

CODE OF MASSACHUSETTS REGULATIONS

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 7.00: AIR POLLUTION CONTROL

Section:

7.18, § 28: U Volatile and Halogenated Organic Compounds: Automotive Refinishing

7.18: U Volatile and Halogenated Organic Compounds

(28) Automotive Refinishing.

- (a) Applicability. 310 CMR 7.18(28) applies to any person who sells, offers for sale, or manufactures automotive refinishing coatings for sale in Massachusetts, or who owns, leases, operates or controls an automotive refinishing facility.
- (b) Reasonably Available Control Technology (RACT) Requirements.
 - 1. On or after August 1, 1995, no person subject to 310 CMR 7.18(28)(a) who manufactures automotive refinishing coatings, shall manufacture automotive refinishing coatings for sale in Massachusetts which, when prepared for use according to the manufacturer's instructions, contain VOC in excess of the limitations set forth in 310 CMR 7.18(28)(c).
 - 2. On or after August 1, 1995, no person subject to 310 CMR 7.18(28)(a) who manufactures automotive refinishing coatings, shall manufacture automotive refinishing coating for sale in Massachusetts unless the person complies with 310 CMR 7.18(28)(d) and (k).
 - 3. No person shall sell or offer for sale any automotive refinishing coating manufactured after August 1, 1995, unless the coating satisfies the VOC limitations and labeling requirements specified in 310 CMR 7.18(28)(c) and (d), respectively.
 - 4. On or after August 1, 1995, no person who owns, leases, operates, or controls an automotive refinishing facility shall refinish a vehicle or any part thereof unless the person complies with the standards set forth in 310 CMR 7.18(28)(e) through (h), and any coatings used, which are manufactured after August 1, 1995, satisfy the requirements specified in 310 CMR 7.18(28)(c) and (d).
- (c) RACT Emission Limits. No person subject to 310 CMR 7.18(28)(a) shall manufacture for sale in Massachusetts, sell, offer for sale, or apply coatings in Massachusetts which exceed the VOC emission limitations in Table 7.18(28)(c), expressed as pounds of VOC per gallon of coating and grams of VOC per liter of coating, excluding water and exempt solvents. If a coating requires the addition of a reducer, hardener, or other additive, in some combination, the manufacturer's recommended amount(s) of reducer, hardener, or other additive added must not cause the coating, as applied, to exceed the applicable VOC limitation.

TABLE 7.18(28)(c)

RACT Emission Limitations for Automotive Refinishing Products

COATING TYPE:	VOC EMISSION LIMITATION	
	<u>grams/liter</u>	<u>lbs/gal</u>
Pretreatment Wash Primer	780	6.5
Primer/Primer Surfacer	575	4.8
Primer Sealer	550	4.6
Topcoat	600	5.0
Three or Four-Stage Topcoat	620	5.2
Specialty Coating	840	7.0

