# Area Source NESHAP for Paint Stripping

On January 9, 2008, the Environmental Protection Agency (EPA) published the final rule for 40 CFR Part 63, Subpart HHHHHH National Emissions Standards for Hazardous Air Pollutants (NESHAP): Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. This rule is in addition to Texas Commission on Environmental Quality (TCEQ) rules you must follow. New sources must be in compliance immediately, and existing sources must be in compliance by January 10, 2011. This fact sheet provides important information on rule requirements for paint strippers that use **methylene chloride (MeCl**).

# Does this Rule Apply to My Facility?

## Applicability:

This rule applies to your facility if you use chemical strippers that contain MeCl to remove dried paint (including, but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates. **You do not have to comply with this rule if you do not use strippers that contain MeCl.**

## Exemptions:

This rule does not apply to the following:

* Paint stripping performed by individuals on their personal vehicles, possessions, or property, either as a hobby or for maintenance. This rule also does not apply when these operations are performed by individuals for others without compensation. However, an individual who **spray applies surface coating** to more than two motor vehicles or pieces of mobile equipment per year is subject to the rule regardless of whether compensation is received.
* paint stripping performed on site at installations owned or operated by the Armed Forces of the United States (US) (including the Coast Guard and the National Guard of any State), the National Aeronautics and Space Administration, or the National Nuclear Security Administration;
* paint stripping of military munitions, as defined in subsection 63.11180, manufactured by or for the Armed Forces of the US (including the Coast Guard and the National Guard of any State) or equipment directly and exclusively used for the purposes of transporting military munitions;
* paint stripping that meets the definition of ‘‘research and laboratory activities’’ in subsection 63.11180 of the final rule;
* paint stripping that meets the definition of ‘‘quality control activities’’ in subsection 63.11180 of the final rule; and
* paint stripping that is specifically covered by another area source NESHAP.

# How do I Comply?

## Management Practices:

Paint stripping operations that use less than one ton of MeCl annually must implement “Best Management Practices” to minimize evaporative emissions of MeCl. At a minimum you must:

* evaluate each application to ensure there is a need for paint stripping;
* evaluate each application using MeCl to ensure there is no alternative technology that can be used. Alternative technologies include: using paint strippers without MeCl, mechanical stripping, blasting, or thermal and cryogenic decomposition;
* reduce exposure of paint strippers containing MeCl to the air;
* optimize application conditions to reduce evaporation (e.g., maintaining low temperatures to reduce evaporation when the stripper is heated); and
* practice proper storage and disposal of paint strippers (e.g., store in closed, air-tight containers).

Paint Stripping operations that use **more than one ton** of MeCl annually must:

* develop and implement a written **MeCl Minimization Plan** to minimize the use and emissions of MeCl. The plan must address the five management practices listed above;
* post a placard or sign outlining the MeCl minimization plan in each area where paint stripping using MeCl occurs;
* maintain a copy of the current MeCl Minimization Plan on site at all times; and
* review the plan every year and evaluate new methods of stripping, and keep records of the review and changes made to the plan.

## Notification Requirements:

New sources must notify that they are subject to this rule by 180 days after operations began or by July 7, 2008, whichever is later. Existing sources must notify by January 11, 2010. Notification forms can be found at www.tceq.state.tx.us. Click on “Forms and Publications.” Search for form number 20453 for new sources and form number 20454 for existing sources. Notifications must be sent to EPA and TCEQ. Addresses for each are included on the forms. For new sources, notification and certification of compliance are on one form. For existing sources, certification of compliance can be submitted separately as long as it is submitted by March 11, 2011.

**Note**: Actual compliance is required immediately for new sources, and by January 10, 2011 for existing sources.

## Record Keeping:

Records must be kept for five years. They must be kept on site for two years and must include the following:

* Records of annual usage of MeCl to demonstrate compliance with the rule.
  + This includes type of stripper containing MeCl, content of MeCl in the stripper, and how much of the stripper is used in a year. Additionally, if your operation uses more than one ton of MeCl, you must keep your MeCl minimization plan and records of any changes or updates to the plan.
* records of notifications and reports sent to EPA and TCEQ;
* records of any deviation from the requirements of this rule, including the date and time, description, and corrective action taken regarding the deviation; and
* records verifying the compliance used in the preparation of the initial notification, certification of compliance, and annual notification of changes report.

## Annual Reporting:

You are required to submit an Annual Notification of Changes Report in each calendar year in which information submitted in either the initial notification, certification of compliance, or if a previous annual notification of changes report has changed. The annual notifications of changes report also includes any deviations from the requirements regarding management practices outlined in this fact sheet. This includes notification when paint strippers that have not developed and implemented a written MeCl minimization plan uses more than one ton of MeCl in the previous calendar year.

The annual notification of changes report must be submitted before March 1 of each calendar year when reportable changes have occurred and must include the following information:

* your company's name and the street address (physical location) of the affected source and the street address where compliance records are maintained, if different; and
* the name, title, address, telephone, e-mail address (if available) and signature of the certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance.

These requirements are in addition to TCEQ air authorization recordkeeping and reporting requirements. To find out about specific air authorizations for these businesses, please call TCEQ’s Small Business and Local Government Assistance hotline at 1-800-447-2827 or go to www.sblga.info.

Web site link to the rule: http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.pdf

## Important Dates to Remember

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|  | **New Sources** | **Existing Sources** |
| **Initial Notification** | July 7, 2008, or 180 days after startup, whichever is later | January 11, 2010 |
| **Compliance with rule** | Immediately | January 10, 2011 |
| **Certification of Compliance** | Included with Initial Notification | March 11, 2011 |
| **MeCl Minimization Plan review and update** | Annually before March 1 to report any changes or deviations | Annually before March 1 to report any changes or deviations |
| **Annual reporting** | March 1 each year if changes or deviations occurred | March 1 each year if changes or deviations occurred |