



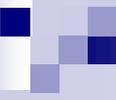
# 7 DE Admin Code 1138 Section 13

## *Paint Stripping Standard*

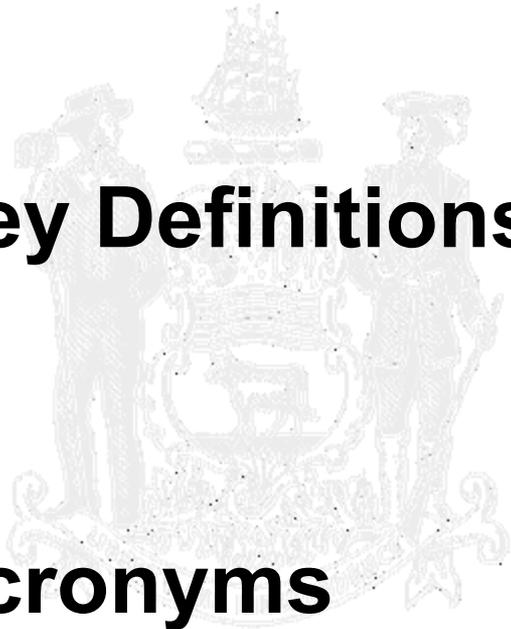


Public Workshops  
Feb. 16, 18, and 25, 2010

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- **Handouts**



- **Key Definitions**

- **Acronyms**



# Clean Air Act Amendments of 1990

- Congress identified 189 Hazardous Air Pollutants or HAPs
- Congress directed the EPA
  - To identify emission sources of those 189 HAPs and
  - To issue regulations to reduce HAPs emissions from those sources



# Clean Air Act Amendments of 1990

- Congress directed the EPA to
  - Begin with those industrial facilities that typically have large HAPs emissions (**major sources**)
  - Only later, move on to those facilities that typically have smaller HAPs emissions (**area sources**)



# Clean Air Act Amendments of 1990

- EPA activities on **major sources**
  - **1992** - EPA published its initial listing of predominately major source categories
  - **1993 – 2004** - EPA issued over 100 regulations addressing HAPs emissions from a wide variety of major sources
  - **2005 and on** - EPA continues, but most resources have moved on to **area sources**



# Clean Air Act Amendments of 1990

## **EPA's Area Source Air Toxics Program**

**As directed by Congress in 1990**



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# EPA's Area Source Air Toxics Program

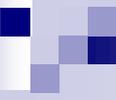
- Congress required EPA to
  - **Identify** 30+ **HAPs** that present the greatest threat to public health
  - **Identify** types of sources that emit 90% of these 30+ **HAPs**
  - **Issue** regulations to reduce adverse health effects due to the emission of HAPs from these small facilities



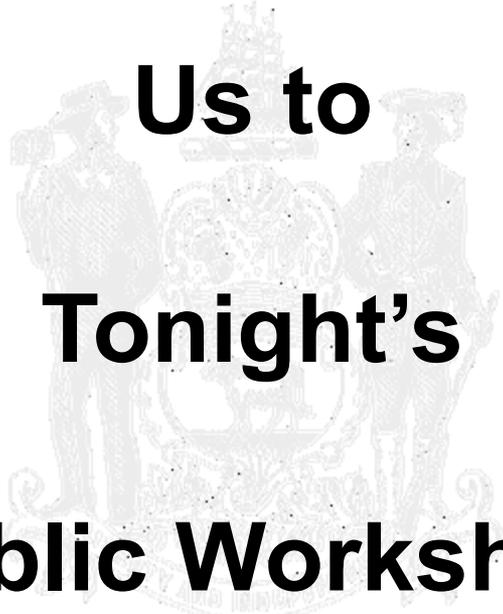
# EPA's Area Source Air Toxics Program

- EPA activities on **area sources**
  - **1999** - EPA published its listing of **33 HAPs** having the greatest health impact (*in handouts*)
  - **By 2002** - EPA had identified **70** area source categories (*in handouts*)
  - **2006** - EPA began to focus more resources on these area sources





