



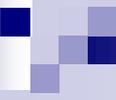
7 DE Admin Code 1138 Section 15

Motor Vehicle or Mobile Equipment Surface Coating Operations

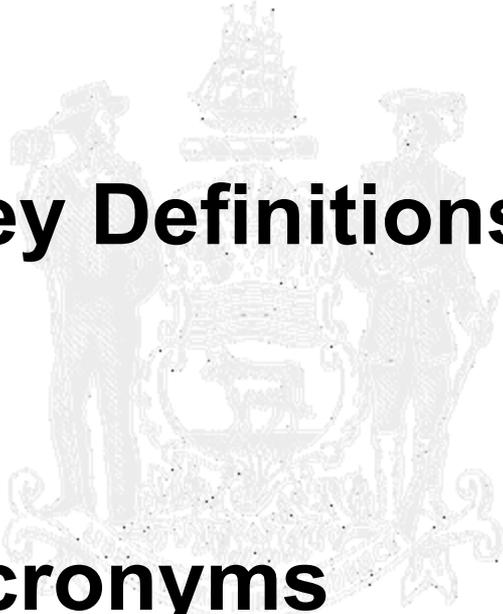


Public Workshops
Feb. 16, 18, and 25, 2010

Blue Skies Delaware; Clean Air for Life



- **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, *including collision repair*
 - **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

33 HAPs & Area Source Categories

Acetaldehyde
Acrolein
Acrylonitrile
Arsenic compounds
Benzene
Beryllium compounds
1,3-butadiene
Cadmium compounds
Carbon tetrachloride
Chloroform
Chromium compounds

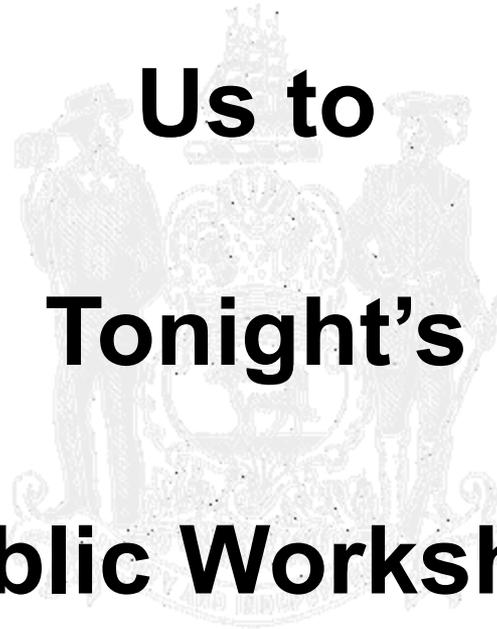


Which Brings

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?**

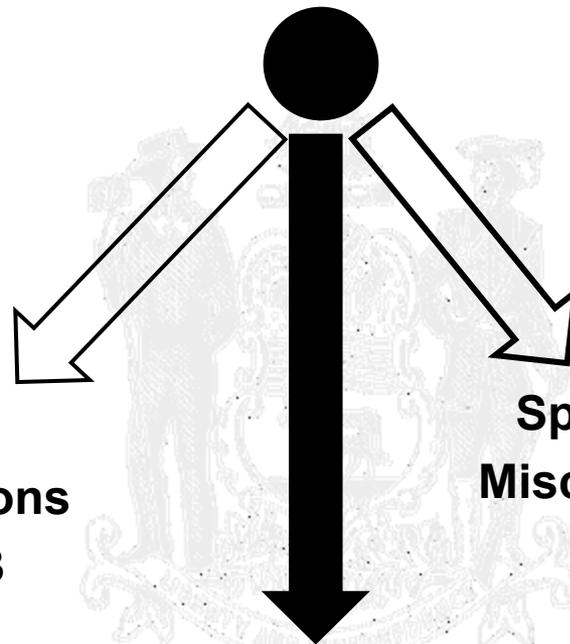


Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

40 CFR Part 63 Subpart HHHHHH or Sub 6Hs



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

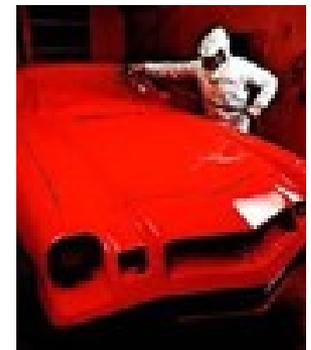


**Spray Coating Operations for
Miscellaneous Parts or Products
Reg. 1138 Section 14**

**Spray Coating Operations for
Motor Vehicles or Mobile Equipment**

Reg. 1138 Section 15

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Results of Departmental Review of Sub 6Hs

