INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

TO: Interested Parties / Applicant

DATE: March 21, 2013

RE: Mike's Magic Body & Pain Repair / 053-32728-00076

FROM: Matthew Stuckey, Branch Chief
Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

(1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
(2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
(3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

(1) the name and address of the person making the request;
(2) the interest of the person making the request;
(3) identification of any persons represented by the person making the request;
(4) the reasons, with particularity, for the request;
(5) the issues, with particularity, proposed for considerations at any hearing; and
(6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER.dot12/03/07

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SOURCE SPECIFIC OPERATING AGREEMENT
OFFICE OF AIR QUALITY

Mike's Magic Body & Paint Repair
1601 S. Washington Street
Marion, IN 46953

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this SSOA.

This SSOA is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-9 and 40 CFR 52.780, with conditions listed on the attached pages.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this SSOA, are those applicable at the time the SSOA was issued. The issuance or possession of this SSOA shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

Source Specific Operating Agreement No. S053-32728-00076	
Issued by: for IC Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: March 21, 2013

Attachment A - 326 IAC 8-10 Automobile Refinishing
Attachment B - National Emissions Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources - Subpart HHHHHH

SECTION A SOURCE SUMMARY

This SSOA is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 and A.2 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits pursuant to 326 IAC 2.

A.1 General Information

The Permittee owns and operates a stationary automobile refinishing operation.

Source Address:	1601 S. Washington St., Marion, IN 46953
General Source Phone Number:	765-662-9950
SIC Code:	7532 (Top, Body, and Upholstery Repair Shops and Paint Shops)
County Location:	Grant
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Source Specific Operating Agreement (SSOA) Not 1 of 28 Source Categories

A.2 Source Summary

This stationary source consists of the following:

(1) Automobile Refinishing Operation [326 IAC 2-9-11]

This automobile refinishing operation is an affected facility under 40 CFR 63, Subpart HHHHHH (6H).

(2) 0.0112 MMBtu natural gas combustion

A.3 SSOA Applicability [326 IAC 2-9-1]

(a) This source, otherwise required to have a permit under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8, has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

(b) Pursuant to 326 IAC 2-9-1(g), the source may apply for up to four (4) different SSOAs contained in 326 IAC 2-9.

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-1.1-1]

Terms in this SSOA shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-1.1-1) shall prevail.

B.2 Enforceability

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA), and by citizens in accordance with the Clean Air Act.

B.3 Severability

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.4 Property Rights or Exclusive Privilege

This permit does not convey any property rights of any sort or any exclusive privilege.

B.5 Duty to Provide Information

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.6 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to SSOA No. S053-32728-00076 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised, or

(3) deleted.

(b) All previous registrations and permits are superseded by this permit.

B.7 Annual Notification [326 IAC 2-9-1(d)]

Pursuant to 326 IAC 2-9-1(d):

(a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this SSOA.

(b) The annual notice shall be submitted in the format attached no later than January 30 of each year to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

(c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

B.8 Source Modification Requirement [326 IAC 2-9-1(e)]

Pursuant to 326 IAC 2-9-1(e), before the Permittee modifies its operations in such a way that it will no longer comply with the applicable restrictions and conditions of this SSOA, it shall obtain the appropriate approval from IDEM, OAQ under 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-4.1, 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, and 326 IAC 2-8.

B.9 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a permitted source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.10 Permit Revocation [326 IAC 2-1.1-9] [326 IAC 2-9-1(j)]

(a) Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:

(1) Violation of any conditions of this permit.

(2) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.

(3) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.

(4) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to

reduce emissions during an air pollution episode.

(5) For any cause which establishes in the judgment of IDEM the fact that continuance of this permit is not consistent with purposes of this article.

(b) Pursuant to 326 IAC 2-9-1(j), noncompliance with any applicable provision 326 IAC 2-9 or any requirement contained in this SSOA may result in the revocation of this SSOA and make this source subject to the applicable requirements of a major source.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-9]

C.1 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this SSOA:

(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

(b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.2 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

Compliance Requirements [326 IAC 2-1.1-11] [326 IAC 2-9]

C.3 Compliance with Applicable Requirements [326 IAC 2-9-1(i)]

Pursuant to 326 IAC 2-9-1(i), the owner or operator is hereby notified that this operating agreement does not relieve the Permittee of the responsibility to comply with the provisions of any applicable federal, state, or local rules, or any New Source Performance Standards (NSPS), 40 CFR Part 60, or National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 or 40 CFR Part 63.

Record Keeping and Reporting Requirements [326 IAC 2-9]

C.4 General Record Keeping Requirements [326 IAC 2-9-1(f)]

Pursuant to 326 IAC 2-9-1(f), records of all required monitoring data, reports and support information required by this SSOA shall be physically present or electronically accessible at the source location for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

C.5 Reporting Requirements [326 IAC 2-9-1(h)]

Pursuant to 326 IAC 2-9-1(h), any exceedance of any requirement contained in this operating agreement shall be reported, in writing, within one (1) week of its occurrence. Said report shall include information on the actions taken to correct the exceedance, including measures to reduce emissions, in order to comply with the established limits. If an exceedance is the result of a malfunction, then the provisions of 326 IAC 1-6 apply.

SECTION D OPERATION CONDITIONS

Operation Description: Automobile Refinishing Operation [326 IAC 2-9-11]

This automobile refinishing operation is an affected facility under 40 CFR 63, Subpart HHHHHH (6H).

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-9]

D.1 Material Usage Limitations [326 IAC 2-9-11(b)(2)(A)]

Pursuant to 326 IAC 2-9-11(b)(2)(A), the total amount of solvent containing material delivered to the automobile refinishing operation, less the amount of solvent containing material quantified by manifest as having been shipped off-site, shall not exceed two thousand (2,000) gallons per year.

D.2 Volatile Organic Compound (VOC) Limits [326 IAC 8-10-3] [326 IAC 8-10-4]

Pursuant to 326 IAC 8-10-4, for refinishing operations subject to the requirements of 326 IAC 8-10, the Permittee shall comply with the following:

(a) The Permittee shall limit emissions of VOCs from refinishing operations subject to 326 IAC 8-10 by using coatings or surface preparation products with VOC limits based on the VOC content as applied.

The VOC content shall not exceed the following limits:

	VOC Content Limit	
Coating Category	grams/liter	pounds/gallon
Pretreatment wash primer	780	6.5
Precoat	660	5.5
Primer/primer surfacer	576	4.8
Primer sealer	552	4.6
Topcoat		
Single and two stage	600	5.0
Three and four stage	624	5.2
Multicolored topcoat	680	5.7
Specialty	840	7.0

For surface preparation products:

	VOC Content Limit	
Type of Substrate	grams/liter	pounds/gallon
Plastic	780	6.5
Other	168	1.4

(b) Application of all specialty coatings except anti-glare/safety coatings shall not exceed five percent (5%) by volume of all coatings applied on a monthly basis.

D.3 Work Practice Standards [326 IAC 8-10-3] [326 IAC 8-10-5]

For refinishing operations subject to the requirements of 326 IAC 8-10, the Permittee shall comply with the work practice standards contained in 326 IAC 8-10-5 (included as Attachment A of this permit).

Compliance Determination Requirements [326 IAC 2-9]

D.4 Material Usage [326 IAC 2-9-11(b)(3)]

Pursuant to 326 IAC 2-9-11(b)(3), the usage in Condition D.1 shall be determined based on either:

(a) actual use records, or

(b) purchase records.

D.5 Particulate [326 IAC 2-9-11(b)(4)]

Pursuant to 326 IAC 2-9-11(b)(4), particulate matter emissions shall be controlled by a dry filter system or an equivalent control device. The source shall operate the particulate control device at all times the automobile refinishing operation is in operation in accordance with the manufacturer's specifications. A source shall be considered in compliance with this requirement provided the overspray is not visibly detectable at the exhaust or accumulated on the rooftops or on the ground.

D.6 Volatile Organic Compounds (VOC) [326 IAC 8-10-3] [326 IAC 8-10-7] [326 IAC 8-1-4]

Pursuant to 326 IAC 8-10-7, compliance with the VOC content limits contained in Condition D.2 shall be determined pursuant to the applicable test methods and requirements of 326 IAC 8-1-4 and 40 CFR 60, Appendix A. The Permittee may use data provided with coatings or surface preparation products formulation information such as the container label, product data sheets, and MSDS sheet. IDEM, OAQ and the U.S. EPA may require VOC content determination and verification of any coating or surface preparation product using 40 CFR 60, Appendix A, Method 24. In the event of any inconsistency between 40 CFR 60, Appendix A, Method 24 and formulation data, 40 CFR 60, Appendix A, Method 24 shall govern.

Record Keeping and Reporting Requirements [326 IAC 2-9]

D.7 Record Keeping Requirements [326 IAC 2-9-11(c)(1)]

Pursuant to 326 IAC 2-9-11(c)(1), the source shall keep the following records for the automobile refinishing operation:

(a) purchase or use records of solvent containing materials,

(b) an annual summation on a calendar year basis of purchase or use records for all solvent containing materials, and

(c) the amount of waste solvent containing material manifested off-site.

(d) Section C - General Record Keeping Requirements of this SSOA contains the Permittee’s obligations with regard to the records required by this condition.

D.8 Record Keeping Requirements [326 IAC 8-10-3] [326 IAC 8-10-5(d)(4)] [326 IAC 8-10-9]

For refinishing operations subject to the requirements of 326 IAC 8-10, the Permittee shall comply with the record keeping requirements contained in 326 IAC 8-10-9 (included as Attachment A of this permit).

D.9 Reporting Requirements [326 IAC 8-10-3] [326 IAC 8-10-6(c)] [326 IAC 8-10-9(e)]

For refinishing operations subject to the requirements of 326 IAC 8-10, the Permittee shall comply with the reporting requirements contained in 326 IAC 8-10-6(c) and 326 IAC 8-10-9(e) (included as Attachment A of this permit).

SECTION E OPERATION CONDITIONS

Operation Description: Automobile Refinishing Operation [326 IAC 2-9-11]

This automobile refinishing operation is an affected facility under 40 CFR 63, Subpart HHHHHH (6H).

