UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

FEB 11 2010

OFFICE OF
AIR, WASTE AND TOXICS

Bryon Snapp
Vice President
Field Operations
3787 River Road North, Suite A
Keizer, Oregon 97303-6382

Re: Applicability of 40 CFR, Subpart HHHHHH to spray-applying vehicle undercoating.

Dear Mr. Snapp:

This letter is in response to a request for an applicability determination of whether or not 40 CFR §60 Subpart HHHHHH, National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, (Subpart HHHHHH) applies to the process of spray applying vehicle undercoating. According to you, vehicle undercoating is a common product applied to an automobile after a new or used vehicle sale. It is by nature a protective coating that is spray-applied to the undercarriage of a vehicle with the purpose of reducing road noise and preventing corrosion. EPA has determined that the process of spray applying vehicle undercoating is subject to Subpart HHHHHH as described further below.

40 CFR Subpart HHHHHH defines coating as:

> For the purposes of this subpart, a material spray-applied to a substrate for decorative, protective, or functional purposes. For the purposes of this subpart, coating does not include the following materials:
>
> (1) Decorative, protective, or functional materials that consist only of protective oils for metal, acids, bases, or any combination of these substances.
> (2) Paper film or plastic film that may be pre-coated with an adhesive by the film manufacturer.
> (3) Adhesives, sealants, maskants, or caulking materials.
> (4) Temporary protective coatings, lubricants, or surface preparation materials.
> (5) In-mold coatings that is spray-applied in the manufacture of reinforced plastic composite parts.

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Vehicle undercoating would be considered a coating under HHHHHH and would not be considered a sealant. It is generally spray-applied using a hand-held device that creates an atomized mist of coating and deposits the coating on a substrate, just as other automotive coatings are. Also see "spray-applied coating operations" definition at §63.11180.

You also ask, in anticipation that it is found, that spray applying vehicle undercoating is subject to Subpart HHHHHH, for further clarification regarding how Subpart HHHHHH would apply to a facility that spray applies target HAP in a collision repair center that is part of the automotive dealership but also spray applies target HAP free vehicle undercoating. Subpart HHHHHH provides for an exemption if a motor vehicle or mobile equipment operation does not spray apply and coatings containing the target HAP (chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd)). You indicate that a spray booth that is constructed large enough to accommodate spray-applying the undercarriage of a vehicle while the vehicle is raised on a vehicle hoist would be more costly than the typical spray booth. You asked whether a facility that spray-applies surface coatings both containing and not containing the target HAP must comply with the Subpart HHHHHH requirements for all its motor vehicle spray coating activities.

If the facility spray applies no target HAP, then it may request exemption from the rule. A facility that does not obtain an exemption from the rule must satisfy the rule requirements for <u>all</u> of their spray-applied coating operations. However, it may be noted that for a facility that must comply, the rule does allow for the use of a full roof and complete side curtains rather than a booth, as long as full enclosure is maintained. See §63.11173(e)(2)(ii).

If you have any further questions or concerns, please contact Heather Valdez of the Region 10 Office of Air, Waste and Toxics at (206) 553-6220.

Sincerely,

Nancy Helm, Manager
Federal and Delegated Air Programs Unit
Office of Air, Waste, and Toxics

cc: Rebecca Hillwig, ODEQ

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