



# Press Release

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## FOR IMMEDIATE RELEASE

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## EPA Federal Office Response to SCRS Letter on 6H Rule

*Prosser, Washington, October 6, 2011* — On April 4<sup>th</sup>, 2011, the Society of Collision Repair Specialists (SCRS) and 26 of its Affiliate Associations issued a letter to the ten Environmental Protection Agency (EPA, Agency) regional offices, requesting clarification on their interpretation and intended enforcement of exemptions listed in the EPA rule Subpart HHHHHH- National Emissions Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (Rule 6H.)

In addition to expressed concern that the rule as written “invalidates pollution controls based solely on the size of tool being used rather than the amount of pollution being generated,” the letter specifically requested a response from the EPA on three items:

1. A documented response regarding the exemption for coatings applied with a paint cup equal to or less than 3 fluid oz., and clarification that the rule applies to the type of work being performed.
2. A documented response that a 3 fluid oz. cup cannot be used and repeatedly filled to circumvent the rule.
3. Clarification that while a business applying coatings may be exempt from Rule 6H by meeting certain stated requirements, the exemption does not negate other additional regulatory requirements (such as OSHA, local zoning codes or fire ordinances) that may prohibit spraying flammable solvent or coatings with Hazardous Air Pollutants (HAPs) outside of a contained environment.

In a response letter received by SCRS and issued by the EPA Air Branch, Monitoring, Assistance and Media Programs Division, it was clarified that the 3oz cup was indeed defined by the Agency as a way to distinguish conventional collision and vehicle repair from “operations that perform vehicle repairs of small stone chips and scratches.” The letter continues to point out that both “mobile operations and conventional collision repair shops are subject to the rule requirements for training, spray equipment, and the use of a spray booth or other ventilated and filtered enclosures,” and that while “the 6H rule does not extend to spray-applied coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces, the Agency may find that persons who repeatedly refill and use a three ounce cup, as a means of avoiding rule applicability, are attempting to circumvent the 6H rule...and reserves the right to bring enforcement actions against any person whose action equates to rule circumvention.”

“We are pleased that the EPA has responded with a clear and concise message that collision repairers and mobile operators alike will be held to the same regulatory requirements as it relates to the 6H Rule,” stated SCRS Chairman Aaron Clark. “In their response, the EPA Office has made it clear that much of the rule enforcement is based on intent. In some cases the use of the 3.0 ounce cup may be a necessity of the job being performed, but it is clear to us that the EPA offices will not accept intentional circumvention of the rule by habitually “fragmenting paint jobs into smaller tasks” or “refilling 3.0 ounce cups in an effort to avoid regulation.” This is the basic clarification we were looking for, and anticipate that this will provide solid information for shops.”

One additional point of clarification offered by the EPA letter confirmed that “the 6H rule does not negate other regulatory requirements (such as federal or local occupational health and safety requirements, local zoning codes, or fire ordinances) that may prohibit or restrict spraying flammable solvents or coatings containing HAPs within or outside of a contained environment.”

To view the [full letter](#) provided to the ten EPA regional offices and the [EPA official response](#) follow these links.

**About SCRS:** Through its direct members and 38 affiliate associations, SCRS is comprised of 6,000 collision repair businesses and 58,500 specialized professionals who work with consumers and insurance companies to repair collision-damaged vehicles. Additional information about SCRS including other news releases is available at the SCRS Web site: [www.scrs.com](http://www.scrs.com). You can e-mail SCRS at the following address: [info@scrs.com](mailto:info@scrs.com).

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