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

E.1 General Provisions Relating to NESHAP [326 IAC 20-1] [40 CFR 63, Subpart A]

(a) Pursuant to 40 CFR 63.1, the Permittee shall comply with the provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 20, except as otherwise specified in 40 CFR 63, Subpart HHHHHH.

(b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

E.2 National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources [40 CFR 63, Subpart HHHHHH]

The Permittee shall comply with the following provisions of 40 CFR 63, Subpart HHHHHH (included as Attachment B of this permit), except as otherwise specified in 40 CFR 63, Subpart HHHHHH:

(a) 40 CFR 63.11169(b), (d)
(b) 40 CFR 63.11170(a)(2), (b)
(c) 40 CFR 63.11171(a), (b), (e)
(d) 40 CFR 63.11172(b)
(e) 40 CFR 63.11173(e),(f), (g)
(f) 40 CFR 63.11174
(g) 40 CFR 63.11175
(h) 40 CFR 63.11176(a)
(i) 40 CFR 63.11177(a), (b), (c), (d), (g), and (h)
(j) 40 CFR 63.11178
(k) 40 CFR 63.11179
(l) 40 CFR 63.11180
(m) Table 1

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

SOURCE SPECIFIC OPERATING AGREEMENT (SSOA)
ANNUAL NOTIFICATION

This form should be used to comply with the notification requirements under 326 IAC 2-9.

Company Name:	**Mike's Magic Body & Paint Repair**
Address:	**1601 S. Washington Street**
City:	**Marion, IN 46953**
Phone #:	**765-662-9950**
SSOA #:	**S053-32728-00076**

I hereby certify that Mike's Magic Body & Paint Repair is:
☐ still in operation.
☐ no longer in operation.

I hereby certify that Mike's Magic Body & Paint Repair is:
☐ in compliance with the requirements of SSOA S053-32728-00076.
☐ not in compliance with the requirements of SSOA S053-32728-00076.

Authorized Individual (typed):
Title:
Signature:
Date:

If there are any conditions or requirements for which the source is not in compliance, provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be achieved.

Noncompliance:

Attachment A
to SSOA No. S053-32728-00076

Mike's Magic Body & Paint Repair
1601 S. Washington Street
Marion, IN 46953

326 IAC 8-10
Automobile Refinishing

Rule 10. Automobile Refinishing

326 IAC 8-10-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to any person who does the following:
(1) Sells, offers for sale, or manufactures for sale refinishing coatings or surface preparation products in the following:
(A) Clark, Floyd, Lake, or Porter County.
(B) All other counties on or after June 1, 2009.
(2) Owns, leases, operates, or controls a facility, as defined in 326 IAC 1-2-27, that refinishes motor vehicles, motor vehicle parts, motor vehicle components, or mobile equipment, as defined in section 2(25) and 2(26) of this rule, in the following:
(A) Clark, Floyd, Lake, or Porter County.
(B) All other counties on or after June 1, 2009.
(b) The following activities are exempt from this rule:
(1) Application of aerosol coating products.
(2) Graphic design application.
(3) Touch-up coating application.
(c) This rule does not apply to individuals who:
(1) own;
(2) lease;
(3) operate; or
(4) control;
a facility, as defined in 326 IAC 1-2-27, that refinishes three (3) or fewer motor vehicles per calendar year.
(d) The exemption provided by 326 IAC 8-2-9(b)(4) shall not exempt any facility from the requirements of this rule.
(Air Pollution Control Board; 326 IAC 8-10-1; filed Oct 3, 1995, 3:00 p.m.: 19 IR 194; filed Jul 14, 1998, 5:04 p.m.: 21 IR 4518; filed Apr 23, 1999, 2:12 p.m.: 22 IR 2856; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)

326 IAC 8-10-2 Definitions

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 2. The following definitions apply throughout this rule:
(1) "Adhesion promoter" means a coating:
(A) used to promote adhesion of a topcoat on surfaces such as:
(i) trim moldings;
(ii) door locks; and
(iii) door sills; or
(B) that provides adhesion to plastic substrates, where sanding is impracticable.
The term excludes primers, primer sealers, primer surfacers, and topcoats.
(2) "Aerosol coating products" means a mixture of:
(A) resins;
(B) pigments;
(C) liquid solvents; and
(D) gaseous propellants;
packaged in a disposable can for hand-held application.
(3) "Anti-glare/safety coating" means a low gloss coating formulated to eliminate or reduce glare for safety purposes on interior surfaces of a vehicle, as specified under the United States Department of Transportation Motor Vehicle Safety Standards.
(4) "Application station" means the part of an automobile refinishing facility where coatings are applied.
(5) "Automobile refinishing" means refinishing operations for after-market motor vehicles, motor vehicle parts, motor vehicle

components, or mobile equipment performed in:

(A) auto body and repair shops;
(B) production paint shops;
(C) new car dealer repair and paint shops;
(D) fleet operation repair and paint shops; and
(E) any other facility that coats vehicles under the Standard Industrial Classification (SIC) code 7532 (top, body, and upholstery repair shops and paint shops).

The term includes dealer repair of vehicles damaged in transit.

(6) "Basecoat" means a pigmented topcoat that is the first topcoat applied as part of a multistage topcoat system.

(7) "Basecoat/clearcoat system" means a topcoat system composed of a pigmented basecoat portion and a transparent clearcoat portion. The VOC content of a basecoat/clearcoat system shall be calculated according to the following formula:

$$VOC_{Tbc/cc} = \frac{VOC_{bc} + 2VOC_{cc}}{3}$$

Where: $VOC_{Tbc/cc}$ = VOC content as applied of the basecoat (bc) and clearcoat (cc) systems.
VOC_{bc} = VOC content as applied of any given basecoat.
VOC_{cc} = VOC content a`s applied of any given clearcoat.

(8) "Catalyst" means a substance whose presence enhances the reaction between chemical compounds.

(9) "Clearcoat" means a topcoat that:

(A) contains no pigments or only transparent pigments; and
(B) is the final topcoat applied as a part of a multistage topcoat system.

(10) "Coating" means a protective, decorative, or functional material with VOC content greater than zero (0) used in automobile refinishing operations.

(11) "Color match" means the ability of a repair coating to blend in an existing coating so that color difference is not visible.

(12) "Container" means a vessel or tank used to store any of the following:

(A) Coatings.
(B) Surface preparation products.
(C) Solvents.
(D) Waste.

(13) "Disposed off site" means sending outside of the refinishing facility the used:

(A) coatings;
(B) surface preparation products;
(C) solvents; or
(D) wastes.

(14) "Elastomeric materials" means topcoats and primers that are specifically formulated for application over flexible parts such as the following:

(A) Filler panels.
(B) Elastomeric bumpers.

(15) "Electrostatic application" means the application to a substrate of charged atomized paint droplets that are deposited by electrostatic attraction.

(16) "Equipment" means devices that are used to transfer or apply coating, surface preparation product, or solvent, such as, but not limited to, the following:

(A) Spray guns.
(B) Brushes.
(C) Nonrefillable aerosol cans.

(17) "Exempt compounds" means a nonphotochemically reactive hydrocarbon as defined in 326 IAC 1-2-48.

(18) "Gloss flatteners" means coatings that are formulated to provide low gloss to match original equipment manufacturer's (OEM) specifications.

(19) "Graphic design application" means the application of:

(A) logos;
(B) letters;

(C) numbers; and
(D) graphics;
to a painted surface, with or without the use of a template.
(20) "Ground support" means vehicles used in support of aircraft activities at airports.
(21) "Hardener" means an additive designed to promote a faster cure of coatings that cure by cross-linking of the resin components.
(22) "High-volume, low-pressure (HVLP) spray" means technology used to apply coating to a substrate by means of coating application equipment that operates between one-tenth (0.1) and ten (10) pounds per square inch gauge (psig) air pressure measured dynamically at the center of the air cap and at the air horns of the spray system.
(23) "Material safety data sheet" or "MSDS" means the chemical, physical, technical, and safety information document supplied by the manufacturer of the coating, solvent, or other chemical product, usually through the distribution network or retailers.
(24) "Midcoat" means a semitransparent topcoat that is the middle topcoat applied as part of a three (3) stage topcoat system.
(25) "Mobile equipment" means any equipment that may be driven or drawn on a roadway, including, but not limited to, the following:
(A) Truck bodies.
(B) Truck trailers.
(C) Cargo vaults.
(D) Utility bodies.
(E) Camper shells.
(F) Construction equipment, such as the following:
(i) Mobile cranes.
(ii) Bulldozers.
(iii) Concrete mixers.
(G) Farming equipment, such as the following:
(i) Tractors.
(ii) Plows.
(iii) Pesticide sprayers.
(H) Miscellaneous equipment, such as the following:
(i) Street cleaners.
(ii) Golf carts.
(iii) Ground support vehicles.
(iv) Tow motors.
(v) Fork lifts.
(26) "Motor vehicles" means the following:
(A) Automobiles.
(B) Buses.
(C) Trucks.
(D) Vans.
(E) Motor homes.
(F) Recreational vehicles.
(G) Motorcycles.
(27) "Multicolored topcoat" means a topcoat that:
(A) exhibits more than one (1) color;
(B) is packaged in a single container; and
(C) camouflages surface defects on areas of heavy use, such as cargo beds and other surfaces of trucks and other utility vehicles.
(28) "Multistage topcoat system" means any basecoat/clearcoat topcoat system or any three (3) stage topcoat system:
(A) manufactured as a system; and
(B) used as specified by the manufacturer.
(29) "Precoat" means any coating that is applied to bare metal primarily to deactivate the metal surface to provide corrosion resistance against a subsequent water-based primer.

