AIR QUALITY BUREAU
502 E 9th St
Des Moines IA 50319

DNR USE ONLY	
Initials:	Date:
Facility ID:	FO#:
☐ Check/Money Order ☐ Credit Card ☐ Cash	

NOTIFICATION LETTER FOR PERMIT BY RULE FOR SPRAY BOOTHS

To be eligible for a permit by rule for spray booths, a facility must meet all applicable requirements established in 567 Iowa Administrative Code (IAC) subrule 22.8(1) **and** must certify that the facility currently is or will be in compliance with or otherwise exempt from the requirements of National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Surface Coating Operations at Area Sources (40 CFR Part 63, Subpart HHHHHH) and the NESHAP for Metal Fabrication and Finishing at Area Sources (40 CFR Part 63, Subpart XXXXXX) by the applicable NESHAP compliance dates. The owner or operator shall complete this form and submit **one (1) original** to: Iowa DNR, Air Quality Bureau, 502 E 9th St, Des Moines IA 50319. For assistance in completing this form, please call 1-877-AIR-IOWA (1-877-247-4692).

Retain a copy of the completed form for your records.
The permit becomes effective upon the DNR's receipt of this notification letter and required fee.

Section 1 – Facility Information

Name of Firm/Company: _____

Facility Name (if different)**:** _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Equipment Location: _____

City: _____ **State:** _____ **Zip:** _____

Contact: _____ **Phone:** _____

Email: _____ **Fax:** _____

Application Fee: Effective beginning January 15, 2016, a permit by rule application must be accompanied by the fee required by 567 IAC 30.2.

> ***567 IAC 30.2*** *Beginning on January 15, 2016, each owner or operator required to provide an application submittal, registration; permit by rule; and template… shall pay fees as specified in the fee schedule approved by the commission and posted on the department's Web site. Fees shall be submitted with the forms supplied by the department.*

The fee is $100 payable to "Iowa Department of Natural Resources" in the form of a check, money order, credit card or cash. Please do not send cash in the mail.

Owner or Operator Name Paying Fee: _____ **Phone:** _____

☐ $100 Fee Enclosed ☐ Contact for Credit Card Payment or State Agency

Section 2 – Applicability

Please complete the seven applicability questions below unless otherwise directed. A facility that is not eligible to use this form must apply for a construction permit as specified under 567 IAC subrules 22.1(1) and 22.1(3) unless otherwise exempt from the requirement to obtain a construction permit.

1. What is the facility-wide spray material use **per day**? (check one)
- ☐ One gallon per day or less (must record amount of paint used each day per 22.8(1)"b")
- ☐ More than one gallon per day, but never more than three gallons per day (spray booth must be vented with a stack which is at least 22 feet tall, as measured from the ground, and must record amount of paint used each day per 22.8(1)"c")
- ☐ More than three gallons per day (**not eligible** for Permit by Rule for Spray Booths)

2. The spray booth(s) at the facility will spray paint or coatings on what type of materials? (check **all** that apply)
- ☐ Motor vehicles or mobile equipment (e.g. any device that may be drawn or driven on a roadway)
- ☐ Plastic or metal parts and products
- ☐ Wood or other substrates not metal or plastic

3. Is the primary[1] activity of your facility in one of the following nine metal fabrication and finishing source categories? Autobody shops are currently not included in any of the nine listed metal fabrication and finishing source categories. **Check all that apply below and proceed to question 5. If none of the categories below apply to your facility, check "none" below and proceed to question 4.**

- ☐ Electrical and Electronic Equipment Finishing Operations (including motor and generator manufacturing, and electrical machinery, equipment, and supplies, not elsewhere classified) [SIC codes 3621 or 3699];
- ☐ Fabricated Metal Products, not elsewhere classified [SIC code 3499];
- ☐ Fabricated Plate Work (Boiler Shops) [SIC code 3443];
- ☐ Fabricated Structural Metal Manufacturing [SIC code 3441];
- ☐ Heating Equipment, except Electric [SIC code 3433];
- ☐ Industrial Machinery and Equipment Finishing Operations (including construction machinery manufacturing; oil and gas field machinery manufacturing; and pumps and pumping equipment manufacturing) [SIC codes 3531, 3533 or 3561];
- ☐ Iron and Steel Forging [SIC code 3462];
- ☐ Primary Metal Products Manufacturing [SIC code 3399];
- ☐ Valves and Pipe Fittings, not elsewhere classified [SIC code 3494].
- ☐ **None** (proceed to question 4)

4. Are the operations at your facility specifically exempt from NESHAP Subpart HHHHHH - Miscellaneous Surface Coating Operations at Area Sources? A complete list of exemptions is included in 40 CFR Section 63.1169(d). **Check all exemptions that apply *and* skip to Section 3. If none of the exemptions listed below apply, check "no" and go to question 6.**

