



## Lincoln-Lancaster County Health Department Air Quality Program 40 CFR Part 63 Subpart HHHHHH – Petition for Exemption

### What is the purpose of this rule?

- The United States Environmental Protection Agency (US EPA) issued [40 CFR Part 63, Subpart HHHHHH \(National Emission Standards for Hazardous Air Pollutants for Source Category: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources\)](#) to establish emission limitations and standards to reduce/control hazardous air pollutants (HAP) emitted from paint stripping operations, autobody refinishing operations, and operations that perform paint spraying of metal and plastic parts and substrates. This subpart only applies to such operations that are 'area sources' of HAPs. An *area source* is a facility with total potential to emit less than 10 tons of any individual HAP, and less than 25 tons of total combined HAPs.

### How do I know if I qualify for the exemption?

- Motor vehicle and mobile equipment surface coating operations that use only coatings that do not meet the definition of 'target HAP-containing coatings' can qualify for the exemption. Facilities for which both of the following statements are true may be qualified:
  - All coatings used at your motor vehicle or mobile equipment surface coating operation contain no more than 0.1% by mass of known human carcinogens, which includes cadmium (Cd) compounds, hexavalent chromium [Cr(VI)] compounds, lead (Pb) compounds, and nickel (Ni) compounds.
  - All coatings used at your motor vehicle or mobile equipment surface coating operation contain no more than 1.0% by mass of other chromium (Cr) compounds (e.g. trivalent chromium) and manganese (Mn) compounds.

### What painting spraying and paint stripping activities are not subject to this rule?

- The following activities are not subject to Subpart HHHHHH, and facilities that only conduct these activities do not need to submit a petition for exemption from Subpart HHHHHH:
  - 'Facility maintenance', painting of 'space vehicles', 'research/laboratory activities', and 'quality control activities' as defined in Subpart HHHHHH;
  - Painting using non-refillable aerosol cans, hand-held device with a paint cup capacity that is less than or equal to 3 fluid ounces, powder coating, or other non-spray painting methods;
  - Paint spraying/paint stripping performed at U.S. military installations, painting of military munitions, painting of equipment used directly and exclusively to transport military munitions;
  - Hobby/maintenance painting by individuals on their personal vehicles/possessions/ property, provided that individuals do not apply spray coating to more than two vehicles or pieces of mobile equipment per year.

### What is the purpose of this form, and when do I need to submit it?

- The purpose of this form is to exempt your source from the requirements of Subpart HHHHHH that apply to surface coating operations.
- You can submit this form at any time, provided that you are able to certify that you qualify for the exemption at the time of submittal. If you are starting-up a new source, and would like to be exempt from the rule at the time of start-up, then you should submit this form at the same time you submit the 'Initial Notification/Notification of Compliance Status' for your facility.
- This document must be signed and certified by an individual who meets the definition of a 'Responsible Official' set forth in [Article 2, Section 1 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards](#).

### Where do I send the completed form?

- Send a copy of the signed and completed form to each of the following. Keep an additional copy for your records.

Lincoln-Lancaster County Health Department	US EPA Region 7
ATTN: Air Quality Program	ATTN: AWMD-APCO
3131 O Street	11201 Renner Blvd.
Lincoln, NE 68510	Lenexa, KS 66219

**If you have any questions about this rule, or need any help completing this form, please call the LLCHD Air Quality Program at (402) 441-8040.**



**Lincoln-Lancaster County Health Department**

Environmental Public Health Division  
 Air Quality Program  
 3131 O Street  
 Lincoln, Nebraska 68510

Phone: (402) 441-8040 Fax: (402) 441-3890

**Shavonna Lausterer, MPH, CPH**  
 Health Director

**Scott E. Holmes, REHS, MS**  
 Environmental Public Health  
 Division Manager

**Gary R. Bergstrom, Jr.**  
 Air Quality Program Supervisor

**Petition for Exemption from 40 CFR 63 Subpart HHHHHH –  
 National Emission Standard for Hazardous Air Pollutants for Source Category:  
 Paint Stripping & Miscellaneous Surface Coating Operations at Area Sources**

**Section 1: Facility Information**

Please provide the following information:

LLCHD Air Quality Program Source Number (if known):	
Facility Name:	
Facility Address:	
Mailing Address (if different):	
City, State, ZIP:	
Facility NAICS:	

**Section 2: Contact Information**

Please provide the following information:

Contact Person Name:	
Contact Person Title:	
Phone Number:	
E-Mail Address:	

**Section 3: Responsible Official Certification**

*I am submitting this 'Petition for Exemption' pursuant to 40 CFR 63 Subpart HHHHHH §63.11170 paragraph (a)(2). I certify the information contained in this notification to be accurate and true to the best of my knowledge.*

<input type="checkbox"/>	I hereby certify that my motor vehicle or mobile equipment surface coating operation qualifies for exemption from the requirements of 40 CFR Part 63, Subpart HHHHHH.	
Responsible Official Name:		
Responsible Official Title:		
Phone Number:		
_____ (Signature of Responsible Official)		_____ Date

**Section 4: Description of Affected Source**

Exemptions from the requirements of Subpart HHHHHH are granted on a case-by-case basis, and decisions are made based on the specific information and facts for each facility. If you want to request one, please provide information about your operation as requested below to demonstrate why your facility should be granted an exemption.

1. Describe your surface coating operation, and explain why you believe your facility qualifies for the exemption provided pursuant to 40 CFR Part 63, Subpart HHHHHH §63.11170(a)(2).

2. In the spaces provided below, provide the manufacturer name(s) and product line(s) for all of the spray-applied coatings used at this facility. Attach additional pages containing this information, if necessary.

Manufacturer(s)	Product Line(s)

**3. An owner or operator must certify compliance with the following statement:**  
*I have consulted reliable analyses (material safety data sheets 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 the target HAP (hazardous air pollutant) containing coating as defined in 40 CFR Part 63, Subpart HHHHHH §63.11180. I certify, under penalty of law, to the truth, accuracy, and completeness of the information provided in this petition. 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 Part 63, Subpart HHHHHH §63.11175 and will comply with the requirements of Subpart HHHHHH. Spray application of target HAP-containing coatings in a surface coating operation voids any exemption that might be granted as a result of this petition. By signing below, I certify compliance with this statement. (check the appropriate box for 'owner' or 'operator')*

Printed Name    Owner    Operator   Signature \_\_\_\_\_ Date \_\_\_\_\_