- There were **Delaware sources**
- There were **notable differences** between the **Sub 6Hs** requirements and Delaware's regulations or permits
 - Different pollutants being controlled
 - Different control strategy involved
 - Limited best management practices
- The Department concluded there was a **need to adopt Sub 6Hs** under DE's Area Source Air Toxics program



Surface Coating Operations

Potentially

Subject To Section 15



Motor Vehicles



Automobiles



Motorcycles



Light Duty Trucks



Golf Carts



Vans



Mobile Equipment

Heavy Duty Trucks



Bull
Dozers



Buses



Trailers



Agricultural Eqt

Mobile Cranes



Delivery Trucks



Motor Homes



Parts or Subassemblies



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STATE OF DELAWARE
 DEPARTMENT OF NATURAL RESOURCES
 & ENVIRONMENTAL CONTROL
 DIVISION OF AIR & WASTE MANAGEMENT
 156 S. STATE STREET
 DOVER, DELAWARE 19801

AIR QUALITY MANAGEMENT
 SECTION

TELEPHONE: (302) 739 - 9402
 FAX No.: (302) 739 - 3106

I already have a Delaware Air Permit.

March 24, 2006

Permit: APC-2005/0116-CONSTRUCTION/OPERATION

Ace Collision Repair Shop
 801 Grantham Road
 Wilmington, DE 19720

ATTENTION: Ace Jackson
 Owner

Dear Mr. Jackson:

Pursuant to the State of Delaware "Regulations Governing the Control of Air Pollution", Regulation No. 2, Section 2, approval of the Department of Natural Resources and Environmental Control (the Department) is hereby granted for the operation of an auto body shop that conducts any or all of the following - collision repair; vehicle painting, paint stripping, or sanding; body work; antique restoration; and student training in any of these areas - located at the 801 Grantham Road facility in Wilmington, Delaware, in accordance with the application submitted on Form No. AQM-11 and the 2004 Auto Body Self-Certification Form.

This permit is issued subject to the following conditions (note that anything in this permit included in brackets [] is included for clarification only and should not be considered part of the permit condition for official compliance purposes):

1. General Provisions

- 1.1 Representatives of the Department may, at any reasonable time, inspect this facility.
- 1.2 The owner or operator shall not initiate construction, install, or alter any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department pursuant to Regulation No. 2, and, when applicable Regulation No. 25, and receiving approval of such application from the Department; except as exempted in Regulation No. 2 Section 2.2 of the State of Delaware "Regulations Governing the Control of Air Pollution." [In other words, you should not add any new equipment or modify any existing equipment before receiving a permit from the Department.]

So how is
 Section 15
 different??

Delaware's Good Nature Depends on You!

PRINTED ON
 RECYCLED PAPER



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Regulation 1138 Section 15

- The **pollutants** of concern
- The types of coating operations **exempted**
- The applicable **surface coating** technique
- The pollutant **emission controls**
- **Some** of the best management practices
- The **record keeping** and **reporting** requirements



Pollutants

Of

Concern



Pollutants of Concern

- Section 15 focuses on the **coating solids** in the **overspray**; not the volatile components
- Section 15 focuses on 5 specific HAPs or “Target HAPs”
- “**Target HAPs**” are the compounds of
 - Cadmium
 - Chromium
 - Lead
 - Manganese
 - Nickel



See list of 33
Area Source HAPs



“Target HAPs” - Adverse Health Effects

Carcinogenic Effects

EPA classified some “Target HAPs” as

- Known Carcinogens
- Probable Carcinogens



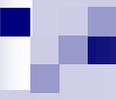
Chronic Non-carcinogenic Effects

Other “Target HAPs” contribute to disorders in

- Respiratory Systems
- Central Nervous Systems
- Human Development, especially fetus and children

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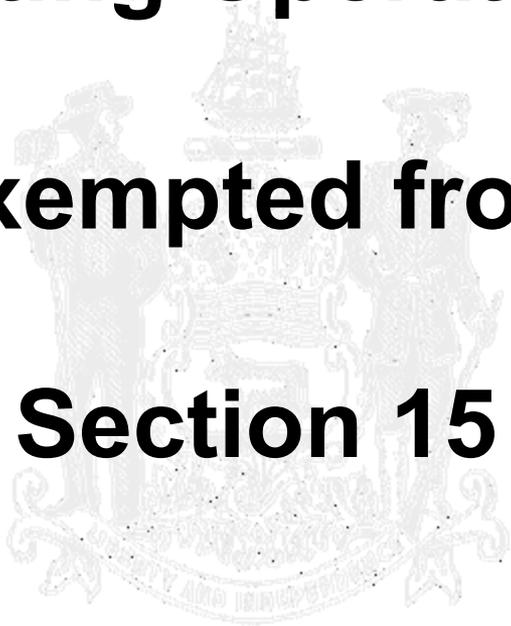