- ☐ Surface coating is performed **only** on wood, leather, rubber, ceramics, stone, masonry or substrates other than metal or plastic.
- ☐ Coatings applied consist **only** of adhesives, sealants, maskants, caulking materials or decorative, protective or functional materials that consist only of protective oils for metal, acids or bases.
- ☐ Surface coating performed on site at installations owned or operated by the US Armed Forces, NASA or the National Nuclear Security Administration.
- ☐ Surface coating of military munitions, as defined in §63.11180, manufactured by or for the US Armed Forces or equipment directly and exclusively used for the purposes of transporting military munitions.
- ☐ Coating performed by an individual on their possessions (not including motor vehicles or mobile equipment), either for hobby or maintenance.
- ☐ Coating performed by an individual on others' possessions (not including motor vehicles or mobile equipment), either for hobby or maintenance for which no compensation is received.
- ☐ Coating performed by an individual on personal or others' motor vehicles or mobile equipment as long as no compensation is received and no more than two vehicles or pieces of mobile equipment are coated per year.
- ☐ Surface coating that meets the definition of "research and laboratory activities" in §63.11180.
- ☐ Surface coating that meets the definition of "quality control activities" in §63.11180.
- ☐ Surface coating activities that are covered under another area source NESHAP.
- ☐ **No** (proceed to question 6)

5. Are **all** of the operations at your facility specifically exempt from NESHAP Subpart XXXXXX – Metal Fabrication and Finishing Operations? A complete list of exemptions is included in 40 CFR Section 63.11514. **Check all exemptions that apply *and* skip to Section 3. If none of the exemptions listed below apply to all operations at your facility, check "no" and go to question 6.**

- ☐ Surface coating performed at research or laboratory facilities as defined in section 112(c)(7) of the CAA.
- ☐ Surface coating performed at tool or equipment repair operations, for facility maintenance or for quality control as defined in §63.11522.
- ☐ Surface coating performed on site at installations owned or operated by the US Armed Forces, NASA or the National Nuclear Security Administration.
- ☐ Surface coating of military munitions, as defined in §63.11522, manufactured by or for the US Armed Forces or equipment directly and exclusively used for the purposes of transporting military munitions.
- ☐ **No** (proceed to question 6)

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[1] Many facilities perform these metal fabrication and finishing processes but are not subject to NESHAP Subpart XXXXXX unless they are "primarily engaged" in operations which are classified in one of the listed nine source categories. To check if you are subject, check your SIC code(s) with the SIC codes that are subject to this rule and listed above. A more detailed description of the affected source categories is included in the text of the rule at http://www.epa.gov/ttn/atw/area/compilation.html.

6. Do the paint or coatings spray applied in your booth(s) contain[2] **Cadmium**, **Chromium**, **Lead**, **Manganese** or **Nickel**?

☐ **Yes** (proceed to question 7)

☐ **No**. The spray booth(s) is not subject to the requirements of 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX. (skip to Section 3)

7. Which Area Source NESHAP applies to your surface coating operation? (the spray booth(s) at the facility cannot be subject to both NESHAP.)

☐ 40 CFR Part 63, Subpart HHHHHH[3] The spray booth(s) are subject to the requirements of 40 CFR Part 63, Subpart HHHHHH if you checked "**none**" in question 3, if you checked "**no**" in question 4 and you if answered **"yes"** to question 6.

☐ 40 CFR Part 63, Subpart XXXXXX[4] The spray booth(s) are subject to the requirements of 40 CFR Part 63, Subpart XXXXXX if you checked **any category (besides "none")** in question 3, if you checked "**no**" in question 5 and you answered **"yes"** to question 6.

Section 3 – Spray Booth Description

Please provide the following details for each of the paint booths at your facility. If additional space is needed, please attach a separate sheet.

LIST ALL SPRAY BOOTHS AT THE FACILITY:

	Spray Booth ID #	Spray Gun Type	Location
Ex.	*Spray booth 1*	*HVLP*	*N.E. Corner of building A*
1			
2			
3			
4			
5			
6			
7			
8			

Section 4 – Additional requirements for spray booths installed after October 23, 2013

These requirements apply when both of the following two conditions are met:

a. The initiation of construction, installation, reconstruction or alteration[5] of the spray booth occurred after October 23, 2013; and
b. any sprayed material used in the booth contains lead.

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[2] In order for a coating or paint to contain these compounds as defined under the NESHAP, the compounds must be present in concentrations equal to or greater than 0.1 percent by mass for Cadmium, Chromium, Lead and Nickel or be present in concentrations equal to or greater than 1.0 percent by mass for Manganese. Refer to product MSDS, Manufacturer's Product Specification Sheet, or contact the coating or paint manufacturer directly to determine if the coating or paint contain any of the compounds at the defined concentrations.

