

New EPA Requirements for Automotive Refinishing

January 2010

The U.S. Environmental Protection Agency (EPA) passed a new regulation that affects all automotive refinishing shops. This regulation [40 CFR Part 63, Subpart HHHHHH] addresses the hazardous metal compounds of lead, cadmium, manganese, nickel and chromium (referred to as target HAPs) that are components in many automotive coatings. These target HAPs are released to the atmosphere when atomized through spray guns.

Who must comply?

All auto body shops must meet the following requirements and deadlines unless you can certify that you do not spray apply* coatings that contain target HAPs**.

How can I tell if coatings contain target HAPs?

Many primers and tints/basecoats contain target HAPs. You can determine if any spray coatings contain target HAPs, by contacting your coating manufacturers, supply vendors or by reviewing the materials safety data sheets for each of the coatings. If any coating contains target HAPs, then you need to comply with requirements below by the deadlines outlined on the reverse side.

What if my coatings don't contain any target HAPs?

If you can verify that you do not spray coatings with target HAPs or you can switch to coatings that are free from these compounds, you can submit a *Petition for Exemption* and be exempt from the following requirements. If you want to be exempt, contact us for assistance.



Be careful! If you *Petition for Exemption* and switch coatings or use new ones, you will need to make sure they do not contain target HAPs, or else meet the following requirements.

What are the Requirements?

If you spray apply even one coating with target HAPs, you need to do the following:

1. Have 98% removal efficient filters on the exhaust of all spray operations. Your vendor or filter manufacturer should be able to provide this information.
2. Use only high volume, low pressure (HVLP) spray guns, electrostatic application, airless or air-assisted airless spray guns or equivalent technology.
3. Do not spray solvent to clean the guns unless using a container that captures all of the bounce back spray, or mist.
4. For body shops that refinish **complete motor vehicles or other mobile equipment**, spray painting operations must occur in a fully enclosed spray booth or station and operated under negative pressure. However, fully enclosed booths using an automatic pressure balancing system can be operated up to 0.05 inches water gauge positive pressure.
5. For body shops that refinish **parts, products or vehicle "subassemblies"**, spray painting must occur in an area that has a full roof, at least three complete walls or side curtains and is vented to draw air through the area.
6. **Mobile spot repair** operations need to enclose the area being coated, capture paint overspray and filter the exhaust.
7. Train and certify all spray painters. Re-certify every five years.
8. **Submit an *Initial Notification & Notification of Compliance Status*.**

* Means hand-held devices that create an atomized mist or coating. Spray applied does not include the following: hand-held devices with paint cup capacities \leq 3 fluid ounces, non-refillable aerosol containers, non-atomizing technologies, powder coating and thermal spray operations.

** Containing \geq 0.1% by weight of lead, nickel, cadmium or hexavalent chromium, or \geq 1% by weight of manganese or trivalent chromium.

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What is my deadline?

Your deadline is based on 1) the date you began spray painting, or 2) the date modifications began on your spray painting equipment (where the costs exceed 50% of the cost to buy new), or, 3) the date construction began at your facility to install spray painting equipment (at facilities that previously did not perform spray painting).

Starting Date Spray Painting, Modifications, or Construction	Meet Requirements #1 – 6 by . . .	Train and certify painters by whichever date is later . . .	Submit <i>Initial Notification</i>	Submit <i>Notification of Compliance Status</i>
on or before 9/17/2007	1/10/2011	1/10/2011 or within 180 days of hire	1/11/2010	03/11/2011
after 9/17/2007	Upon startup	Within 180 days of hire	Within 180 days of startup	

Training Programs

Training programs must include hands-on and classroom instruction on the proper spray application of surface coatings. They also must demonstrate, document and provide certification of successful completion of the regulation’s training requirements.

Additional Reporting and Record Keeping

- ✓ Shops that started spray painting operations prior to 9/17/2007 and could not meet all of the above requirements at the time the *Initial Notification* form was submitted will need to submit a *Notification of Compliance Status* by March 11, 2011.
- ✓ If there are any changes in your compliance status during the calendar year, you need to submit an *Annual Notification of Changes Report* (by March 1).
- ✓ Keep all copies of forms and notifications submitted.
- ✓ Maintain records of spray painter training certifications.
- ✓ Have documentation on the spray booth filter efficiency.
- ✓ Have documentation on the spray gun transfer efficiency.
- ✓ All records must be kept for 5 years and maintained at the facility for the first 2 years.



Don’t forget about the state air permitting requirements!

Contact the SBEAP if you need help getting an air registration or permit.

For more information, assistance or copies of the forms, call the Small Business Environmental Assistance Program at 1-800-780-7227.

The information in this fact sheet is intended for general reference only; it is not a full and complete statement of the technical or legal requirements associated with the regulation.

Helping New York’s Small Businesses understand and comply with environmental regulations.

**Small Business Environmental Assistance Program
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