STATE OF CONNECTICUT
Regulation of Environmental Protection

Section 22a-174-3b. Exemptions from permitting for construction and operation of * * *[1] automotive refinishing operations * * *.

(a) Definitions. For the purposes of this section:

(1) * * *

(2) "Automobile" means a passenger car, van, motorcycle, truck or any other motorized vehicle for transportation;

(3) "Automotive refinishing operation" means the processes performed to apply a new surface to the pre-existing coat or paint on an automobile or automotive component, including but not limited to surface preparation, primer application, topcoat application and applicator cleaning;

(4) "Electrostatic application" means the application of charged atomized paint droplets by electrostatic attraction;

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(6) * * *

(7) "Existing stationary source" means a stationary source for which a permit to control emissions to the air has been issued by the Department.

(8) * * *

(9) "Hazardous air pollutant" means, notwithstanding the definition in section 22a-174-1 of the Regulations of Connecticut State Agencies, any air pollutant listed in Section 112(b) of the Act, excluding hydrogen sulfide and caprolactum;

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[1] Portions of the state regulation, which were not approved by EPA into the Connecticut SIP, are represented by * * *, and do not appear in the EPA-approved version of the regulation.

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(13) “Pre-existing coat or paint” means a surface covering or coating applied to an automobile or automotive component at an automotive manufacturing facility;

(14) “Spray booth” means a building, a room within a building or a partitioned area within a room housing automatic or manual spray application equipment, that is used to apply coatings;

(15) * * *

(16) * * *

(18) “Twelve (12) month rolling aggregate” means the sum of the total fuel use, actual emissions, coating use, solvent use or actual operating time calculated for each month by adding the current month’s fuel use, actual emissions, coating use, solvent use or actual operating time to those of the previous eleven months.

(b) Applicability.

(1) The owner or operator of a stationary source that is * * * an automotive refinishing operation * * * may construct and operate such source without obtaining a general permit for such source issued pursuant to section 22a-174(1) of the Connecticut General Statutes or a permit pursuant to section 22a-174-3a of the Regulations of Connecticut State Agencies if:

(A) The source is an emission unit with potential emissions of fifteen (15) tons or more per year of any individual air pollutant;

(B) The source is not a new major stationary source;

(C) The source is not a newly constructed or reconstructed major source of hazardous air pollutants subject to the requirements of section 22a-174-3a(m) of the Regulations of Connecticut State Agencies; and

(D) The owner or operator complies with all applicable provisions of this section.

(2) The owner or operator of an existing stationary source that is * * * an automotive refinishing operation * * * may modify such source without obtaining

a general permit for such source issued pursuant to section 22a-174(1) of the Connecticut General Statutes or a permit pursuant to section 22a-174-3a of the Regulations of Connecticut State Agencies if:

(A) The source is a modification to an existing emission unit which increases potential emissions of any individual air pollutant from such unit by fifteen (15) tons or more per year;

(B) At the time of modification, the source is not authorized to operate pursuant to an individual permit issued pursuant to section 22a-174-3a or former section 22a- 174-3 of the Regulations of Connecticut State Agencies;

(C) The modification is not a major modification to an existing major stationary source; and

(D) The owner or operator complies with all applicable provisions of this section.

(3) The requirements of this section do not apply to those sources operating in compliance with section 22a-174-3c of the Regulations of Connecticut State Agencies.

(c) * * *

(d) Automotive refinishing operation.

(1) The owner or operator of an automotive refinishing operation shall properly maintain equipment and perform such operation in accordance with the following requirements:

(A) The total amount of VOC-containing coatings or solvents used shall not exceed 2,000 gallons in any twelve (12) month rolling aggregate;

(B) Any paint or coating shall be applied by one of the following means:

(i) high volume low pressure spray equipment,

(ii) electrostatic application equipment, or

(iii) any other application method that has a manufacturer's guaranteed transfer efficiency of at least sixty-five percent (65%);

(C) Any application equipment used shall be cleaned using one of the following means:

(i) in a device that remains closed at all times when not in use,

(ii) in a system that discharges unatomized cleaning solvent into a waste container that remains closed when not in use,

(iii) in a vat that allows for disassembly and cleaning of application equipment and that is kept closed when not in use, or

(iv) in a system that atomizes spray into a paint waste container that is fitted with a device designed to capture atomized solvent emissions;

(D) Spray operation shall be performed in an enclosed area; and

(E) If a spray booth is used, such booth shall contain particle control equipment that is operated and maintained in good working condition at all times the booth is in use.

(2) The owner or operator of an automotive refinishing operation shall maintain records of the information necessary for the commissioner to determine compliance with the requirements of subdivision (1) of this subsection. Information sufficient to make such determinations may include the information specified in subdivision (3) of this subsection. All records made to determine compliance with the requirements of this section shall be:

(A) Made available to the commissioner to inspect and copy upon request; and

(B) Maintained for five (5) years from the date such record is created.

(3) The owner or operator of an automotive refinishing operation may make and maintain records of the following information:

(A) Records of the amount of coating and solvent used, in gallons, for each month and each twelve (12) month rolling aggregate; and

(B) If a paint or coating is applied by other than the methods specified in subdivision (c)(3)(B)(i) or (c)(3)(B)(ii), a record of the manufacturer's guaranteed transfer efficiency.

(e) * * *

(f) * * *

(g) * * *

(h) * * *

(i) Reporting.

(1) The owner or operator of any source required to make and maintain records pursuant to this section shall provide any such records, or a copy thereof, to the commissioner upon request and shall make such records available to the commissioner to inspect at the location maintained.

(2) Any record requested pursuant to subdivision (1) of this subsection shall be submitted with a certification in accordance with section 22a-174-2a(a) of the Regulations of Connecticut State Agencies.

(j) Applicable law. Nothing in this section shall relieve an owner or operator from any obligation to comply with:

(1) The requirements of 40 CFR 63, Subpart B as implemented in section 22a-174-3a(m) of the Regulations of Connecticut State Agencies; and

(2) Any other applicable federal, state or local law.

(k) Application for individual permits.

(1) Nothing in this section shall preclude the commissioner from requiring an owner or operator to obtain an individual permit pursuant to section 22a-174-3a of the Regulations of Connecticut State Agencies.

(2) Nothing in this section shall preclude an owner or operator from applying for an individual permit pursuant to section 22a-174-3a of the Regulations of Connecticut State Agencies, if applicable.

(3) An owner or operator who has filed an application for an individual permit pursuant to subdivision (1) of this subsection shall comply with the requirements of this section while such application is pending.