[3] Please refer to the full rule text of 40 CFR Part 63, Subpart HHHHHH available at http://www.epa.gov/ttn/atw/area/compilation.html to determine all applicable equipment requirements, management practices, monitoring requirements, recordkeeping requirements and reporting requirements necessary to be in compliance with this rule. The DNR has also developed a guide to the NESHAP for Miscellaneous Surface Coating Operations at Area Sources. This guide is available on our website at http://www.iowadnr.gov/InsideDNR/RegulatoryAir/AirToxics-NESHAP.aspx.

[4] Please refer to the full rule text of 40 CFR Part 63, Subpart XXXXXX available at http://www.epa.gov/ttn/atw/area/compilation.html to determine all applicable equipment requirements, management practices, monitoring requirements, recordkeeping requirements and reporting requirements necessary to be in compliance with this rule. NESHAP Subpart XXXXXX applies not only to spray booths, but also to dry abrasive blasting, machining, dry grinding and polishing with machines and welding. If a facility that is primarily engaged in one of the nine metal fabrication and finishing operations listed in question 3 also performs any other of these industrial processes, it is possible that these other operations are subject to NESHAP Subpart XXXXXX. Each industrial process is regulated only if they use materials that contain or have the potential to emit the compounds listed in question 6. Any operations other than spray booths subject to the requirements of NESHAP Subpart XXXXXX may be required to obtain a construction permit unless otherwise exempt. The DNR has also developed a summary of requirements for this rule for each industrial process. These documents are available on our website at http://www.iowadnr.gov/InsideDNR/RegulatoryAir/AirToxics-NESHAP.aspx.

[5] Initiation of construction, installation, or alteration means the significant permanent modification of a site to install equipment, control equipment or permanent structures. Not included are activities incident to preliminary engineering, environmental studies, or acquisition of a site for a facility.

Skip to Section 5 if these two conditions do not apply to your spray booth(s).

1. For booths that are subject to the requirements of NESHAP Subpart HHHHHH or Subpart XXXXXX, the lead content of any spray material shall not exceed 0.35 pound per gallon.
2. For booths that are not subject to the requirements of NESHAP Subpart HHHHHH or Subpart XXXXXX or are exempt from the NESHAP, the lead content of any sprayed material shall not exceed 0.02 pound per gallon.
3. You must keep safety data sheets (SDS) or equivalent records for at least two calendar years to demonstrate that the sprayed material meets the applicable lead content.
4. The lead content limits are in addition to any applicable requirements from NESHAP Subpart HHHHHH or Subpart XXXXXX.

Section 5 – Certifications (PLEASE READ CAREFULLY)

SPRAY BOOTH CERTIFICATION:

All facilities must complete this certification and sign below.

☐ "I certify that all spray booths at the facility and listed in Section 3 are in compliance with all applicable requirements of rule 567 IAC 22.8(1)(455B). I understand that this equipment shall be deemed permitted under the terms of 567 IAC 22.8(1)(455B) only if all applicable requirements of 567 IAC 22.8(1)(455B) are met. This certification is based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

SPRAY MATERIAL CERTIFICATION:

Only facilities that answered "none" in question 3 *and* "no" in question 6 must complete all applicable certifications and sign below.

Facilities that answered "motor vehicles or mobile equipment" in question 2:

1. ☐ "I certify that none of the coatings used in my motor vehicle or mobile equipment spray booth contain Cadmium, Chromium, Lead, Manganese or Nickel. I understand that if circumstances change, such that I intend to spray apply coatings containing these materials, I shall comply with the requirements of the NESHAP for Miscellaneous Surface Coating (40 CFR Part 63, Subpart HHHHHH) and submit the initial notification required by §63.11175."

   I intend to use the following types of coatings in my motor vehicle or mobile equipment spray booth:
   (for example: polyurethane coatings) _____

Facilities that answered "plastic or metal parts and products" in question 2:

2. ☐ "I acknowledge that none of the coatings used in my spray booth contain Cadmium, Chromium, Lead, Manganese or Nickel. I understand that if circumstances change, such that I intend to spray apply coatings containing these materials, I shall comply with the requirements of 40 CFR Part 63, Subpart HHHHHH and submit the initial notification required."

Only facilities that answered question 7 must complete this certification and sign below:

3. ☐ "I certify that I am subject to 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX, as specified in this form. I understand that I must submit all subsequent notifications and reports as required by the applicable NESHAP. I further certify that in regards to Subpart HHHHHH and Subpart XXXXXX the facility:

   ☐ Currently is in compliance with 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX by the applicable NESHAP compliance dates (for facilities that are already operating at the time this form is submitted)."

   Or

   ☐ Will be in compliance with 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX upon startup (for facilities that have not yet begun operating at the time this form is submitted)."

