

## FACT SHEET – AIR QUALITY REQUIREMENTS FOR AUTOBODY SHOPS

Autobody shops in Colorado are subject to a variety of air, waste, and water regulations. This fact sheet provides an overview of air quality requirements and includes recent changes in reporting and permitting requirements for the Denver-metropolitan and North Front Range areas. For more detailed information on other environmental requirements, go to [www.cdphe.state.co.us/stationarylibrary.html](http://www.cdphe.state.co.us/stationarylibrary.html).

### ➤ Recent Actions

On November 20, 2007, the Denver-metropolitan and North Front Range areas were designated as “Nonattainment” for ozone as the result of a violation of the federal standard in the summer of 2007. The Colorado Air Pollution Control Division (APCD) and other regional stakeholders are working on new plans to help lower ground-level ozone concentrations and ensure compliance with the federal health-based standards for ozone.

### ➤ 8-Hour Ozone Nonattainment Area

**Colorado’s 8-Hour Ozone Nonattainment Area  
Includes:**

The counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, and portions of Larimer, & Weld.

A map of the 8-hour Ozone Area is available on the APCD website at [www.cdphe.state.co.us/ap/ozone.html](http://www.cdphe.state.co.us/ap/ozone.html).

### ➤ Volatile Organic Compounds

Ground level ozone is formed when hydrocarbons or volatile organic compounds (VOCs) and oxides of nitrogen (NOx) chemically react in the presence of sunlight and warm temperatures to form smog. High levels of ozone can be detrimental to human health and the environment. Paints, coatings, thinners, and cleaning solvents used in your autobody shop can evaporate into the outside air and contribute to the formation of smog. If your shop is in the 8-hour ozone nonattainment area, more stringent reporting and permitting requirements will apply (for VOCs and NOx as ozone precursors) and you may need to file an Air Pollutant Emission Notice and report to the APCD even if you have not had to do so before. Table 1 lists attainment and nonattainment area reporting thresholds.

### ➤ Hazardous Air Pollutants

Hazardous Air Pollutants (HAPs) are chemicals that have been included on the EPA’s list of 188 chemicals that can have detrimental effects on humans and the environment. HAPs may be reportable. The HAP list and method for identifying HAP reporting levels is available online at [www.cdphe.state.co.us/ap/regoverview.html](http://www.cdphe.state.co.us/ap/regoverview.html). These procedures allow you to select reporting levels based on the scenario (release points and property boundaries) that best fits your operations. Most autobody shops use Scenario 1 to determine reporting levels since it is the most conservative. If your shop emits a HAP (pounds per year) that equals or exceeds the de minimis reporting level listed in Appendix A, you must submit the form titled, “APEN Addendum for Non-Criteria Reportable Pollutants” along with the APEN form and application fee.

### ❑ Calculating VOC and HAP Emissions

It is important for you to evaluate your facility’s emissions of VOCs and HAPs. Your actual uncontrolled VOC and HAP emissions will determine what Colorado air regulations will apply to your facility. The guidance document, “A Simple Guide to Calculating and Reporting your VOCs and HAPs” provides an overview of this process. This document is available online at [www.cdphe.state.co.us/ap/stationarylibrary.html](http://www.cdphe.state.co.us/ap/stationarylibrary.html).

### ❑ Air Pollutant Emission Notices (APENs)

All autobody shops that are or will be emitting VOCs at or above reporting levels listed in Table 1 are required to submit an Air Pollutant Emission Notice (APEN) to the APCD. The form is titled, “Spray Paint Operations – Specialty APEN” and is available through the APCD and online at [www.cdphe.state.co.us/ap/downloadforms.html](http://www.cdphe.state.co.us/ap/downloadforms.html). Sources emitting VOCs and NOx (precursors to ozone formation) in nonattainment areas will be required to follow the more conservative reporting levels. Contact the APCD if you have already obtained an APEN exemption and your emissions now exceed the reportable levels listed in Table 1.

**Table 1  
APEN Reporting Thresholds**

	Attainment (Ton per year)	Nonattainment (Ton per year)
Criteria Pollutants (NOx, VOC, Ozone)	2 (~500 gallons)	1 (~280 gallons)
Other Criteria Pollutants (CO, SOx, PM, PM-10, etc.)	2	1
Non-Criteria Pollutant (HAPs & other reportable pollutants)	de minimis level (Reg. 3, Appendix A)	de minimis level (Reg. 3, Appendix A)

Note: the number of gallons in Table 1 is based on an average density of 7.0 pounds per gallon of VOC (ozone precursor).

Once submitted, the APEN is valid for five years. A fully completed APEN form must be submitted to the APCD at least 30 days prior to expiration of the five-year term on the current APEN.

If you change equipment (e.g., a paint booth or drying oven), process, ownership or emissions, you will be required to file a revised APEN; this includes emissions control equipment. For more information, contact the Small Business Assistance Program.

### ❑ Air Permits

All autobody shops must submit an APEN form and obtain an air permit if VOC emissions are equal to or greater than reporting levels listed in Table 2. Contact the APCD if you have received an exemption from air permit requirements and your emissions now exceed the reportable levels listed in Table 2.