# Which Brings Us to Tonight's Public Workshop



# EPA's Area Source Air Toxics Program

- On January 9, 2008, EPA issued another area source standard
- Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
- 40 CFR Part 63 Subpart HHHHHH  
(Sub 6Hs)
- Federal adoptions of Area Source Standards lead to internal Departmental review



# Typical Departmental Review

- **Review of Federal Area Source Standards**
  - **Are there any Delaware sources?**
  - **How do the Federal requirements compare to existing Delaware air regulations?**
  - **Do the Federal requirements adequately meet the needs of the public, the regulated community, and Departmental?**
  - **Are additional communications and outreach needed?**

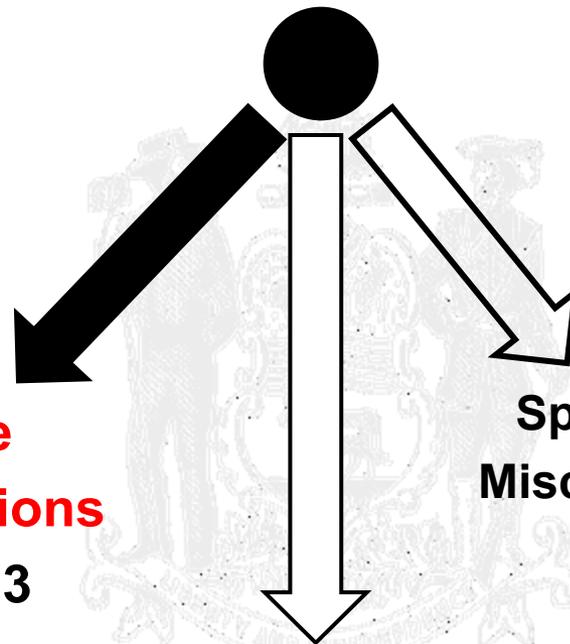


# Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

**40 CFR Part 63 Subpart HHHHHH or Sub 6Hs**



**Methylene Chloride  
Paint Stripping Operations**  
Reg. 1138 Section 13



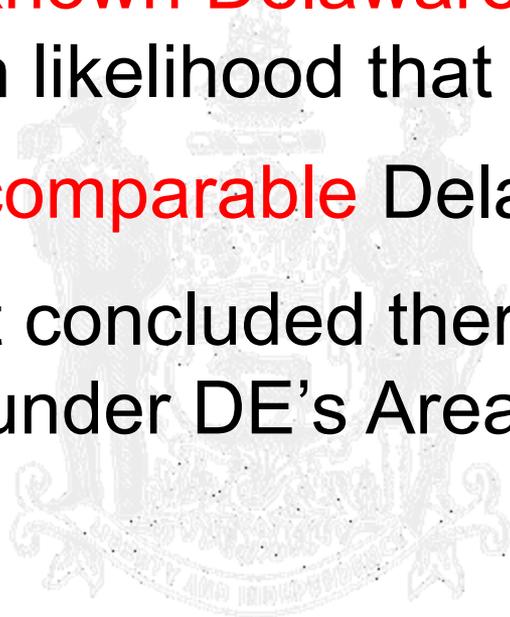
**Spray Coating Operations for  
Miscellaneous Parts or Products**  
Reg. 1138 Section 14

**Spray Coating Operations for  
Motor Vehicles or Mobile Equipment**  
Reg. 1138 Section 15



# Results of Departmental Review of Sub 6Hs

- MeCl Paint Stripping
  - There were **no known Delaware sources**; however, there was a high likelihood that sources could exist
  - There were **no comparable** Delaware regulations
  - The Department concluded there was a **need to adopt Sub 6Hs** under DE's Area Source Air Toxics program