(30) "Pretreatment wash primer" means the first coat applied to bare metal if solvent-based primers will be applied. This coating:
(A) contains a minimum of five-tenths percent (0.5%) acid by weight;
(B) is necessary to provide surface etching; and
(C) is applied directly to bare metal surfaces to provide corrosion resistance.
(31) "Primer" means any coating applied to a substrate prior to the application of a topcoat for the purpose of providing any of the following:
(A) Corrosion resistance.
(B) Adhesion of subsequent coatings.
(C) Color uniformity.
(32) "Primer sealer" means any coating applied to a substrate prior to the application of a topcoat to:
(A) provide:
(i) corrosion resistance;
(ii) adhesion of the topcoat; and
(iii) color uniformity; and
(B) promote the ability of an undercoat to resist penetration by the topcoat.
(33) "Primer surfacer" means any coating applied to a substrate prior to the application of a topcoat to:
(A) provide:
(i) corrosion resistance; and
(ii) adhesion of the topcoat; and
(B) promote a uniform surface by filling in surface imperfections.
(34) "Reducer" means the solvent added to dilute a coating, usually for the purpose of lowering the viscosity of a coating.
(35) "Refinishing" means any coating of motor vehicles, motor vehicle parts, motor vehicle components, or mobile equipment, including partial body collision repairs, for the purpose of protection or beautification and that is subsequent to the original coating applied at an original equipment manufacturing (OEM) plant coating assembly line.
(36) "Refinishing job" means for each motor vehicle or piece of mobile equipment any or all of the following:
(A) Surface preparation.
(B) Primer application.
(C) Primer surfacer application.
(D) Primer sealer application.
(E) Topcoat application.
(37) "Repair coating" means a coating that is used in the repair of:
(A) a motor vehicle;
(B) a motor vehicle part;
(C) a motor vehicle component; or
(D) mobile equipment.
(38) "Reused on site" means the reuse of a:
(A) coating;
(B) surface preparation product; or
(C) solvent;
in the refinishing facility.
(39) "Solvent" means a liquid containing VOCs that is used for:
(A) dissolving or dispersing constituents in a coating;
(B) adjusting the viscosity of a coating; or
(C) cleaning application stations, equipment, or containers.
(40) "Specialty coatings" means coatings that are necessary due to unusual and uncommon job performance requirements, including, but not limited to, the following:
(A) Weld-through primers.
(B) Adhesion promoters.
(C) Uniform finish blenders.
(D) Elastomeric materials.
(E) Gloss flatteners.
(F) Bright metal trim repair.
(G) Anti-glare/safety coatings.

(H) Multicolored topcoat.

(41) "Spot repairs" means repairs to motor vehicles in which the damaged area to be repaired is limited to only a portion of any given panel so that an entire panel need not be repaired.

(42) "Substrate" means the surface onto which coatings or surface preparation products are applied.

(43) "Surface preparation products" means products with VOC content greater than zero (0) used to remove:

(A) wax;

(B) tar;

(C) grease; and

(D) other undesirable contaminants;

from the surface to be refinished.

(44) "Three (3) or four (4) stage topcoat system" means a topcoat system composed of a pigmented basecoat portion, a semitransparent midcoat portion, and a transparent clearcoat portion. The VOC content of a three (3) stage coating system shall be calculated according to the following formula:

$$VOC_{T3\text{-}stage} = \frac{VOC_{bc} + VOC_{mc} + 2VOC_{cc}}{4}$$

Where: $VOC_{T3\text{-}stage}$ = VOC content as applied of the three (3) stage coating system.
VOC_{bc} = VOC content as applied of any given basecoat.
VOC_{mc} = VOC content as applied of any given midcoat.
VOC_{cc} = VOC content as applied of any given clearcoat.

The VOC content of a four (4) stage system shall be calculated using the same formula specified for the three (3) stage coating system except that there would be an additional coating in the numerator, and the denominator would be five (5).

(45) "Topcoat" means the final film or series of films of coating applied to a substrate for the purpose of protection or appearance.

(46) "Touch-up coating" means a coating applied by brush or hand-held, nonrefillable aerosol cans to repair minor surface damage and imperfections.

(47) "Uniform finish blenders" means coatings that are utilized to ensure that the coatings applied during the refinishing of a vehicle imperceptibly blend in with the undamaged finish of repaired and undamaged portions of the:

(A) motor vehicle;

(B) motor vehicle parts;

(C) motor vehicle components; or

(D) mobile equipment.

(48) "VOC content" of coating or surface preparation products means the weight of VOC, less water, and less exempt compounds, per unit volume, of coating or surface preparation product.

(49) "VOC content as applied" of coatings or surface preparation products means the VOC content of the coating or surface preparation product, as applied to the substrate.

(50) "VOC content as supplied" means the VOC content of coating or surface preparation products, sold and delivered by the manufacturer to the user.

(51) "Volatile organic compound" or "VOC" has the meaning set forth in 326 IAC 1-2-90.

(52) "Weld-through primer" means primers that have the characteristics of withstanding high temperatures associated with welding without catching fire.

(Air Pollution Control Board; 326 IAC 8-10-2; filed Oct 3, 1995, 3:00 p.m.: 19 IR 194; errata filed Dec 11, 1995, 3:00 p.m.: 19 IR 674; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)

326 IAC 8-10-3 Requirements

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 3. (a) Each manufacturer or distributor of coatings or surface preparation products manufactured or distributed for use in Indiana shall comply with the following:

(1) The VOC content limits listed in section 4(a) of this rule.

(2) The compliance procedures outlined in section 6(a) of this rule.

(b) Any person commercially providing refinishing coatings or surface preparation products for use in Indiana that were manufactured after January 11, 1999, shall comply with the following:

(1) The VOC content limits listed in section 4(a) of this rule.

(2) The compliance procedures outlined in section 6(b) of this rule.

(c) Any person applying any coating or surface preparation product in Indiana shall comply with the following:

(1) The provisions of section 4 of this rule.

(2) The work practice standards of section 5 of this rule.

(3) The compliance procedures outlined in section 6(c) of this rule.

(4) The test procedures in section 7 of this rule.

(5) The record keeping and reporting provisions in section 9 of this rule.

(d) No person shall solicit or require any refinishing facility subject to this rule to use a refinishing coating or surface preparation product that does not comply with the VOC content limits listed in section 4(a) of this rule. *(Air Pollution Control Board; 326 IAC 8-10-3; filed Oct 3, 1995, 3:00 p.m.: 19 IR 197; filed Apr 23, 1999, 2:12 p.m.: 22 IR 2856; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)*

326 IAC 8-10-4 Means to limit volatile organic compound emissions

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 4. (a) The owner or operator of a refinishing facility subject to this rule shall limit emissions of VOCs from refinishing operations by using coatings or surface preparation products with VOC limits based on the VOC content as applied. The VOC content shall not exceed the following limits:

	VOC Limit	
Coating Category	grams/liter	lbs/gallon
Pretreatment wash primer	780	6.5
Precoat	660	5.5
Primer/primer surfacer	576	4.8
Primer sealer	552	4.6
Topcoat		
Single and two stage	600	5.0
Three and four stage	624	5.2
Multicolored topcoat	680	5.7
Specialty	840	7.0

For surface preparation products:

	VOC Limit	
Type of Substrate	grams/liter	lbs/gallon
Plastic	780	6.5
Other	168	1.4

(b) Application of all specialty coatings except anti-glare/safety coatings shall not exceed five percent (5%) by volume of all coatings applied on a monthly basis. *(Air Pollution Control Board; 326 IAC 8-10-4; filed Oct 3, 1995, 3:00 p.m.: 19 IR 197; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)*

326 IAC 8-10-5 Work practice standards

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 5. (a) The owner or operator of a refinishing facility subject to this rule shall ensure that spray guns are cleaned in an enclosed device that:

(1) is closed during:

(A) spray gun equipment cleaning operations except when depositing and removing objects to be cleaned; and

(B) noncleaning operations with the exception of the maintenance and repair of the cleaning device itself; and

(2) recirculates cleaning solvent during the cleaning operation so that the solvent is available for reuse on site or for disposal
off site.

The cleaning device shall be operated and maintained according to the manufacturer's recommendations. The owner or operator of the refinishing facility subject to this rule shall have the cleaning device manufacturer's recommendations available for inspection upon request by the department or the U.S. EPA.

(b) The owner or operator of a refinishing facility subject to this rule shall use one (1) or a combination of the following equipment for coating application:

(1) Electrostatic equipment.

(2) High-volume, low-pressure (HVLP) spray equipment.

(3) Any other coating application equipment that has been demonstrated, by the owner or operator, to the satisfaction of the department to be capable of achieving at least sixty-five percent (65%) transfer efficiency. The owner or operator must submit sufficient data for the department to be able to determine the accuracy of the transfer efficiency claims.

Coating application equipment shall be operated and maintained according to the manufacturer's recommendations. The owner or operator shall have the manufacturer's recommendations available for inspection upon request by the department or the U.S. EPA.

(c) The owner or operator of a refinishing facility subject to this rule shall implement housekeeping practices, which include the following:

(1) All:

(A) paper;

(B) cloth;

(C) plastic; or

(D) other materials;

used for activities such as surface preparation and surface cleanup that have been contaminated with coatings or solvent shall be stored in closed containers until disposed of off site. The containers shall remain closed unless being filled or emptied.

(2) Except when actively or directly applying, store in closed containers, all fresh or used refinishing materials including, but not limited to, the following:

(A) Solvents.

(B) Coatings.

(C) VOC-containing additives and materials.

(D) VOC-containing waste materials.

(3) Storage containers and equipment shall be free from:

(A) cracks;

(B) holes; and

(C) leaks.

(4) Waste coatings and used automotive fluids shall be stored in closed containers.

(5) Equipment cleanup shall be performed with methods that minimize the use of solvents. Reasonable efforts shall be made
to reclaim the bulk of used solvents. No cleaning shall be performed by direct spraying of solvents into the atmosphere.

(6) Effort shall be made to schedule operations of a similar nature to significantly reduce total VOC material consumption.

(7) Coatings or surface preparation products shall be applied in a manner that minimizes overspray.

(d) The owner or operator of a refinishing facility subject to this rule shall comply with the training requirements of this rule as follows:

(1) Develop a written training program. The training program may include training provided by the manufacturer or supplier and shall include written procedures and hands-on demonstration, as appropriate, on the following topics:

(A) Identification of appropriate coatings or surface preparation products.

(B) Preparation of coatings or surface preparation products according to coating manufacturer, distributor, or owner or operator's recommendations.

