



Surface Coating Petition Checklist

Motor Vehicle and Mobile Equipment
National Emission Standards for Hazardous Air Pollutants (NESHAP)
40 CFR 63 Subpart HHHHHH

Doc Type: Certification Application

If you are a motor vehicle and mobile equipment surface coating facility and do not use any coatings that contain targeted Hazardous Air Pollutants (HAP), you can use this checklist to prepare your petition to the U.S. Environmental Protection Agency (EPA) Administrator for exemption from the rule. However, **even if only one of your coatings contains target HAPs, you must comply with the rule.** The target HAPs are: chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd).

If at any time you begin to spray apply coatings that meet the definition of a target HAP-containing coating, you must submit the initial notification required by 40 CFR 63.11175 and comply with the requirements of 40 CFR 63 Subp. HHHHHH.

A. Review the Material Safety Data Sheets (MSDS) for each coating and additive that you use at your facility.

1. If any coating has more than or exactly 1.0 percent by mass of a compound containing one of the above elements, it is a target HAP-containing coating and you must comply with the rule.
2. If any coating has less than 1.0 percent by mass of a compound containing one of the above elements, you will need to review the list of OSHA-defined carcinogens. If the compound is on the list, and is present at more than 0.1 percent by mass, it is a target HAP-containing coating and you must comply with the rule.
3. Review these two sources to determine if the compound is a carcinogen:
 - National Toxicology Program at: <http://ntp.niehs.nih.gov/>
click on: "Report on Carcinogens" in the Public Health Section
 - International Agency for Research on Cancer Monographs at: <http://monographs.iarc.fr/>
click on: "List of Classifications"

B. Include the following in your submittal petition:

- ☐ Written description of the coatings (and additives) that you spray-apply, including the specific percentage of each chemical contained in the coating. *Example: White Valspar base coat, 3 percent chemical X, 15 percent chemical Y, 62 percent chemical Z*
- ☐ Written certification statement verifying that you do not spray apply any coatings that meet the definition of a target HAP-containing coating. The certification must be signed by an authorized individual from your facility.
- ☐ It is also recommended, though not required, that you submit the MSDSs for the coatings and additives you use.

Important note: The EPA Administrator may request additional information to make the exemption determination for your facility.

Please make two (2) copies of the petition. Keep one for your records.

Please mail the original petition to the United States Environmental Protection Agency, Region 5 Office at the following address:

EPA Region V
Air and Radiation Division
77 West Jackson Boulevard (A18-J)
Chicago IL 60604-3507

Please mail the remaining copy of the petition to the Minnesota Pollution Control Agency at the following address:

Minnesota Pollution Control Agency
Attn.: Compliance Tracking Coordinator – Fourth floor
Data Analysis Unit, Data Services Section
520 Lafayette Road North
St Paul MN 55155-4194