**Sources Potentially**

**Subject To or**

**Exempt from Section 13**



## **Who is subject to Section 13?**

Each area source facility that performs paint stripping using chemical strippers containing methylene chloride for the removal of dried paint (including, but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates)



# Are there any exemptions from Section 13?

- Paint stripping operations at **non-area** sources (e.g. major HAP sources) –  $\geq 10/25$  tpy
- Operations conducted for **QC or R&D** purposes
- Operations already subject to paint stripping requirements in 40 CFR Part 63 (excluding Subpart 6Hs)
- Operations at installations owned or operated by the US Armed Forces
- Operations stripping military munitions manufactured by or for the US Armed Forces

**AND**

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# *Are there any exemptions from Section 13?*

- Operations using chemical strippers that do not contain methylene chloride

For example  
Molecular – Tech Coatings, Inc  
EFS-2500

<http://www.m-tc.com/efs2500data.cfm>





# Best Management Practices



# **What must be done to be in compliance?**

- **Implement** the applicable management practices to minimize the evaporative emissions of MeCl
- **Determine and record** the annual usage of MeCl

**Annual Usage = Annual Purchases**

(lacking more detailed information)

**Usage** = Gallons Purchased \* % MeCl \* Specific Gravity \* 8.34



# What are the “management practices”?

- Determine if paint stripping is **truly necessary**
- **If stripping is necessary**, determine whether an alternative non-MeCl technology can be used
- **If no alternative**, reduce the exposure of MeCl to air
- **Optimize** application conditions to reduce MeCl evaporation
- **Properly storage and dispose** of paint strippers containing MeCl



# Are there other compliance requirements?

Additional requirements,  
if a facility uses **over 1 ton** of MeCl per year

- **Prepare and implement** a written “MeCl minimization plan” that addresses, at minimum, the management practices
- **Post signage** outlining the “MeCl minimization plan”

Annual Usage = Annual Purchases

For “Nu-Strip Paint Stripper” > **205 Gallons/Year**



**Annual Reports**

**Notifications**



**Requirements**

**Record Keeping**



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# Initial Notification – Existing Sources

- **Submittal** of “Initial Notification” no later than **September 11, 2010**
- **Submittal** to Department with a copy to EPA Region 3
- **Submittal** must contain the information listed in **13.5.1** of Section 13
- **Submittal is Optional** – If the owner submitted the Federal Sub 6H “Initial Notification” to EPA by January 11, 2010 and sent a copy to the Department

## Initial Notification

Initial notification. The owner or operator of a paint stripping operation that uses a methylene chloride chemical stripper shall submit the initial notification required by 3.9.2 of this regulation. For a new or reconstructed affected source, the owner or operator shall submit the initial notification no later than 180 days after initial startup or **September 11, 2010**, whichever is later.



# **Where are the Notifications/Reports Sent?**



Delaware DNREC

Administrator, Air Quality Management

156 S. State Street

Dover, DE 19901

With a copy to



U. S. Environmental Protection Agency

Director, Air Protection Division

1650 Arch Street

Philadelphia, PA 19103



# Notification of Compliance Status ( NOCS) – Existing Sources

- **Submittal** of “Notification of Compliance Status” no later than **March 11, 2011**
- **Submittal** to Department with a copy to EPA Region 3
- **Submittal** must contain the information listed in **13.5.2** of Section 13
- The owner **may submit** the NOCS on September 11, 2010 in place of the “Initial Notification”

## **NOCS**

Notification of compliance status. The owner or operator of an existing affected source, required to submit a notification of compliance status in accordance with 13.5.2.2 of this regulation shall submit the notification of compliance status on or before March 11, 2011. The owner or operator shall submit the applicable information specified in 13.5.2.3.1 through 13.5.2.3.5 of this regulation with the notification of compliance status.