(C) Application of coatings or surface preparation products or organic solvents using techniques that minimize their usage.
(D) Operation and maintenance of spray gun cleaning equipment to minimize evaporation of organic solvents to the atmosphere.
(E) Work practice standards established in subsection (c).
(F) Procedures to:
(i) gather;
(ii) record;
(iii) monitor; and
(iv) report;
data in accordance with section 9 of this rule.
(2) Provide annual refresher training prior to May 1 of each year to any employee performing one (1) or more of the activities listed in subdivision (1). The training shall be appropriate to the job responsibilities of the employee.
(3) Any person may perform one (1) or more activities addressed in subdivision (1), for not more than one hundred eighty
(180) days, notwithstanding the requirement of subdivision (2), provided each of the following:
(A) The untrained person works under the supervision of a person who meets the training requirements of subdivision (2).
(B) The owner or operator keeps the following records:
(i) The date the person was assigned to the activity.
(ii) The date training was completed.
(iii) The name of the person providing the supervision.
(4) The owner or operator of the refinishing operation subject to this rule shall keep records of the training program. The records shall consist of the following:
(A) The date training was completed.
(B) A list of persons, by name and activity and the topics in which they have been trained.
(C) A statement signed by the trainer certifying each trainee who satisfactorily has completed training in the topics and is proficient in the procedures specified in subdivision (1).
(Air Pollution Control Board; 326 IAC 8-10-5; filed Oct 3, 1995, 3:00 p.m.: 19 IR 198; errata filed Dec 11, 1995, 3:00 p.m.: 19 IR 674; filed Jul 14, 1998, 5:04 p.m.: 21 IR 4518; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1568; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)

326 IAC 8-10-6 Compliance procedures
Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 6. (a) Each manufacturer of coatings or surface preparation products who supplies coatings or surface preparation products to a distributor, retailer, or owner or operator of a refinishing facility subject to this rule shall, for each coating or surface preparation product supplied, keep records of and provide the owner or operator of a refinishing facility with a written record or document containing the following coating or surface preparation product information:
(1) Product description.
(2) Date of manufacture, date code, or batch number.
(3) Thinning instructions.
(4) The VOC content in grams per liter and pounds per gallon, as packaged or as supplied:
(A) for single coat products, the VOC as applied after any thinning recommended by the manufacturer; or
(B) for multistage systems in which the VOC as applied is dependent upon the VOC content of a combination of products with varying VOC levels, provide:
(i) a list of the maximum allowable packaged VOC for the individual layers;
(ii) a comprehensive chart of color combinations and the as-applied VOC content; or
(iii) a simple to use formula or grid for the end user to calculate the as-applied VOC content of their multistage system.
(5) A statement that the coating is, or is not, in compliance with the VOC limits in section 4(a) of this rule.
(6) The:
(A) name;

(B) address;
(C) telephone number; and
(D) signature;
of the person purchasing the product.

(b) Any person who is engaged in commercially providing coatings or surface preparation products in Indiana shall provide
to the recipient and shall keep the following records of all coatings or surface preparation products supplied. The records shall include the following:

(1) The product description.
(2) The amount supplied.
(3) The date supplied, date code, or batch number.
(4) The VOC content in grams per liter and pounds per gallon, as packaged or as supplied:
(A) for single coat products, the VOC as applied after any thinning recommended by the manufacturer; or
(B) for multistage systems in which the VOC as applied is dependent upon the VOC content of a combination of products with varying VOC levels, provide:
(i) a list of the maximum allowable packaged VOC for the individual layers;
(ii) a comprehensive chart of color combinations and their as-applied VOC content; or
(iii) a simple to use formula or grid for the end user to calculate the as-applied VOC content of their multistage system.
(5) The:
(A) name;
(B) address;
(C) telephone number; and
(D) signature;
of the person purchasing the product.

(c) The owner or operator of a refinishing facility subject to this rule shall submit to the department a statement signed by a responsible official of the facility certifying that the facility has acquired and will continuously employ coatings or surface preparation products meeting the VOC limits of section 4(a) of this rule. *(Air Pollution Control Board; 326 IAC 8-10-6; filed Oct 3, 1995, 3:00 p.m.: 19 IR 199; filed Jul 14, 1998, 5:04 p.m.: 21 IR 4519; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1568; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)*

326 IAC 8-10-7 Test procedures

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 7. (a) Owners or operators of refinishing facilities subject to this rule shall be subject to the applicable test methods and requirements of 326 IAC 8-1-4 and 40 CFR 60, Appendix A*.

(b) Owners or operators may use data provided with coatings or surface preparation products formulation information such as the:
(1) container label;
(2) product data sheet; and
(3) MSDS sheet;
in order to comply with sections 4 and 9(a) of this rule. The department and U.S. EPA may require VOC content determination and verification of any coating or surface preparation product using 40 CFR 60, Appendix A, Method 24*. In the event of any inconsistency between 40 CFR 60, Appendix A, Method 24 and formulation data, 40 CFR 60, Appendix A, Method 24 shall govern.

*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. *(Air Pollution Control Board; 326 IAC 8-10-7; filed Oct 3, 1995, 3:00 p.m.: 19 IR 199; errata filed Dec 11, 1995, 3:00 p.m.: 19 IR 674; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1568; filed Aug 26, 2004, 11:30 a.m.: 28 IR 58; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)*

326 IAC 8-10-8 Control system operation, maintenance, and monitoring (Repealed)

Sec. 8. *(Repealed by Air Pollution Control Board; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-*326060603FRA*)*

326 IAC 8-10-9 Record keeping and reporting

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-12

Sec. 9. (a) Owners or operators of refinishing facilities subject to the provisions of section 4(a) of this rule shall keep records of the following:

(1) For each batch of coating mixed or refinishing job performed, the following information:
- (A) Batch or job identification number or name.
- (B) Date batch made or job performed.
- (C) Coating category, consistent with the coating categories in section 4(a) of this rule.
- (D) Coating manufacturer's name and identification number.
- (E) Either the quantity used in making the mix or the mix ratio used.
- (F) VOC content as supplied or packaged.
- (G) Manufacturer's name and identification number of added components, such as the following:
  - (i) Catalysts.
  - (ii) Reducers.
  - (iii) Hardeners.
- (H) Either the quantity of components added or the mix ratio used.

(2) For each surface preparation product used, the following information:
- (A) Manufacturer's name and identification number.
- (B) Substrate to which the product is applied.
- (C) VOC content as supplied per calendar month for:
  - (i) number of containers used; and
  - (ii) volume of each container in suitable units, such as quarts, gallons, pints, other similar units, and the ratio of components added.

(3) Documents such as MSDS, or product or other data sheets for a period of three (3) years following use of the product. MSDS or product or other data sheets may be used by the U.S. EPA or the department to verify the VOC content, as supplied, provided by the coating manufacturer, distributor, or supplier, of the coatings or surface preparation products.

(b) Owners or operators of refinishing facilities subject to this rule shall maintain the following records:
(1) Records of training programs as required in section 5(d) of this rule.
(2) Initial compliance statements as required in section 6(c) of this rule.
(3) Records as required in this section.

(c) Owners or operators of refinishing facilities subject to this rule shall:
(1) maintain all records for a minimum of three (3) years; and
(2) make records available to the department and the U.S. EPA upon request.

(d) Failure to maintain records required by subsections (a) and (b) shall constitute a violation of this rule for each day records are not maintained.

(e) Owners or operators of refinishing facilities subject to this rule shall report within thirty (30) days to the department the following:
(1) Any incidence in which noncompliant coating was used.
(2) The reasons for use of the noncompliant coating.
(3) Corrective actions taken.

(Air Pollution Control Board; 326 IAC 8-10-9; filed Oct 3, 1995, 3:00 p.m.: 19 IR 200; errata filed Dec 11, 1995, 3:00 p.m.: 19 IR 674; filed Jul 14, 1998, 5:04 p.m.: 21 IR 4520; filed Mar 27, 2009, 9:58 a.m.: 20090422-IR-326060603FRA)

Attachment B, NESHAP, Subpart HHHHHH

Mike's Magic Body & Paint Repair
1601 S. Washington Street
Marion, Indiana 46953

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

Source: 73 FR 1759, Jan. 9, 2008, unless otherwise noted.

What This Subpart Covers

§ 63.11169 What is the purpose of this subpart?

Except as provided in paragraph (d) of this section, this subpart establishes national emission standards for hazardous air pollutants (HAP) for area sources involved in any of the activities in paragraphs (a) through (c) of this section. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission standards contained herein.

(a) Paint stripping operations that involve the use of chemical strippers that contain methylene chloride (MeCl), Chemical Abstract Service number 75092, in paint removal processes;

(b) Autobody refinishing operations that encompass motor vehicle and mobile equipment spray-applied surface coating operations;

(c) Spray application of coatings containing compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd), collectively referred to as the target HAP to any part or product made of metal or plastic, or combinations of metal and plastic that are not motor vehicles or mobile equipment.

(d) This subpart does not apply to any of the activities described in paragraph (d)(1) through (6) of this section.

(1) Surface coating or paint stripping performed on site at installations owned or operated by the Armed Forces of the United States (including the Coast Guard and the National Guard of any such State), the National Aeronautics and Space Administration, or the National Nuclear Security Administration.

(2) Surface coating or paint stripping of military munitions, as defined in §63.11180, manufactured by or for the Armed Forces of the United States (including the Coast Guard and the National Guard of any such State) or equipment directly and exclusively used for the purposes of transporting military munitions.

(3) Surface coating or paint stripping performed by individuals on their personal vehicles, possessions, or property, either as a hobby or for maintenance of their personal vehicles, possessions, or property. This subpart also does not apply when these operations are performed by individuals for others without compensation. An individual who spray applies surface coating to more than two motor vehicles or pieces of mobile equipment per year is subject to the requirements in this subpart that pertain to motor vehicle and mobile equipment surface coating regardless of whether compensation is received.

(4) Surface coating or paint stripping that meets the definition of “research and laboratory activities” in §63.11180.

(5) Surface coating or paint stripping that meets the definition of “quality control activities” in §63.11180.

