environmental Quality  
OPC - Air Program Development Branch  
P.O. Box 2261  
Jackson, MS 39225-2261**

**Fax: (601) 961-5742    EMAIL: BWilliams@MDEQ.MS.GOV**