# Annual Notification of Changes Report ( ANOCR) – Existing Sources

- **Submittal** of “Annual Notification of Changes” report prior to March 1 following each calendar year, **if a deviation or change occurred**
- **Submittal** to Department with a copy to EPA Region 3
- **Submittal** must contain the information listed in **13.6.2** of Section 13

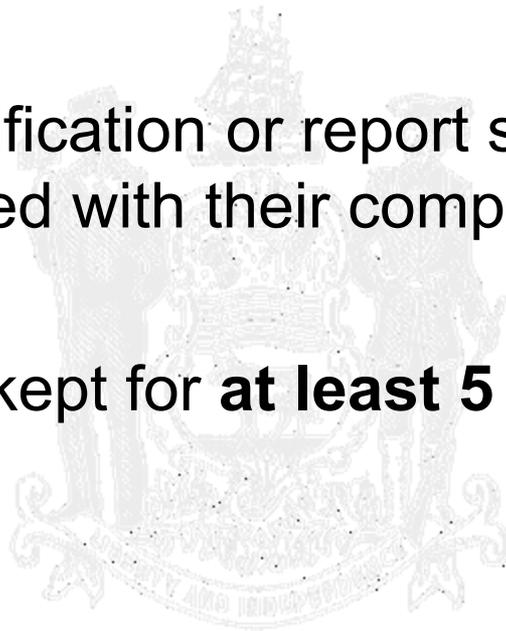
## **ANOC Report**

Annual notification of changes report. The owner or operator of a paint stripping operation that uses a methylene chloride chemical stripper shall submit a report for each calendar year in which information previously submitted in either the initial notification, the notification of compliance status, or the previous annual notification of changes report has changed..



# Record Keeping – Existing Sources

- **All** records associated determination of MeCl usage
- **Documentation** on each occurrence of a change or deviation
- **Copies** of all notification or report submittals and the records associated with their completion
- Record must be kept for **at least 5 years**



# “Paper work” Requirements – New Sources

- **Submittal** of “Initial Notification” no later than 180 day following initial start up or **Sept. 11, 2010**, whichever is later
- **Submittal** of “Notification of Compliance Status” no later than 180 day following initial start up or **Sept. 11, 2010**, whichever is later
- **Identical to existing sources –**
  - **Submittal** of “Annual Notification of Changes Report”
  - **Record Keeping**



# When must a facility be in compliance?

- **Existing** affected sources must be in compliance no later than **January 10, 2011**
- **New** affected sources must be in compliance not later than **September 11, 2010** or upon initial startup, whichever is later



# Permitting Requirements

- MeCl paint stripping operations subject to Section 13 may be SUBJECT to permitting requirements under 7 DE Admin Code 1102
- MeCl paint stripping operations subject to Section 13 are exempt from Title V permitting requirements, **IF** the O/O is not otherwise required to obtain a Title V permit under 3.1 of 7 DE Admin Code 1130

## For “Nu-Strip Paint Stripper”

- 1102 Air Permit Threshold ( $\geq 10$  Lbs/Day)  $\geq 0.92$  Gal/Day
- 1102 Registration Threshold ( $\geq 0.2$  Lbs/Day)  $\geq \frac{1}{4}$  Cup/Day



# **Compliance Assistance Tools Available**

- **Initial notification**
- **Notification of compliance status**
- **Annual notification of changes report**