(6) Surface coating or paint stripping activities that are covered under another area source NESHAP.

§ 63.11170 Am I subject to this subpart?

(a) You are subject to this subpart if you operate an area source of HAP as defined in paragraph (b) of this section, including sources that are part of a tribal, local, State, or Federal facility and you perform one or more of the activities in paragraphs (a)(1) through (3) of this section:

(1) Perform paint stripping using MeCl for the removal of dried paint (including, but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates.

(2) Perform spray application of coatings, as defined in §63.11180, to motor vehicles and mobile equipment including operations that are located in stationary structures at fixed locations, and mobile repair and refinishing operations that travel to the customer's location, except spray coating applications that meet the definition of facility maintenance in §63.11180. However, if you are the owner or operator of a motor vehicle or mobile equipment surface coating operation, you may petition the Administrator for an exemption from this subpart if you can demonstrate, to the satisfaction of the Administrator, that you spray apply no coatings that contain the target HAP, as defined in §63.11180. Petitions must include a description of the coatings that you spray apply and your certification that you do not spray apply any coatings containing the target HAP. If circumstances change such that you intend to spray apply coatings containing the target HAP, you must submit the initial notification required by 63.11175 and comply with the requirements of this subpart.

(3) Perform spray application of coatings that contain the target HAP, as defined in §63.11180, to a plastic and/or metal substrate on a part or product, except spray coating applications that meet the definition of facility maintenance or space vehicle in §63.11180.

(b) An area source of HAP is a source of HAP that is not a major source of HAP, is not located at a major source, and is not part of a major source of HAP emissions. A major source of HAP emissions is any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit any single HAP at a rate of 9.07 megagrams (Mg) (10 tons) or more per year, or emit any combination of HAP at a rate of 22.68 Mg (25 tons) or more per year.

§ 63.11171 How do I know if my source is considered a new source or an existing source?

(a) This subpart applies to each new and existing affected area source engaged in the activities listed in §63.11170, with the exception of those activities listed in §63.11169(d) of this subpart.

(b) The affected source is the collection of all of the items listed in paragraphs (b)(1) through (6) of this section. Not all affected sources will have all of the items listed in paragraphs (b)(1) through (6) of this section.

(1) Mixing rooms and equipment;

(2) Spray booths, ventilated prep stations, curing ovens, and associated equipment;

(3) Spray guns and associated equipment;

(4) Spray gun cleaning equipment;

(5) Equipment used for storage, handling, recovery, or recycling of cleaning solvent or waste paint; and

(6) Equipment used for paint stripping at paint stripping facilities using paint strippers containing MeCl.

(c) An affected source is a new source if it meets the criteria in paragraphs (c)(1) and (c)(2) of this section.

(1) You commenced the construction of the source after September 17, 2007 by installing new paint stripping or surface coating equipment. If you purchase and install spray booths, enclosed spray gun cleaners, paint stripping equipment to reduce MeCl emissions, or purchase new spray guns to comply with this subpart at an existing source, these actions would not make your existing source a new source.

(2) The new paint stripping or surface coating equipment is used at a source that was not actively engaged in paint stripping and/or miscellaneous surface coating prior to September 17, 2007.

(d) An affected source is reconstructed if it meets the definition of reconstruction in §63.2.

(e) An affected source is an existing source if it is not a new source or a reconstructed source.

General Compliance Requirements

§ 63.11172 When do I have to comply with this subpart?

The date by which you must comply with this subpart is called the compliance date. The compliance date for each type of affected source is specified in paragraphs (a) and (b) of this section.

(a) For a new or reconstructed affected source, the compliance date is the applicable date in paragraph (a)(1) or (2) of this section:

(1) If the initial startup of your new or reconstructed affected source is after September 17, 2007, the compliance date is January 9, 2008.

(2) If the initial startup of your new or reconstructed affected source occurs after January 9, 2008, the compliance date is the date of initial startup of your affected source.

(b) For an existing affected source, the compliance date is January 10, 2011.

§ 63.11173 What are my general requirements for complying with this subpart?

(a) Each paint stripping operation that is an affected area source must implement management practices to minimize the evaporative emissions of MeCl. The management practices must address, at a minimum, the practices in paragraphs (a)(1) through (5) of this section, as applicable, for your operations.

(1) Evaluate each application to ensure there is a need for paint stripping (e.g., evaluate whether it is possible to re-coat the piece without removing the existing coating).

(2) Evaluate each application where a paint stripper containing MeCl is used to ensure that there is no alternative paint stripping technology that can be used.

(3) Reduce exposure of all paint strippers containing MeCl to the air.

(4) Optimize application conditions when using paint strippers containing MeCl to reduce MeCl evaporation (e.g., if the stripper must be heated, make sure that the temperature is kept as low as possible to reduce evaporation).

(5) Practice proper storage and disposal of paint strippers containing MeCl (e.g., store stripper in closed, air-tight containers).

(b) Each paint stripping operation that has annual usage of more than one ton of MeCl must develop and implement a written MeCl minimization plan to minimize the use and emissions of MeCl. The MeCl minimization plan must address, at a minimum, the management practices specified in paragraphs (a)(1) through (5) of this section, as applicable, for your operations. Each operation must post a placard or sign outlining the MeCl minimization plan in each area where paint stripping operations subject to this subpart occur. Paint stripping operations with annual usage of less than one ton of MeCl, must comply with the requirements in paragraphs (a)(1) through (5) of this section, as applicable, but are not required to develop and implement a written MeCl minimization plan.

(c) Each paint stripping operation must maintain copies of annual usage of paint strippers containing MeCl on site at all times.

(d) Each paint stripping operation with annual usage of more than one ton of MeCl must maintain a copy of their current MeCl minimization plan on site at all times.

(e) Each motor vehicle and mobile equipment surface coating operation and each miscellaneous surface coating operation must meet the requirements in paragraphs (e)(1) through (e)(5) of this section.

(1) All painters must be certified that they have completed training in the proper spray application of surface coatings and the proper setup and maintenance of spray equipment. The minimum requirements for training and certification are described in paragraph (f) of this section. The spray application of surface coatings is prohibited by persons who are not certified as having completed the training described in paragraph (f) of this section. The requirements of this paragraph do not apply to the students of an accredited surface coating training program who are under the direct supervision of an instructor who meets the requirements of this paragraph.

(2) All spray-applied coatings must be applied in a spray booth, preparation station, or mobile enclosure that meets the requirements of paragraph (e)(2)(i) of this section and either paragraph (e)(2)(ii), (e)(2)(iii), or (e)(2)(iv) of this section.

(i) All spray booths, preparation stations, and mobile enclosures must be fitted with a type of filter technology that is demonstrated to achieve at least 98-percent capture of paint overspray. The procedure used to demonstrate filter efficiency must be consistent with the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Method 52.1, “Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter, June 4, 1992” (incorporated by reference, see §63.14 of subpart A of this part). The test coating for measuring filter efficiency shall be a high solids bake enamel delivered at a rate of at least 135 grams per minute from a conventional (non-HVLP) air-atomized spray gun operating at 40 pounds per square inch (psi) air pressure; the air flow rate across the filter shall be 150 feet per minute. Owners and operators may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement and are not required to perform this measurement. The requirements of this paragraph do not apply to waterwash spray booths that are operated and maintained according to the manufacturer's specifications.

(ii) Spray booths and preparation stations used to refinish complete motor vehicles or mobile equipment must be fully enclosed with a full roof, and four complete walls or complete side curtains, and must be ventilated at negative pressure so that air is drawn into any openings in the booth walls or preparation station curtains. However, if a spray booth is fully enclosed and has seals on all doors and other openings and has an automatic pressure balancing system, it may be operated at up to, but not more than, 0.05 inches water gauge positive pressure.

(iii) Spray booths and preparation stations that are used to coat miscellaneous parts and products or vehicle subassemblies must have a full roof, at least three complete walls or complete side curtains, and must be ventilated so that air is drawn into the booth. The walls and roof of a booth may have openings, if needed, to allow for conveyors and parts to pass through the booth during the coating process.

(iv) Mobile ventilated enclosures that are used to perform spot repairs must enclose and, if necessary, seal against the surface around the area being coated such that paint overspray is retained within the enclosure and directed to a filter to capture paint overspray.

(3) All spray-applied coatings must be applied with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless spray gun, air-assisted airless spray gun, or an equivalent technology that is demonstrated by the spray gun manufacturer to achieve transfer efficiency comparable to one of the spray gun technologies listed above for a comparable operation, and for which written approval has been obtained from the Administrator. The procedure used to demonstrate that spray gun transfer efficiency is equivalent to that of an HVLP spray gun must be equivalent to the California South Coast Air Quality Management District's “Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989” and “Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002” (incorporated by reference, see §63.14 of subpart A of this part). The requirements of this paragraph do not apply to painting performed by students and instructors at paint training centers. The requirements of this paragraph do not apply to the surface coating of aerospace vehicles that involves the coating of components that normally require the use of an airbrush or an extension on the spray gun to properly reach limited access spaces; to the application of coatings on aerospace vehicles that contain fillers that adversely affect atomization with HVLP spray guns; or to the application of coatings on aerospace vehicles that normally have a dried film thickness of less than 0.0013 centimeter (0.0005 in.).

(4) All paint spray gun cleaning must be done so that an atomized mist or spray of gun cleaning solvent and paint residue is not created outside of a container that collects used gun cleaning solvent. Spray gun cleaning may be done with, for example, hand cleaning of parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray gun washer. A combination of non-atomizing methods may also be used.

(5) As provided in §63.6(g), we, the U.S. Environmental Protection Agency, may choose to grant you permission to use an alternative to the emission standards in this section after you have requested approval to do so according to §63.6(g)(2).

(f) Each owner or operator of an affected miscellaneous surface coating source must ensure and certify that all new and existing personnel, including contract personnel, who spray apply surface coatings, as defined in §63.11180, are trained in the proper application of surface coatings as required by paragraph (e)(1) of this section. The training program must include, at a minimum, the items listed in paragraphs (f)(1) through (f)(3) of this section.

