

Notification of Exemption

Paint Stripping and Miscellaneous Surface Coating Operations

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

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 submit a notification to the Idaho Department of Environmental Quality (DEQ) that exempts 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.

- Target HAP-containing coatings are defined to include coatings containing compounds of chromium, lead (Pb), nickel (Ni), or cadmium (Cd), if the metals are in amounts greater than or equal to 0.1% of the coating by mass.
- Target HAP-containing coatings also include coatings containing compounds of manganese (Mn), if the metal is in an amount greater than or equal to 1.0% of the coating by mass.
- Refer to the coating Safety Data Sheets (SDS) 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.

1. General Information

Company Name _____

Facility Name _____

Mailing Address _____ Telephone Number _____

City _____ State _____ ZIP _____

Facility Location (if different from above):

Street Address _____ County _____

City _____ State _____ ZIP _____

Location where your facility 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: Our facility repairs automobile collision damage. We are seeking an exemption because we do not use any target HAP-containing coatings.)

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 notification, if necessary.

You are required to retain records that describe the coatings that are spray-applied, but this information does not need to be reported with a notification of exemption to DEQ. DEQ maintains the authority to verify records retained onsite, including whether the notification of exemption was sufficiently demonstrated.

Manufacturer	Product Line

4. Certification Statement

I have consulted reliable analyses (material SDS 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 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 notification. 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 Standards 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 obtained as a result of this notification.

If you submit a Notification of Exemption, you must retain a copy of the notification onsite at your facility until you change your operation(s) to include spray-application of target HAP-containing coatings or until you discontinue motor vehicle and mobile equipment surface coating operations.

Signature of Certifying Official

Date

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

Email Address of Certifying Official

Printed Name and Telephone Number of Certifying Official

Mailing Address of Certifying Official

An exemption from the requirements of Subpart HHHHHH is case/fact specific. This Notification of Exemption may be completed to provide the information necessary to obtain an exemption. You may use your own form as long as you include all the information required by the rule for a notification of exemption.

If you wish for a formal determination (concurrence of exemption), you may submit a petition as an alternative to the notification to DEQ that you do not spray-apply any coatings that contain the target hazardous air pollutants (HAP). A separate form is provided for the petition.

Who may be subject to the rule and may need to use this form?

Spray painting of motor vehicles or mobile equipment is subject to 40 CFR part 63, subpart HHHHHH (see 40 CFR §63.11180 for definitions). The following will generally be subject to the rule:

- Businesses at a fixed location
- Mobile operations that spray paint at various customer locations using their own equipment
- Individuals that coat more than 2 motor vehicles or pieces of mobile equipment per year without compensation, or any number for compensation

Who may submit a notification of exemption?

If you, as the owner or operator of a facility are subject to the rule and do not spray-paint with any target HAP-containing coatings, then you may submit a notification of exemption from the spray-painting requirements of the rule.

The notification form references facilities, but any of the above may submit a notification of exemption provided that they are eligible.

If you are subject to the rule and do not obtain exemption (whether through petition or notification), then you are required to satisfy the rule requirements.

5. Where should I send this Notification of Exemption?

Please retain a copy of the signed form for your records and submit the Notification for Exemption via email to air.permits@deq.idaho.gov or mailed to the following address:

DEQ State Office – Air Quality Division
1410 N. Hilton St.
Boise, ID 83706

Notification of Exemption

Paint Stripping and Miscellaneous Surface Coating Operations

40 CFR Part 63 Subpart HHHHHH and Table 1

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 submit a notification to the Idaho Department of Environmental Quality (DEQ) that exempts 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.

- Target HAP-containing coatings are defined to include coatings containing compounds of chromium, lead (Pb), nickel (Ni), or cadmium (Cd), if the metals are in amounts greater than or equal to 0.1% of the coating by mass.
- Target HAP-containing coatings also include coatings containing compounds of manganese (Mn), if the metal is in an amount greater than or equal to 1.0% of the coating by mass.
- Refer to the coating Safety Data Sheets (SDS) 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.

1. General Information

Company Name	ZYX Collision Repair			
Facility Name	Same as above			
Mailing Address	1 Automotive Drive	Telephone Number	111-555-1212	
City	Studebaker	State	Michigan	ZIP 10000
Facility Location (if different from above):				
Street Address	Same location as above	County		
City		State		ZIP
Location where your facility compliance records are maintained:				
Street Address	Same location as above	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: Our facility repairs automobile collision damage. We are seeking an exemption because we do not use any target HAP-containing coatings.)

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 notification, if necessary.

You are required to retain records that describe the coatings that are spray-applied, but this information does not need to be reported with a notification of exemption to DEQ. DEQ maintains the authority to verify records retained onsite, including whether the notification of exemption was sufficiently demonstrated.

Manufacturer	Product Line
Acme Paint	Pro Line
ABC Coatings	Ultra Line
ABC Coatings	Supreme Line

4. Certification Statement

I have consulted reliable analyses (material SDS 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 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 notification. 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 Standards 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 obtained as a result of this notification.

If you submit a Notification of Exemption, you must retain a copy of the notification onsite at your facility until you change your operation(s) to include spray-application of target HAP-containing coatings or until you discontinue motor vehicle and mobile equipment surface coating operations.

John Doe

September 20, 2023

Signature of Certifying Official

Date

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

Owner

Operator

doe.john@zyx.com

Email Address of Certifying Official

John Doe

111-555-1212

Printed Name and Telephone
Number of Certifying Official

1 Automotive Drive

Studebaker, Michigan 10000

Mailing Address of Certifying Official