**[www.awm.delaware.gov/Info/Regs/Pages/Section13.aspx](http://www.awm.delaware.gov/Info/Regs/Pages/Section13.aspx)**



# Methylene Chloride (MeCl) Health Effects

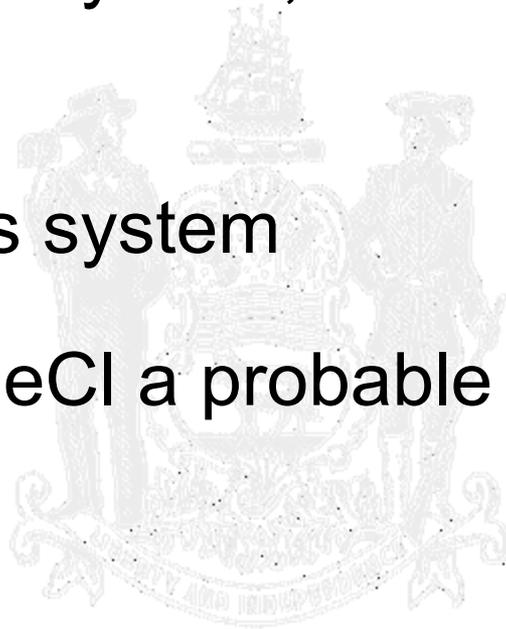
- Acute Effects

Central nervous system, but reversible

- Chronic effects

Central nervous system

- EPA consider MeCl a probable carcinogen (B2)



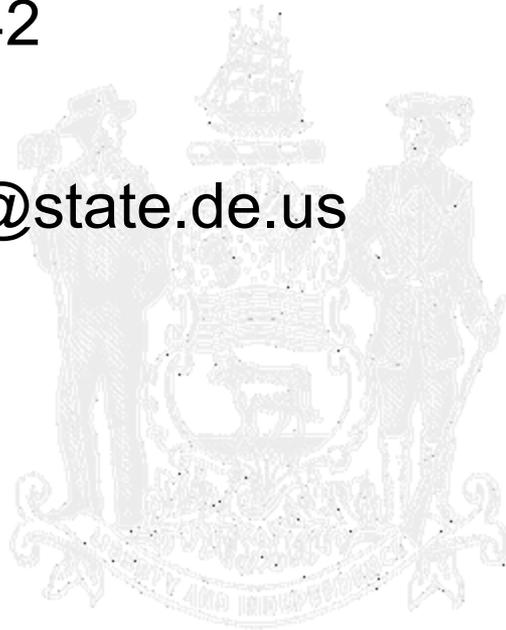
# *Projected Path Forward*

- Publish proposed regulation in Delaware Register of Regulation – May 1, 2010
- Public hearing – Dover – June 10, 2010
- Publish final regulation in Delaware Register of Regulation – September 1, 2010
- Regulation effective date – **September 11, 2010**



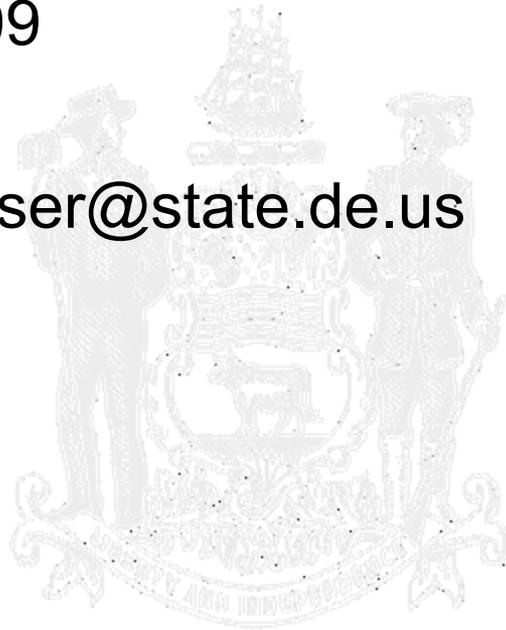
# For More Information on Section 13

- Contact Jim Snead
  - (302) 323-4542
  - [james.snead@state.de.us](mailto:james.snead@state.de.us)



# For More Assistance

- Contact Kim Chesser
  - (302) 739-9909
  - [kimberly.chesser@state.de.us](mailto:kimberly.chesser@state.de.us)



For the latest information,  
follow the ongoing development on  
**Section 13 Regulatory Web Page**

[www.awm.delaware.gov/Info/Regs/Pages/Section13.aspx](http://www.awm.delaware.gov/Info/Regs/Pages/Section13.aspx)