(1) A list of all current personnel by name and job description who are required to be trained;

(2) Hands-on and classroom instruction that addresses, at a minimum, initial and refresher training in the topics listed in paragraphs (f)(2)(i) through (2)(iv) of this section.

(i) Spray gun equipment selection, set up, and operation, including measuring coating viscosity, selecting the proper fluid tip or nozzle, and achieving the proper spray pattern, air pressure and volume, and fluid delivery rate.

(ii) Spray technique for different types of coatings to improve transfer efficiency and minimize coating usage and overspray, including maintaining the correct spray gun distance and angle to the part, using proper banding and overlap, and reducing lead and lag spraying at the beginning and end of each stroke.

(iii) Routine spray booth and filter maintenance, including filter selection and installation.

(iv) Environmental compliance with the requirements of this subpart.

(3) A description of the methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training. Owners and operators who can show by documentation or certification that a painter's work experience and/or training has resulted

in training equivalent to the training required in paragraph (f)(2) of this section are not required to provide the initial training required by that paragraph to these painters.

(g) As required by paragraph (e)(1) of this section, all new and existing personnel at an affected motor vehicle and mobile equipment or miscellaneous surface coating source, including contract personnel, who spray apply surface coatings, as defined in §63.11180, must be trained by the dates specified in paragraphs (g)(1) and (2) of this section. Employees who transfer within a company to a position as a painter are subject to the same requirements as a new hire.

(1) If your source is a new source, all personnel must be trained and certified no later than 180 days after hiring or no later than July 7, 2008, whichever is later. Painter training that was completed within five years prior to the date training is required, and that meets the requirements specified in paragraph (f)(2) of this section satisfies this requirement and is valid for a period not to exceed five years after the date the training is completed.

(2) If your source is an existing source, all personnel must be trained and certified no later than 180 days after hiring or no later than January 10, 2011, whichever is later. Painter training that was completed within five years prior to the date training is required, and that meets the requirements specified in paragraph (f)(2) of this section satisfies this requirement and is valid for a period not to exceed five years after the date the training is completed.

(3) Training and certification will be valid for a period not to exceed five years after the date the training is completed, and all personnel must receive refresher training that meets the requirements of this section and be re-certified every five years.

[73 FR 1760, Jan. 9, 2008; 73 FR 8408, Feb. 13, 2008]

§ 63.11174 What parts of the General Provisions apply to me?

(a) Table 1 of this subpart shows which parts of the General Provisions in subpart A apply to you.

(b) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

Notifications, Reports, and Records

§ 63.11175 What notifications must I submit?

(a) Initial Notification. If you are the owner or operator of a paint stripping operation using paint strippers containing MeCl and/or a surface coating operation subject to this subpart, you must submit the initial notification required by §63.9(b). For a new affected source, you must submit the Initial Notification no later than 180 days after initial startup or July 7, 2008, whichever is later. For an existing affected source, you must submit the initial notification no later than January 11, 2010. The initial notification must provide the information specified in paragraphs (a)(1) through (8) of this section.

(1) The company name, if applicable.

(2) The name, title, street address, telephone number, e-mail address (if available), and signature of the owner and operator, or other certifying company official;

(3) The street address (physical location) of the affected source and the street address where compliance records are maintained, if different. If the source is a motor vehicle or mobile equipment surface coating

operation that repairs vehicles at the customer's location, rather than at a fixed location, such as a collision repair shop, the notification should state this and indicate the physical location where records are kept to demonstrate compliance;

(4) An identification of the relevant standard (i.e., this subpart, 40 CFR part 63, subpart HHHHHH);

(5) A brief description of the type of operation as specified in paragraph (a)(5)(i) or (ii) of this section.

(i) For all surface coating operations, indicate whether the source is a motor vehicle and mobile equipment surface coating operation or a miscellaneous surface coating operation, and include the number of spray booths and preparation stations, and the number of painters usually employed at the operation.

(ii) For paint stripping operations, identify the method(s) of paint stripping employed (e.g., chemical, mechanical) and the substrates stripped (e.g., wood, plastic, metal).

(6) Each paint stripping operation must indicate whether they plan to annually use more than one ton of MeCl after the compliance date.

(7) A statement of whether the source is already in compliance with each of the relevant requirements of this subpart, or whether the source will be brought into compliance by the compliance date. For paint stripping operations, the relevant requirements that you must evaluate in making this determination are specified in §63.11173(a) through (d) of this subpart. For surface coating operations, the relevant requirements are specified in §63.11173(e) through (g) of this subpart.

(8) If your source is a new source, you must certify in the initial notification whether the source is in compliance with each of the requirements of this subpart. If your source is an existing source, you may certify in the initial notification that the source is already in compliance. If you are certifying in the initial notification that the source is in compliance with the relevant requirements of this subpart, then include also a statement by a responsible official with that official's name, title, phone number, e-mail address (if available) and signature, certifying the truth, accuracy, and completeness of the notification, a statement that the source has complied with all the relevant standards of this subpart, and that this initial notification also serves as the notification of compliance status.

(b) Notification of Compliance Status. If you are the owner or operator of a new source, you are not required to submit a separate notification of compliance status in addition to the initial notification specified in paragraph (a) of this subpart provided you were able to certify compliance on the date of the initial notification, as part of the initial notification, and your compliance status has not since changed. If you are the owner or operator of any existing source and did not certify in the initial notification that your source is already in compliance as specified in paragraph (a) of this section, then you must submit a notification of compliance status. You must submit a Notification of Compliance Status on or before March 11, 2011. You are required to submit the information specified in paragraphs (b)(1) through (4) of this section with your Notification of Compliance Status:

(1) Your company's name and the street address (physical location) of the affected source and the street address where compliance records are maintained, if different.

(2) The name, title, address, telephone, e-mail address (if available) and signature of the owner and operator, or other certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance. For paint stripping operations, the relevant requirements that you must evaluate in making this determination are specified in §63.11173(a) through (d). For surface coating operations, the relevant requirements are specified in §63.11173(e) through (g).

(3) The date of the Notification of Compliance Status.

(4) If you are the owner or operator of an existing affected paint stripping source that annually uses more than one ton of MeCl, you must submit a statement certifying that you have developed and are implementing a written MeCl minimization plan in accordance with §63.11173(b).

§ 63.11176 What reports must I submit?

(a) Annual Notification of Changes Report. If you are the owner or operator of a paint stripping, motor vehicle or mobile equipment, or miscellaneous surface coating affected source, you are required to submit a report in each calendar year in which information previously submitted in either the initial notification required by §63.11175(a), Notification of Compliance, or a previous annual notification of changes report submitted under this paragraph, has changed. Deviations from the relevant requirements in §63.11173(a) through (d) or §63.11173(e) through (g) on the date of the report will be deemed to be a change. This includes notification when paint stripping affected sources that have not developed and implemented a written MeCl minimization plan in accordance with §63.11173(b) used more than one ton of MeCl in the previous calendar year. The annual notification of changes report must be submitted prior to March 1 of each calendar year when reportable changes have occurred and must include the information specified in paragraphs (a)(1) through (2) of this section.

(1) Your company's name and the street address (physical location) of the affected source and the street address where compliance records are maintained, if different.

(2) The name, title, address, telephone, e-mail address (if available) and signature of the owner and operator, or other certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance.

(b) If you are the owner or operator of a paint stripping affected source that has not developed and implemented a written MeCl minimization plan in accordance with §63.11173(b) of this subpart, you must submit a report for any calendar year in which you use more than one ton of MeCl. This report must be submitted no later than March 1 of the following calendar year. You must also develop and implement a written MeCl minimization plan in accordance with §63.11173(b) no later than December 31. You must then submit a Notification of Compliance Status report containing the information specified in §63.11175(b) by March 1 of the following year and comply with the requirements for paint stripping operations that annually use more than one ton of MeCl in §§63.11173(d) and 63.11177(f).

§ 63.11177 What records must I keep?

If you are the owner or operator of a surface coating operation, you must keep the records specified in paragraphs (a) through (d) and (g) of this section. If you are the owner or operator of a paint stripping operation, you must keep the records specified in paragraphs (e) through (g) of this section, as applicable.

(a) Certification that each painter has completed the training specified in §63.11173(f) with the date the initial training and the most recent refresher training was completed.

(b) Documentation of the filter efficiency of any spray booth exhaust filter material, according to the procedure in §63.11173(e)(3)(i).

(c) Documentation from the spray gun manufacturer that each spray gun with a cup capacity equal to or greater than 3.0 fluid ounces (89 cc) that does not meet the definition of an HVLP spray gun, electrostatic application, airless spray gun, or air assisted airless spray gun, has been determined by the Administrator to achieve a transfer efficiency equivalent to that of an HVLP spray gun, according to the procedure in §63.11173(e)(4).

(d) Copies of any notification submitted as required by §63.11175 and copies of any report submitted as required by §63.11176.

(e) Records of paint strippers containing MeCl used for paint stripping operations, including the MeCl content of the paint stripper used. Documentation needs to be sufficient to verify annual usage of paint strippers containing MeCl (e.g., material safety data sheets or other documentation provided by the manufacturer or supplier of the paint stripper, purchase receipts, records of paint stripper usage, engineering calculations).

(f) If you are a paint stripping source that annually uses more than one ton of MeCl you are required to maintain a record of your current MeCl minimization plan on site for the duration of your paint stripping operations. You must also keep records of your annual review of, and updates to, your MeCl minimization plan.

(g) Records of any deviation from the requirements in §63.11173, §63.11174, §63.11175, or §63.11176. These records must include the date and time period of the deviation, and a description of the nature of the deviation and the actions taken to correct the deviation.

(h) Records of any assessments of source compliance performed in support of the initial notification, notification of compliance status, or annual notification of changes report.

§ 63.11178 In what form and for how long must I keep my records?

(a) If you are the owner or operator of an affected source, you must maintain copies of the records specified in §63.11177 for a period of at least five years after the date of each record. Copies of records must be kept on site and in a printed or electronic form that is readily accessible for inspection for at least the first two years after their date, and may be kept off-site after that two year period.

