

# Petition for Exemption Issues



- Dialogue began several months ago between Georgia SBEAP and EPA Regions 1 and 4 on what a Petition for Exemption should include
- Georgia SBEAP developed a draft Petition form, and comments were made by EPA regions
- EPA HQ has received several written requests for exemptions, and they are determining how best to handle these.
- EPA HQ is to provide feedback to Georgia SBEAP on the exemption process, to help in finalizing the Petition for Exemption form

# Several Issues:



1. What information does the facility need to provide (if any) to demonstrate that the coatings in use don't contain target HAPs?
  - MSDS sheets are the most reasonable source of information for shops to determine this. Not sure if EPA wants this information

# Several Issues:



2. According to the Rule, the threshold concentrations for determining the presence of a target HAP differs for carcinogenic compounds vs. non carcinogens
  - So the issue is more than just determining a presence or absence of a target HAP, but must consider its concentration
  - Less than 1% by weight for non carcinogens
  - Less than 0.1% by wt. for carcinogens
  - Good news is that MSDS sheets follow the >1% and >0.1% protocol for listing hazardous substances.

## Several Issues:



3. Confusion with determining which HAPs are carcinogens and what reference lists to use.
  - Chromium +3 - non carcinogenic
  - Hexavalent Cr – is carcinogenic
  
  - And issue of suspected vs. possible vs. known carcinogens

## Several Issues:



4. The form should require that the owner identify the location of records (MSDS sheets or other chemical formulation data.)
5. Will EPA send anything back to the owner in writing stating that the facility is exempt?

# Resolution Soon to Come:



Hopefully, these issues will be resolved/clarified within the next few weeks following input from EPA HQ.

Georgia SBEAP will make available the draft form

We would like to know what other states have done with this form

# Georgia SBEAP Contact Information



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