

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 Butte County Air Quality Management District (District) for an exemption from the applicable spray 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). (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 (Cd, Cr, Pb, or Ni), 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 (Pb or Mn), 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. The District will respond to your petition after we have evaluated the information you provided.

1. General Information

Facility Name _____

Mailing Address _____

City _____ State _____ Zip _____

Facility Location (if different from above):

Street Address _____

City _____ State _____ Zip _____

Location where your compliance records are maintained (if different from above):

Street Address _____

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).

Examples:

- We are seeking an exemption because we have stopped using “target HAP containing coatings” OR
- This is a collision repair shop that does not use any target HAP containing coatings, OR
- This is a collision repair shop that only paints from 3 ounce or smaller cups therefore we are not covered by the rule.

Description of operation and reason(s) for exemption: _____

Section 3. Listing of all Spray-Applied Coatings

Identify the manufacturer(s) and product line(s) of all the spray-applied coatings used at you facility below or attach additional pages to this petition, if necessary.

| Manufacturer | Product Line |
|--------------|--------------|
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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 any coatings containing the target HAP (hazardous air pollutant) 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.*

Signature of Certifying Official

Date

Printed Name of Certifying Official

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

*If an exemption is approved, you must keep a record of the approval on- site at your facility. If you change your operation(s) to include spray application of target HAP containing coatings, you must certify compliance with all of the applicable requirements in 40 CFR Part 63, Subpart HHHHHH and submit the certification to the District **prior** to the application of coatings containing any of the target HAPs.*

5. Where should I send this Petition for Exemption?

Butte County Air Quality Management District
Attn: David Lusk
629 Entler Avenue, Suite 15
Chico, CA 95928