Other Requirements and Information

§ 63.11179 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by us, the U.S. Environmental Protection Agency (EPA), or a delegated authority such as your State, local, or tribal agency. If the Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator and are not transferred to the State, local, or tribal agency.

(c) The authority in §63.11173(e)(5) will not be delegated to State, local, or tribal agencies.

§ 63.11180 What definitions do I need to know?

Terms used in this subpart are defined in the Clean Air Act, in 40 CFR 63.2, and in this section as follows:

Additive means a material that is added to a coating after purchase from a supplier (e.g., catalysts, activators, accelerators).

Administrator means, for the purposes of this rulemaking, the Administrator of the U.S. Environmental Protection Agency or the State or local agency that is granted delegation for implementation of this subpart.

Aerospace vehicle or component means any fabricated part, processed part, assembly of parts, or completed unit, with the exception of electronic components, of any aircraft including but not limited to airplanes, helicopters, missiles, rockets, and space vehicles.

Airless and air-assisted airless spray mean any paint spray technology that relies solely on the fluid pressure of the paint to create an atomized paint spray pattern and does not apply any atomizing compressed air to the paint before it leaves the paint nozzle. Air-assisted airless spray uses compressed air to shape and distribute the fan of atomized paint, but still uses fluid pressure to create the atomized paint.

Appurtenance means any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lamp posts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

Architectural coating means a coating to be applied to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs.

Cleaning material means a solvent used to remove contaminants and other materials, such as dirt, grease, or oil, from a substrate before or after coating application or from equipment associated with a coating operation, such as spray booths, spray guns, racks, tanks, and hangers. Thus, it includes any cleaning material used on substrates or equipment or both.

Coating means, 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 are spray-applied in the manufacture of reinforced plastic composite parts.

Compliance date means the date by which you must comply with this subpart.

Deviation means any instance in which an affected source, subject to this subpart, or an owner or operator of such a source fails to meet any requirement or obligation established by this subpart.

Dry media blasting means abrasive blasting using dry media. Dry media blasting relies on impact and abrasion to remove paint from a substrate. Typically, a compressed air stream is used to propel the media against the coated surface.

Electrostatic application means any method of coating application where an electrostatic attraction is created between the part to be coated and the atomized paint particles.

Equipment cleaning means the use of an organic solvent to remove coating residue from the surfaces of paint spray guns and other painting related equipment, including, but not limited to stir sticks, paint cups, brushes, and spray booths.

Facility maintenance means, for the purposes of this subpart, surface coating performed as part of the routine repair or renovation of the tools, equipment, machinery, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity. *Facility maintenance* also includes surface coating associated with the installation of new equipment or structures, and the application of any surface coating as part of janitorial activities. *Facility maintenance*

includes the application of coatings to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. *Facility maintenance* also includes the refinishing of mobile equipment in the field or at the site where they are used in service and at which they are intended to remain indefinitely after refinishing. Such mobile equipment includes, but is not limited to, farm equipment and mining equipment for which it is not practical or feasible to move to a dedicated mobile equipment refinishing facility. Such mobile equipment also includes items, such as fork trucks, that are used in a manufacturing facility and which are refinished in that same facility. *Facility maintenance* does not include surface coating of motor vehicles, mobile equipment, or items that routinely leave and return to the facility, such as delivery trucks, rental equipment, or containers used to transport, deliver, distribute, or dispense commercial products to customers, such as compressed gas canisters.

High-volume, low-pressure (HVLP) spray equipment means spray equipment that is permanently labeled as such and used to apply any coating by means of a spray gun which is designed and operated between 0.1 and 10 pounds per square inch gauge (psig) air atomizing pressure measured dynamically at the center of the air cap and at the air horns.

Initial startup means the first time equipment is brought online in a paint stripping or surface coating operation, and paint stripping or surface coating is first performed.

Materials that contain HAP or *HAP-containing materials* mean, for the purposes of this subpart, materials that contain 0.1 percent or more by mass of any individual HAP that is an OSHA-defined carcinogen as specified in 29 CFR 1910.1200(d)(4), or 1.0 percent or more by mass for any other individual HAP.

Military munitions means all ammunition products and components produced or used by or for the U.S. Department of Defense (DoD) or for the U.S. Armed Services for national defense and security, including military munitions under the control of the Department of Defense, the U.S. Coast Guard, the National Nuclear Security Administration (NNSA), U.S. Department of Energy (DOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by DoD components, including bulk explosives and chemical warfare agents, chemical munitions, biological weapons, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, nonnuclear components of nuclear weapons, wholly inert ammunition products, and all devices and components of any items listed in this definition.

Miscellaneous parts and/or products means any part or product made of metal or plastic, or combinations of metal and plastic. Miscellaneous parts and/or products include, but are not limited to, metal and plastic components of the following types of products as well as the products themselves: motor vehicle parts and accessories for automobiles, trucks, recreational vehicles; automobiles and light duty trucks at automobile and light duty truck assembly plants; boats; sporting and recreational goods; toys; business machines; laboratory and medical equipment; and household and other consumer products.

Miscellaneous surface coating operation means the collection of equipment used to apply surface coating to miscellaneous parts and/or products made of metal or plastic, including applying cleaning solvents to prepare the surface before coating application, mixing coatings before application, applying coating to a surface, drying or curing the coating after application, and cleaning coating application equipment, but not plating. A single surface coating operation may include any combination of these types of equipment, but always includes at least the point at which a coating material is applied to a given part. A surface coating operation includes all other steps (such as surface preparation with solvent and equipment cleaning) in the affected source where HAP are emitted from the coating of a part. The use of solvent to clean parts (for example, to remove grease during a mechanical repair) does not constitute a miscellaneous surface coating operation if no coatings are applied. A single affected source may have multiple surface coating operations. Surface coatings applied to wood, leather, rubber, ceramics, stone, masonry, or substrates other than metal and plastic are not considered miscellaneous surface coating operations for the purposes of this subpart.

Mobile equipment means any device that may be drawn and/or driven on a roadway including, but not limited to, heavy-duty trucks, truck trailers, fleet delivery trucks, buses, mobile cranes, bulldozers, street

cleaners, agriculture equipment, motor homes, and other recreational vehicles (including camping trailers and fifth wheels).

Motor vehicle means any self-propelled vehicle, including, but not limited to, automobiles, light duty trucks, golf carts, vans, and motorcycles.

Motor vehicle and mobile equipment surface coating means the spray application of coatings to assembled motor vehicles or mobile equipment. For the purposes of this subpart, it does not include the surface coating of motor vehicle or mobile equipment parts or subassemblies at a vehicle assembly plant or parts manufacturing plant.

Non-HAP solvent means, for the purposes of this subpart, a solvent (including thinners and cleaning solvents) that contains less than 0.1 percent by mass of any individual HAP that is an OSHA-defined carcinogen as specified in 29 CFR 1910.1200(d)(4) and less than 1.0 percent by mass for any other individual HAP.

Paint stripping and/or miscellaneous surface coating source or facility means any shop, business, location, or parcel of land where paint stripping or miscellaneous surface coating operations are conducted.

Paint stripping means the removal of dried coatings from wood, metal, plastic, and other substrates. A single affected source may have multiple paint stripping operations.

Painter means any person who spray applies coating.

Plastic refers to substrates containing one or more resins and may be solid, porous, flexible, or rigid. Plastics include fiber reinforced plastic composites.

Protective oil means organic material that is applied to metal for the purpose of providing lubrication or protection from corrosion without forming a solid film. This definition of protective oil includes, but is not limited to, lubricating oils, evaporative oils (including those that evaporate completely), and extrusion oils.

Quality control activities means surface coating or paint stripping activities that meet all of the following criteria:

(1) The activities associated with a surface coating or paint stripping operation are intended to detect and correct defects in the final product by selecting a limited number of samples from the operation, and comparing the samples against specific performance criteria.

(2) The activities do not include the production of an intermediate or final product for sale or exchange for commercial profit; for example, parts that are surface coated or stripped are not sold and do not leave the facility.

(3) The activities are not a normal part of the surface coating or paint stripping operation; for example, they do not include color matching activities performed during a motor vehicle collision repair.

(4) The activities do not involve surface coating or stripping of the tools, equipment, machinery, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity; that is, the activities are not facility maintenance.

Research and laboratory activities means surface coating or paint stripping activities that meet one of the following criteria:

(1) Conducted at a laboratory to analyze air, soil, water, waste, or product samples for contaminants, or environmental impact.

(2) Activities conducted to test more efficient production processes, including alternative paint stripping or surface coating materials or application methods, or methods for preventing or reducing adverse environmental impacts, provided that the activities do not include the production of an intermediate or final product for sale or exchange for commercial profit.

(3) Activities conducted at a research or laboratory facility that is operated under the close supervision of technically trained personnel, the primary purpose of which is to conduct research and development into new processes and products and that is not engaged in the manufacture of products for sale or exchange for commercial profit.

Solvent means a fluid containing organic compounds used to perform paint stripping, surface prep, or cleaning of surface coating equipment.

Space Vehicle means vehicles designed to travel beyond the limit of the earth's atmosphere, including but not limited to satellites, space stations, and the Space Shuttle System (including orbiter, external tanks, and solid rocket boosters).

Spray-applied coating operations means coatings that are applied using a hand-held device that creates an atomized mist of coating and deposits the coating on a substrate. For the purposes of this subpart, spray-applied coatings do not include the following materials or activities:

(1) Coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces (89 cubic centimeters).

(2) Surface coating application using powder coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology, including, but not limited to, paint brushes, rollers, hand wiping, flow coating, dip coating, electrodeposition coating, web coating, coil coating, touch-up markers, or marking pens.

(3) Thermal spray operations (also known as metallizing, flame spray, plasma arc spray, and electric arc spray, among other names) in which solid metallic or non-metallic material is heated to a molten or semi-molten state and propelled to the work piece or substrate by compressed air or other gas, where a bond is produced upon impact.

Surface preparation or *Surface prep* means use of a cleaning material on a portion of or all of a substrate prior to the application of a coating.

Target HAP are compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd).