- (d) Labeling Requirements. No person subject to 310 CMR 7.18(28)(a) shall manufacture for sale in Massachusetts, sell, offer for sale, or apply automotive refinishing coatings manufactured after August 1, 1995 in Massachusetts unless:
1. the containers for all subject automotive refinishing coatings display the month and year on which the contents were manufactured, or a batch number or code which indicates whether the contents were manufactured after August 1, 1995. The manufacturer shall supply an explanation of each code to the Department by August 1, 1995, and thereafter, 30 days before the use of any new code; and
 2. the manufacturer provides written instructions for the preparation of all subject automotive refinishing coatings on containers, packaging, or in accompanying literature which includes, but is not limited to, data sheets and wall charts.
- (e) Alternative Control Requirements. The emission limitations in 310 CMR 7.18(28)(c) shall not apply to any person who owns, leases, operates, or controls an automotive refinishing facility who installs and operates an emissions control system which has received written approval after submitting an emission control plan pursuant to 310 CMR 7.18(20). No such approval shall be issued unless the VOC emissions from coating use at such facility are determined to be less than or equal to those limits specified in Table 7.18(28)(c).
- (f) Good Housekeeping Requirements. In order to minimize solvent evaporation, any person subject to 310 CMR 7.18(28)(a), who owns, leases, operates, or controls an automotive refinishing facility shall:
1. use a surface preparation product containing less than or equal to 1.7 pounds of VOC per gallon of product as applied, including water; and,
 2. ensure that rags used during surface preparation or other solvent cleaning operations, fresh and spent solvent, coatings, and sludge are stored in tightly closed containers and are disposed of or recycled properly.
- (g) Equipment Requirements. Any person who is subject to 310 CMR 7.18(28)(a), who owns, leases, operates, or controls an automotive refinishing facility shall comply with the following requirements in addition to 310 CMR 7.18(28)(c) through (f).
1. Coatings must be applied using one of the following methods:
 - a. High Volume Low Pressure (HVLP) spray equipment, operated and maintained in accordance with the manufacturer's recommendations;
 - b. Electrostatic application equipment, operated and maintained in accordance with the manufacturer's recommendations;

- c. Any other coating application method approved by the Department in writing.
2. Spray guns must be cleaned in a device that:
 - a. minimizes solvent evaporation during the cleaning, rinsing, and draining operations;
 - b. recirculates solvent during the cleaning operation so that the solvent is reused; and,
 - c. collects spent solvent so that it is available for proper disposal or recycling.
- (h) Training Requirements. Any person who owns, leases, operates, or controls an automotive refinishing facility shall ensure that, on and after November 1, 1995, all spray equipment operators have received training and instruction in the proper operation and maintenance of the spray equipment and spray equipment cleaning device.
- (i) Prohibition of Specification. A person shall not solicit or require for use or specify the application of a coating on a vehicle, or part thereof, if such use or application results in a violation of the provisions of 310 CMR 7.00. The prohibition of 310 CMR 7.18 shall apply to all written or oral contracts under the terms of which any coating which is subject to the provisions of 310 CMR 7.00 is to be applied to any automotive or part thereof within Massachusetts.
- (j) Continuous Compliance. Any person subject to 310 CMR 7.18(28)(a) shall maintain continuous compliance at all times with applicable sections. Compliance averaging times will be met in accordance with the requirements of 310 CMR 7.18(2)(a).
- (k) Compliance Certification Requirements. Each manufacturer of automotive refinishing coatings subject to 310 CMR 7.18(28)(a) shall submit to the Department by August 1, 1995, and biennially thereafter, or when requested in writing by the Department, a document which certifies that each coating is in compliance with 310 CMR 7.00. The document shall include, at a minimum for each surface preparation product or coating to be manufactured after August 1, 1995, the following:
 1. Signature of the responsible official and the name and title of the designated contact person;
 2. Maximum VOC content, including water, of surface preparation products;
 3. Coating brand name and category;
 4. Coating mixing instructions as stated on the container or in literature supplied with the coating;
 5. Maximum VOC content of the coating after mixing according to manufacturer's instructions;
 6. Any other requirements specified by the Department.
- (l) Testing Requirements. Any person subject to 310 CMR 7.18(28)(a) shall, upon request of the Department, perform or have performed tests to demonstrate compliance with 310 CMR 7.18(28). Testing shall be conducted in accordance with EPA Method 24 and/or Method 25 as described in CFR Title 40 Part 60, or by other methods approved by the Department and EPA.
- (m) Good Neighbor Requirements. Any person subject to 310 CMR 7.18(28)(a) who owns, leases, operates, or controls an automotive refinishing facility shall prevent emissions of particulates or odors to the ambient air which create a nuisance or condition of air pollution.
- (n) The provisions of 310 CMR 7.18(28)(l) are subject to the enforcement provisions specified in 310 CMR 7.52.

REGULATORY AUTHORITY

310 CMR 7.00: M.G.L. c. 111, § 142A through J.