Coating Operations

Exempted from

Section 15



Exempted from Section 15 – 1

- Coating operations **performed on site** at installations owned or operated by the US Armed Forces
- Coating operations of **mobile equipment used to transport** military munitions manufactured by or for the US Armed Forces
- Coating operations associated with **space vehicles**
- Coating operations associated with **facilities maintenance**
- Coating operations conducted for **QC or R&D** purposes
- Coating operations **already subject** to an area source surface coating standard in 40 CFR Part 63 (excluding Subpart 6Hs) or Regulation 1138



Exempted from Section 15 – 2

- Coating operations conducted by **private citizens**
 - For their personal motor vehicles or mobile equipment
 - For other people without compensation
 - **But limited to 2 “ITEMS” per year**

**1 or 2 per year
Exempt from Sec. 15**

**3 or more per year
Subject to Section 15**



Exempted from Section 15 – 3

- Coating operations that apply **ONLY** coatings that contains
 - **< 0.1%** of any “Target HAPs” carcinogen
 - **< 1.0%** of any other “Target HAPs”
 - **Requires EPA approval of exemption**



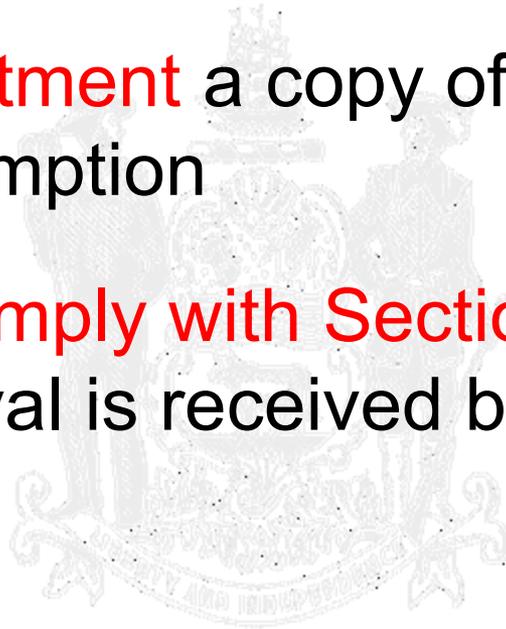
Obtaining EPA Exemption from Sub 6Hs

- Submit written petition to EPA Region 3 requesting exemption from **Sub 6Hs** and providing
 - A **list of all** spray applied coatings being used
 - **Documentation from the manufacturer or supplier** that provides formulation information demonstrating the “Target HAPs” are below the 0.1% and 1.0% thresholds
 - **Source must comply** until EPA’s approval is received

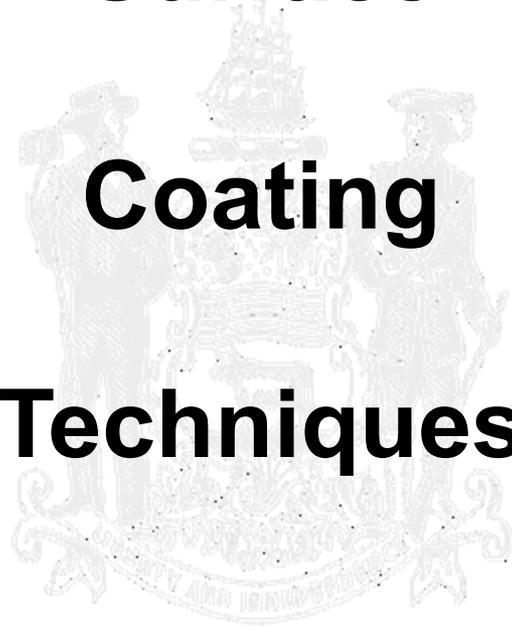


Obtaining Delaware Exemption

- **Send the Department** a copy the written petition submitted to EPA Region 3
- **Send the Department** a copy of the EPA's approval of exemption
- **Source must comply with Section 15** until a copy of EPA's approval is received by the Department



Surface Coating Techniques



Surface Coating Technique

- Section 15 is **only applicable to** surface coating operations that **spray apply** coatings



Surface Coating Technique

For the purposes of Section 15, the following are not considered spray application