Target HAP containing coating means a spray-applied coating that contains any individual target HAP that is an Occupational Safety and Health Administration (OSHA)–defined carcinogen as specified in 29 CFR 1910.1200(d)(4) at a concentration greater than 0.1 percent by mass, or greater than 1.0 percent by mass for any other individual target HAP compound. For the purpose of determining whether materials you use contain the target HAP compounds, you may rely on formulation data provided by the manufacturer or supplier, such as the material safety data sheet (MSDS), as long as it represents each target HAP compound in the material that is present at 0.1 percent by mass or more for OSHA-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other target HAP compounds.

Transfer efficiency means the amount of coating solids adhering to the object being coated divided by the total amount of coating solids sprayed, expressed as a percentage. Coating solids means the nonvolatile portion of the coating that makes up the dry film.

Truck bed liner coating means any coating, excluding color coats, labeled and formulated for application to a truck bed to protect it from surface abrasion.

Table 1 to Subpart HHHHHH of Part 63—Applicability of General Provisions to Subpart HHHHHH of Part 63

Citation	Subject	Applicable to subpart HHHHHH	Explanation
§63.1(a)(1)–(12)	General Applicability	Yes	
§63.1(b)(1)–(3)	Initial Applicability Determination	Yes	Applicability of subpart HHHHHH is also specified in §63.11170.
§63.1(c)(1)	Applicability After Standard Established	Yes	
§63.1(c)(2)	Applicability of Permit Program for Area Sources	Yes	(63.11174(b) of Subpart HHHHHH exempts area sources from the obligation to obtain Title V operating permits.
§63.1(c)(5)	Notifications	Yes	
§63.1(e)	Applicability of Permit Program to Major Sources Before Relevant Standard is Set	No	(63.11174(b) of Subpart HHHHHH exempts area sources from the obligation to obtain Title V operating permits.
§63.2	Definitions	Yes	Additional definitions are specified in §63.11180.
§63.3(a)–(c)	Units and Abbreviations	Yes	
§63.4(a)(1)–(5)	Prohibited Activities	Yes	
§63.4(b)–(c)	Circumvention/Fragmentation	Yes	
§63.5	Construction/Reconstruction of major sources	No	Subpart HHHHHH applies only to area sources.
§63.6(a)	Compliance With Standards and Maintenance Requirements—Applicability	Yes	
§63.6(b)(1)–(7)	Compliance Dates for New and Reconstructed Sources	Yes	§63.11172 specifies the compliance dates.
§63.6(c)(1)–(5)	Compliance Dates for Existing Sources	Yes	§63.11172 specifies the compliance dates.
§63.6(e)(1)–(2)	Operation and Maintenance	Yes	
§63.6(e)(3)	Startup, Shutdown, and Malfunction Plan	No	No startup, shutdown, and malfunction plan is required by subpart HHHHHH.
§63.6(f)(1)	Compliance Except During Startup, Shutdown, and Malfunction	Yes	
§63.6(f)(2)–(3)	Methods for Determining Compliance	Yes	
§63.6(g)(1)–(3)	Use of an Alternative Standard	Yes	

Citation	Subject	Applicable to subpart HHHHHH	Explanation
§63.6(h)	Compliance With Opacity/Visible Emission Standards	No	Subpart HHHHHH does not establish opacity or visible emission standards.
§63.6(i)(1)–(16)	Extension of Compliance	Yes	
§63.6(j)	Presidential Compliance Exemption	Yes	
§63.7	Performance Testing Requirements	No	No performance testing is required by subpart HHHHHH.
§63.8	Monitoring Requirements	No	Subpart HHHHHH does not require the use of continuous monitoring systems.
§63.9(a)–(d)	Notification Requirements	Yes	§63.11175 specifies notification requirements.
§63.9(e)	Notification of Performance Test	No	Subpart HHHHHH does not require performance tests.
§63.9(f)	Notification of Visible Emissions/Opacity Test	No	Subpart HHHHHH does not have opacity or visible emission standards.
§63.9(g)	Additional Notifications When Using CMS	No	Subpart HHHHHH does not require the use of continuous monitoring systems.
§63.9(h)	Notification of Compliance Status	No	§63.11175 specifies the dates and required content for submitting the notification of compliance status.
§63.9(i)	Adjustment of Submittal Deadlines	Yes	
§63.9(j)	Change in Previous Information	Yes	§63.11176(a) specifies the dates for submitting the notification of changes report.
§63.10(a)	Recordkeeping/Reporting—Applicability and General Information	Yes	
§63.10(b)(1)	General Recordkeeping Requirements	Yes	Additional requirements are specified in §63.11177.
§63.10(b)(2)(i)–(xi)	Recordkeeping Relevant to Startup, Shutdown, and Malfunction Periods and CMS	No	Subpart HHHHHH does not require startup, shutdown, and malfunction plans, or CMS.
§63.10(b)(2)(xii)	Waiver of recordkeeping requirements	Yes	
§63.10(b)(2)(xiii)	Alternatives to the relative accuracy test	No	Subpart HHHHHH does not require the use of CEMS.
§63.10(b)(2)(xiv)	Records supporting notifications	Yes	
§63.10(b)(3)	Recordkeeping Requirements for Applicability Determinations	Yes	

Citation	Subject	Applicable to subpart HHHHHH	Explanation
§63.10(c)	Additional Recordkeeping Requirements for Sources with CMS	No	Subpart HHHHHH does not require the use of CMS.
§63.10(d)(1)	General Reporting Requirements	Yes	Additional requirements are specified in §63.11176.
§63.10(d)(2)–(3)	Report of Performance Test Results, and Opacity or Visible Emissions Observations	No	Subpart HHHHHH does not require performance tests, or opacity or visible emissions observations.
§63.10(d)(4)	Progress Reports for Sources With Compliance Extensions	Yes	
§63.10(d)(5)	Startup, Shutdown, and Malfunction Reports	No	Subpart HHHHHH does not require startup, shutdown, and malfunction reports.
§63.10(e)	Additional Reporting requirements for Sources with CMS	No	Subpart HHHHHH does not require the use of CMS.
§63.10(f)	Recordkeeping/Reporting Waiver	Yes	
§63.11	Control Device Requirements/Flares	No	Subpart HHHHHH does not require the use of flares.
§63.12	State Authority and Delegations	Yes	
§63.13	Addresses of State Air Pollution Control Agencies and EPA Regional Offices	Yes	
§63.14	Incorporation by Reference	Yes	Test methods for measuring paint booth filter efficiency and spray gun transfer efficiency in §63.11173(e)(2) and (3) are incorporated and included in §63.14.
§63.15	Availability of Information/Confidentiality	Yes	
§63.16(a)	Performance Track Provisions—reduced reporting	Yes	
§63.16(b)–(c)	Performance Track Provisions—reduced reporting	No	Subpart HHHHHH does not establish numerical emission limits.

Emissions Calculations
Natural Gas Combustion Only
MM BTU/HR <100

Company Name: **Mike's Magic Body & Paint Repair**
Address City IN Zip: **1601 S. Washington Street**
Permit Number: **S053-32728-00076**
Reviewer: **Deborah Cole**

Heat Input Capacity MMBtu/hr	HHV mmBtu/mmscf	Potential Throughput MMCF/yr
0.0112	1020	0.10

	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/MMCF	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emission in tons/yr	0.0001	0.0004	0.0004	2.9E-05	0.0048	0.0003	0.0040

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.
PM2.5 emission factor is filterable and condensable PM2.5 combined.
**Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Methodology

All emission factors are based on normal firing.
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas
Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03
Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu
Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

HAPS Calculations

	HAPs - Organics					
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene	**Total - Organics**
Emission Factor in lb/MMcf	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03	
Potential Emission in tons/yr	1.0E-07	5.8E-08	3.6E-06	8.7E-05	1.6E-07	**9.0E-05**

	HAPs - Metals					
	Lead	Cadmium	Chromium	Manganese	Nickel	**Total - Metals**
Emission Factor in lb/MMcf	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03	
Potential Emission in tons/yr	2.4E-08	5.3E-08	6.7E-08	1.8E-08	1.0E-07	**2.6E-07**
					Total HAPs	**9.1E-05**
					Worst HAP	**2.1E-03**

Methodology is the same as above.

The five highest organic and metal HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Greenhouse Gas Calculations

	Greenhouse Gas		
	CO2	CH4	N2O
Emission Factor in lb/MMcf	120,000	2.3	2.2
Potential Emission in tons/yr	5.8	1.1E-04	1.1E-04
Summed Potential Emissions in tons/yr	5.8		
CO2e Total in tons/yr	5.8		

Methodology
The N2O Emission Factor for uncontrolled is 2.2. The N2O Emission Factor for low Nox burner is 0.64.
Emission Factors are from AP 42, Table 1.4-2 SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.
Global Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.
Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton
CO2e (tons/yr) = CO2 Potential Emission ton/yr x CO2 GWP (1) + CH4 Potential Emission ton/yr x CH4 GWP (21) + N2O Potential Emission ton/yr x N2O GWP (310).

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Stacy Grindle
Mike's magic Body & Paint Repair
1601 S Washington Street
Marion, IN 46953

DATE: March 21, 2013

FROM: Matt Stuckey, Branch Chief
Permits Branch
Office of Air Quality

SUBJECT: Final Decision
SOSA
053-32728-00076

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at jbrush@idem.IN.gov.

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	GHOTOPP 3/21/2013 Mikes Magic Body & Paint Repair 053-32728-0076 Final			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	▶	Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: **CERTIFICATE OF MAILING ONLY**	

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1		Stacy Grindle Mikes Magic Body & Paint Repair 1601 S Washington St Marion IN 46953 (Source CAATS) confirmed delivery									
2		Marion City Council and Mayors Office 301 S. Branson Street Marion IN 46952-4052 *(Local Official)*									
3		Grant County Commissioners 401 South Adams Marion IN 46953 *(Local Official)*									
4		Ms. Mary Shipley 10968 E 100 S Marion IN 46953 *(Affected Party)*									
5		Grant County Health Department 401 S. Adams St, Courthouse Complex Marion IN 46953-2031 *(Health Department)*									
6		Mr. Thomas Lee Clevenger 4005 South Franks Lane Selma IN 47383 *(Affected Party)*									
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