

Petition for Exemption

Paint Stripping and Miscellaneous Surface Coating Operations

Area Source Rule

40 CFR Part 63 Subpart HHHHHH (Parts 63.11169 – 63.11180 and Table 1)

In accordance with 40 CFR Part 63.11170(a)(2), an owner or operator of a motor vehicle or mobile equipment surface coating operation may petition the U.S. EPA Administrator for an exemption from the regulatory requirements of 40 CFR Part 63 Subpart HHHHHH, as they apply to those operations, if the owner or operator can demonstrate that the spray-applied coatings used by the facility do not contain target hazardous air pollutants (HAP). (Note that in determining whether you spray apply target HAP containing coatings, do not include coatings applied using hand-held aerosol cans, or spray guns with a cup capacity of 3 fluid ounces or less.)

As defined in 40 CFR 63.11180, coatings are “target HAP containing coatings” if they contain compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd) at concentrations greater than the following thresholds.

- If the compound is a carcinogen, the coating must contain more than 0.1% by mass of that individual target HAP to be considered a “target HAP containing coating.”
- If the compound is not a carcinogen, the coating must contain more than 1.0% by mass of that individual target HAP to be considered a “target HAP containing coating.”

Refer to the Material Safety Data Sheets for this information.

An exemption from the requirements of Subpart HHHHHH is case/fact specific, so if you want to request one, you must provide information about your operation to show why it should be granted an exemption. 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 provided.

1. General Information

Facility Name _____

Mailing Address _____ Telephone Number _____

City _____ State _____ Zip _____

Facility Location (if different from above):

Street Address _____ County _____

City _____ State _____ Zip _____

Location where your compliance records are maintained:

Street Address _____ County _____

City _____ State _____ Zip _____

2. Describe your surface coating operation and explain why your facility qualifies for the exemption under 40 CFR 63.11170 (a)(2).

For example:

This is a collision repair shop that only paints from 3 ounce or smaller cups therefore we are not covered by the rule.
OR

This is a collision repair shop that does not use any target HAP (Cr, Pb, Mn, Ni, or Cd) containing coatings.

Section 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. Certification Statement

I have consulted reliable analyses (material safety data sheets or information obtained from the coating manufacturer) of the coatings that are used in this facility and have determined that we do not spray apply the target HAP (hazardous air pollutant) containing coating as defined in 40 CFR 63.11180. 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 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.

You must keep a record of this approval on site at your facility until you change your operation(s) to include spray application of target HAP containing coatings, or discontinue motor vehicle and mobile equipment surface coating operations.

Signature of Certifying Official

Date

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

___ **Owner**
 ___ **Operator**

Printed Name of Certifying Official

5. Where should I send this Petition for Exemption?

You should send this petition to the government agency that has authority for this rule in your area. For Kansas, send forms to both USEPA Region 7 and KDHE Bureau of Air at the following addresses:

USEPA Region 7
 Air Permitting and Compliance Branch
 11201 Renner Blvd.
 Lenexa, KS 66219

KDHE Bureau of Air
 1000 SW Jackson, Suite 310
 Topeka, KS 66612-1366