- Coatings applied from a **hand-held** device with a paint cup capacity that is **≤ 3.0 fluid ounces**
- Thermal spray operations
- Powder coating application
- Use of hand-held, non-refillable aerosol containers



Emission Control Equipment Requirements



Pollutant Emission Controls

- For coating **assembled** motor vehicles and mobile equipment
 - **All** spray applications must be applied in an **enclosure**
 - Enclosures must have a **full roof and 4 complete walls**
 - Enclosures must be **ventilated** to draw air into the enclosure so the overspray is captured and directed to a filter



Pollutant Emission Controls

- For coating motor vehicles or mobile equipment **parts and sub-assemblies**
 - **All** spray applications must be applied in an enclosure
 - Enclosures must have a full roof and 3 complete walls
 - Enclosures must be ventilated to draw air into the enclosure so the overspray is captured and directed to a filter



Pollutant Emission Controls

- **Section 15** requires that
 - **Mobile ventilated enclosures** be sealed against the surface being coated so the overspray is captured and directed to a filter



Minimizing and controlling overspray



Pollutant Emission Controls

- **Section 15** requires
 - **Fitting all enclosures** with a filter technology certified by the manufacturer to achieve at least **98% capture** of the particulate entrained in the air

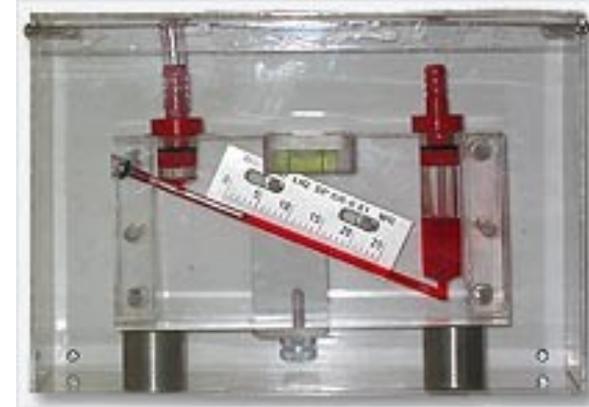


Minimizing and controlling overspray



Pollutant Emission Controls

- **Section 15** requires
 - **Installing** a monitoring device and **checking and recording the pressure drop** across the installed filter technology at least once daily
 - **Limiting spray application** to periods when the pressure drop across the filter is **within manufacturer's recommended operating range**





Best Management Practices



Best Management Practices

- **Prohibits** spray application by painters that are NOT certified (or recertified) as having completed an “**acceptable**” training program in the last five years



Best Management Practices

- **Requires painters to be certified** no later than
 - **January 10, 2011** or within 180 days following hiring (EXISTING sources)
 - **September 11, 2010** or within 180 days following hiring (NEW sources)
- **Requires painters to be re-certified** as having completed the refresher course every five (5) years



“Acceptable” Training Program

- Specifies the **minimum acceptable content** of the painter training program
 - Spray gun selection, its set up and operation
 - Spray technique for different types of coatings to improve transfer efficiency
 - Routine spray booth and filter maintenance
 - Filter selection and proper installation
 - Environmental compliance requirements

Minimizing and controlling overspray



“Acceptable” Training Program – cont.

- “Acceptable” training will likely include

- Hands-on instruction and experience



- Classroom instruction



- Demonstration of learned knowledge and skill

- Owner determines who and how painters are to be trained for his business



Best Management Practices

- Requires the owner
 - **To certify** that painters have successfully completed an acceptable training program
 - **To limit** the spray application of coating containing “Target HAPs” to currently certified painters



Best Management Practices

■ A Caveat

Training certified under Section 15
may not meet the Reg. 1124 Section
11 training requirements



Best Management Practices

- Limits the spray application of coating to
 - **HVLP** spray guns
 - **Electrostatic** application
 - **Airless** spray guns
 - **Air-assisted airless** guns
 - **EPA approved alternative** equivalent to HVLP



Lawrence; Clean Air for Life



Best Management Practices

- **Prohibits** spray gun cleaning in which an atomized mist or spray is outside the container that collects the solvent
- Allows non-atomized flow through cleaning
- Allows manual disassembly and hand cleaning



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 **15.7.1** of Section 15
- **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 motor vehicle or mobile equipment surface coating operation, subject to 15.0 of this regulation, 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 **15.7.2** of Section 15
- 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 15.7.2.2 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 15.7.2.3.1 through 15.7.2.3.5 of this regulation with the notification of compliance status.



