



DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
SMALL BUSINESS ENVIRONMENTAL ASSISTANCE PROGRAM  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Ave., 2<sup>nd</sup> Floor, Nashville, TN 37243  
Telephone: 800-734-3619, Email: BGSBEAP@tn.gov

**OPT OUT PETITION FOR MOTOR VEHICLE AND MOBILE EQUIPMENT SURFACE COATING FACILITIES**

National Emission Standards for Hazardous Air Pollutants (NESHAP)

40 CFR 63 Subpart HHHHHH

*Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources*

Motor vehicle and mobile equipment surface coating facilities (i.e. Auto Body Shops) that do not use coatings (including paints and other spray applied coatings) containing target hazardous air pollutants (target HAPs) may petition the Administrator/delegated authority for exemption from 40 CFR 63 Subpart HHHHHH (known as 6H). A target HAP is defined in Section 63.11180 of the rule as 0.1 percent or more by mass of chromium (Cr), Lead (Pb), Nickel (Ni), or Cadmium (Cd) or 1.0 percent by mass or more of Manganese (Mn). Also, this rule affects paint stripping using Methylene Chloride. Please note, if any coating contains a target HAP or if Methylene Chloride is used for paint stripping, the facility is subject to the rule.

Refer to the following list to determine what action a facility needs to take:

1. Automobile body shops not subject to the 6H rule that are not located in Davidson, Rutherford, Sumner, Williamson, or Wilson Counties are currently considered exempt from needing to apply for and obtain an air pollution control permit. Complete the Opt Out Petition.
2. Automobile body shops not subject to 6H that are located in Davidson, Rutherford, Sumner, Williamson, or Wilson Counties are currently considered exempt from needing to apply for and obtain an air pollution control permit if they do not emit greater than 15 pounds of volatile organic compounds per day. Complete the Opt Out Petition.
3. Automobile body shops subject to 6H that are not located in Davidson, Rutherford, Sumner, Williamson, or Wilson Counties, submit a [Notice of Intent for Permit-by-Rule](#).
4. Automobile body shops subject to 6H that are located in Davidson, Rutherford, Sumner, Williamson, or Wilson Counties and emit less than 15 pounds of volatile organic compounds per day, should submit a [Notice of Intent for Permit-by-Rule](#).
5. Automobile body shops located in Davidson, Rutherford, Sumner, Williamson, or Wilson Counties that emit greater than 15 pounds of volatile organic compounds per day should submit a [standard permit application](#).

Facility Name:

Facility Physical Location:  
(Address where records kept)

Facility Mailing Address  
(if different)

To be 6H Compliant, you must validate that no spray applied coating contains 0.1 percent or more by mass of chromium (Cr), Lead (Pb), Nickel (Ni), or Cadmium (Cd) and that no spray applied coating contains 1.0 percent or more by mass of Manganese (Mn). Please submit the following documentation to support the certification statement below:

A written description of the coatings that are spray applied at the facility, including the specific percentage of each chemical contained in the coating, or

Safety Data Sheet (SDS), Environmental Data Sheet (EDS), or similar that documents the coating composition and demonstrates that the coating does not contain any target HAPs.

I certify that the listed facility does not spray apply a coating that is subject to the 40 CFR 63 Subpart HHHHHH rule. I petition for an exemption from this subpart. In the event the facility begins use of a target HAP as defined by the rule, an Initial Notice and a [Notice of Intent for Permit-by-Rule](#) will be submitted to the delegated authority.

Signature Owner/Responsible Official	Date
Phone Number	E-mail Address

Keep a copy of the petition for your records and send a copy to the **two** addresses below:

Tennessee Department of Environment and Conservation Division of Air Pollution Control Email to <a href="mailto:Air.Pollution.Control@tn.gov">Air.Pollution.Control@tn.gov</a> ATTN: Surface Coating Contact	EPA Region IV Air and Radiation Division 61 Forsyth St, SW Atlanta, Georgia 30303-8960
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