_____ _____
Signature Date

_____ _____
Print Name Title

567—22.8(455B) Permit by rule.

22.8(1) *Permit by rule for spray booths.* Spray booths which comply with the requirements contained in this rule will be deemed to be in compliance with the requirements to obtain an air construction permit and an air operating permit. Spray booths which comply with this rule will be considered to have federally enforceable limits so that their potential emissions are less than the major source limits for regulated air pollutants and hazardous air pollutants as defined in rule 567—22.100(455B). An owner or operator required to apply for a permit by rule under this subrule shall submit fees as required in 567 – Chapter 30.

*a. D*efinition. "Sprayed material" is material sprayed from spray equipment when used in the surface coating process in the spray booth, including but not limited to paint, solvents, and mixtures of paint and solvents.

b. Facilities which facilitywide spray one gallon per day or less of sprayed material are exempt from all other requirements in 567—Chapter 22, except that they must submit the certification in 22.8(1)"e" to the department and keep records of daily sprayed material use. Any spray booth or associated equipment for which initiation of construction, installation, reconstruction or alteration (as defined in rule 567—20.2(455B)) occurred after October 23, 2013, shall use sprayed material with a maximum lead content of 0.35 pounds or less per gallon if the booth or associated equipment is subject to the following NESHAP: 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX. Any spray booth or associated equipment for which initiation of construction, installation, reconstruction or alteration (as defined in rule 567—20.2 (455B)) occurred after October 23, 2013, that is not subject to the NESHAP or is otherwise exempt from the NESHAP shall use sprayed material with a maximum lead content of 0.02 pounds or less per gallon. The owner or operator must keep the records of daily sprayed material use for 18 months from the date to which the records apply and shall keep safety data sheets (SDS) or equivalent records for at least two calendar years to demonstrate that the sprayed materials contain lead at less than the exemption thresholds. The owner or operator must also certify that the facility is in compliance with or otherwise exempt from the federal regulations specified in 22.8(1)"e."

c. Facilities which facilitywide spray more than one gallon per day but never more than three gallons per day are exempt from all other requirements in 567—Chapter 22, except that they must submit the certification in 22.8(1)"e" to the department, keep records of daily sprayed material use, and vent emissions from a spray booth(s) through a stack(s) which is at least 22 feet tall, measured from ground level. Any spray booth or associated equipment for which initiation of construction, installation, reconstruction or alteration (as defined in rule 567—20.2(455B)) occurred after October 23, 2013, shall use sprayed material with a maximum lead content of 0.35 pounds or less per gallon if the booth or associated equipment is subject to the following NESHAP: 40 CFR Part 63, Subpart HHHHHH or Subpart XXXXXX. Any spray booth or associated equipment for which initiation of construction, installation, reconstruction or alteration (as defined in rule 567—20.2(455B)) occurred after October 23, 2013, that is not subject to the NESHAP or is otherwise exempt from the NESHAP shall use sprayed material with a maximum lead content of 0.02 pounds or less per gallon. The owner or operator must keep the records of daily sprayed material use for 18 months from the date to which the records apply and shall keep safety data sheets (SDS) or equivalent records for at least two calendar years to demonstrate that the sprayed materials contain lead at less than the exemption thresholds. . The owner or operator must also certify that the facility is in compliance with or otherwise exempt from the federal regulations specified in 22.8(1)"e."

d. Facilities which facilitywide spray more than three gallons per day are not eligible to use the permit by rule for spray booths and must apply for a construction permit as required by subrules 22.1(1) and 22.1(3) unless otherwise exempt.

e. Notification letter.

(1) Facilities which claim to be permitted by provisions of this rule must submit to the department a written notification letter, on forms provided by the department, certifying that the facility meets the following conditions:

1. All paint booths and associated equipment are in compliance with the provisions of subrule 22.8(1);

2. All paint booths and associated equipment are in compliance with all applicable requirements including, but not limited to, the allowable particulate emission rate for painting and surface coating operations of 0.01 gr/scf of exhaust gas as specified in 567—subrule 23.4(13); and

3. All paint booths and associated equipment currently are or will be in compliance with or otherwise exempt from the national emissions standards for hazardous air pollutants (NESHAP) for paint stripping and miscellaneous surface coating at area sources (40 CFR Part 63, Subpart HHHHHH) and the NESHAP for metal fabricating and finishing at area sources (40 CFR Part 63, Subpart XXXXXX) by the applicable NESHAP compliance dates.

(2) The certification must be signed by one of the following individuals.

1. For corporations, a principal executive officer of at least the level of vice president, or a responsible official as defined at 567 IAC 22.100(455B).

2. For partnerships, a general partner.

3. For sole proprietorships, the proprietor.

4. For municipal, state, county, or other public facilities, the principal executive officer or the ranking elected official.