Annual Notification of Changes Report (ANOCR) – Existing Sources

Examples of “Deviations” or “Changes”

- Spray application outside an enclosure
- Use of a non-98% manufacturer certified filter media
- Spray application when the filter pressure drop is outside the manufacturer’s recommended range
- Spray application by non-certified painter
- Application done with an non-HVLP equivalent spray gun
- Incomplete painter certification records



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 **15.8.2** of Section 15

ANOC Report

Annual notification of changes report. The owner or operator of a motor vehicle or mobile equipment surface coating operation, subject to 15.0 of this regulation, 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

- **Certification** information for each painter
- **Documentation** of filter's removal efficiency
- **Log sheets from the** daily recording of filter pressure drop
- **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**



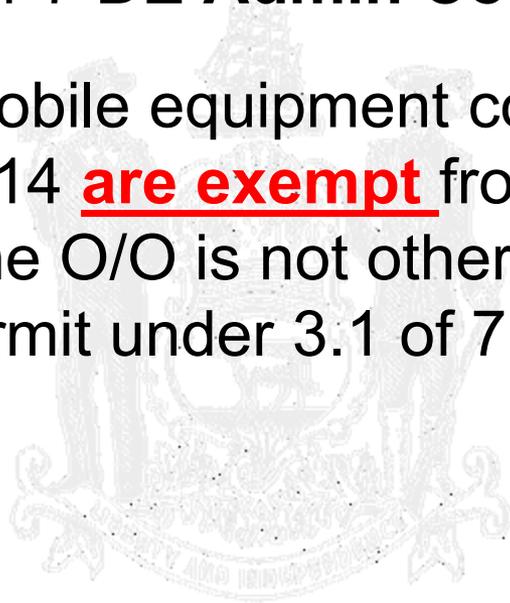
When must a facility be in compliance?

- **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

- Motor vehicle or mobile equipment coating operations subject to Section 14 may be SUBJECT to permitting requirements under 7 **DE Admin Code** 1102
- Motor vehicle or mobile equipment coating operations subject to Section 14 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



Compliance Assistance Tools Available

- **Initial notification**
- **Notification of compliance status**
- **Notification of changes report**
- **Certification template**

**FORMS
With
Instructions**

www.awm.delaware.gov/Info/Regs/Pages/Section15.aspx



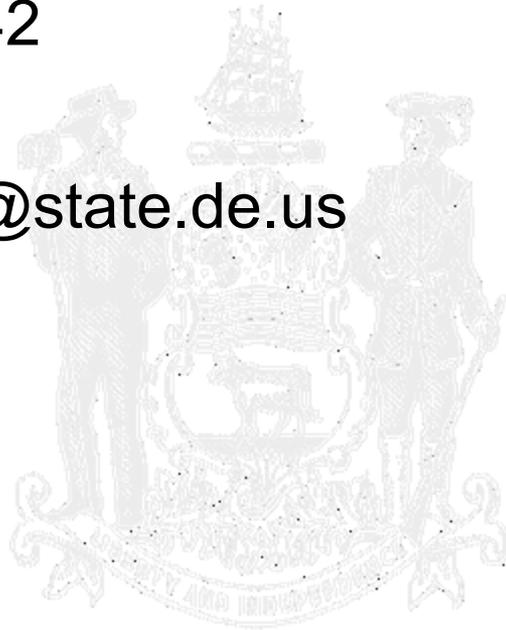
Projected Path Forward

- 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**



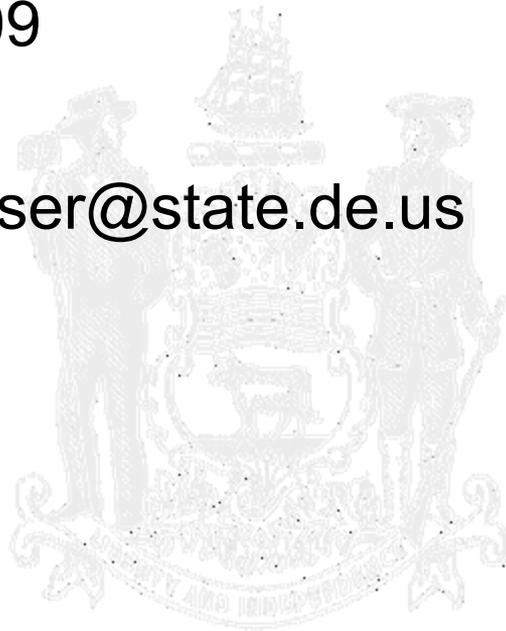
For More Information on Section 15

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



For More Assistance

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



For the latest information,
follow the ongoing development on
Section 15 Regulatory Web Page

www.awm.delaware.gov/Info/Regs/Pages/Section15.aspx