**Table 2  
AIR PERMIT Reporting Thresholds**

	Attainment (Ton per year)	Nonattainment (Ton per year)
Criteria Pollutants (NOx, VOC, Ozone)	5	2
Other Criteria Pollutants (CO, SOx, PM, PM-10, etc.)	5	2

In Colorado, air permits are issued in two phases:

1. **Initial Approval**
2. **Final Approval**

An **Initial Approval** air permit allows the source to be constructed and begin operation. The Initial approval air permit gives you a chance to review the permit conditions and make certain they are feasible for your business and you can comply with them.

A **Final Approval** air permit is issued after the owner self-certifies compliance with the conditions of the Initial approval air permit and pays the initial approval air permit fees. You must submit the final approval self-certification form to the APCD within six months (180 days) of start up of operations or within six months of the date the initial approval permit was issued. The final approval air permit will not be issued until the final approval processing fees have been paid. The final approval air permit is valid for the life of the equipment. In the event of a change of ownership or equipment, a revised APEN form must be filed.

Your air permit defines the type of air pollution control measures that will be used, sets air pollutant emission limits (such as VOC and HAP emission limits), includes recordkeeping requirements, and requires you to mark the air permit number on each piece of equipment subject to the air permit. Take the time to review your air permit and be familiar with your regulatory requirements.

#### ➤ **Regulation No. 7 Requirements**

Colorado Regulation No. 7 limits VOC emissions from all businesses in Colorado. Regulation No. 7 requires businesses in nonattainment areas to reduce VOC emissions using Reasonably Available Control Technology (RACT). These requirements may include using low VOC or high performance coatings, High Volume Low Pressure (HVLP) spray guns, or other technology that will achieve a high degree of emission control for your operations. RACT should be included with your APEN submission. RACT requirements will be included in your air permit. A RACT Analysis may include the following information:

1. Actual (uncontrolled) and Requested (considering growth) VOC emissions (tons per year).
2. Types of controls (e.g., use of low VOC products, high transfer efficiency equipment such as HVLP or air-assisted airless spray guns, carbon filters, or a thermal oxidizer).
3. Cost of controls – ranked on a cost per ton basis.

#### ➤ **Federal Standards for Surface Coating**

In addition to state regulations, most autobody shops are now subject to the new federal standard for surface coating called, "National Emission Standard for Painting Stripping and Miscellaneous Surface Coating Operations at Area Sources" (40 CFR Part 63, Subpart HHHHHH). The final rule was posted in the federal register on January 9, 2008. A copy of the final rule is available online at [www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.htm](http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.htm). A fact sheet that outlines the final rule requirements is available online at [www.cdphe.state.co.us/ap/stationarylibrary.html](http://www.cdphe.state.co.us/ap/stationarylibrary.html). EPA has delegation over this rule until it is determined whether the State of Colorado will adopt and enforce it. The federal

requirements in the rule will not be included as a condition in your air permit, if applicable, at this time.

#### ➤ **Recordkeeping Requirements**

Your shop may be required to maintain air emission records for VOCs and HAPs and/or other air pollutants as specified in your air permit. These records must be available for inspection upon request. You should maintain a copy of the most recent APEN, APEN fee, air permit, air emissions calculations, RACT determinations, and other documentation as required by your air permit. The air permit number must be permanently affixed on each piece of equipment subject to the air permit, including control equipment.

#### □ **Air Emission and Permitting Fees**

**APEN Fee:** A \$152.90 filing fee is required for each APEN submitted, this includes APENs submitted for administrative changes (e.g., change in ownership or change in location). The APEN fee is subject to change by the legislature on an annual basis.

**Annual Fee:** All sources required to file an APEN must pay annual fees based on their estimated actual uncontrolled annual emissions of air pollutants (not your air permit limits). An annual fee is assessed of \$22.90 per ton of VOC emitted and \$152.90 per ton of non-criteria (HAP) emitted. The Division mails invoices to small businesses for these fees in March through June of each year (fees due are for the previous years air emissions). Fees are subject to change by the legislature on an annual basis. For current information on fees and fee schedules, visit [www.cdphe.state.co.us/ap/ln-s.html#annfee](http://www.cdphe.state.co.us/ap/ln-s.html#annfee).

**Permit Processing Fee:** In addition to the \$152.90 APEN filing fee, permit-processing fees are assessed at an hourly rate of \$76.45/hour.

If you will no longer be operating your paint booth or surface coatings operations, please submit a cancellation form to the APCD or a letter on company letterhead requesting that the APEN or air permit be cancelled.

If you are selling your shop, you may transfer the current air permit to the new owner. A new APEN form and application fee must be filed for a transfer of ownership. Proof of the transfer of ownership will be required (e.g., a copy of a bill of sale or the previous owner's signature on the construction permit application form).

#### ➤ **Questions**

Contact the Small Business Assistance Program (SBAP) at (303) 692-3175 or 3148 or visit our website at [www.cdphe.state.co.us/ap/sbap/index.html](http://www.cdphe.state.co.us/ap/sbap/index.html).

