



## Frequently Asked Questions (FAQs)

### Automobile Refinishing Rule

326 IAC 8-10

The following FAQs are designed to provide useful information to owners and operators of automobile refinishing operations, retailers and store owners, employers and hobbyists, and others who are affected by or interested in requirements under the Automobile Refinishing Rule, found under the Indiana Administrative Code at 326 IAC 8-10.

#### **Applicability:**

**Question:** Why was the applicability of this rule expanded from four counties to statewide?

**Answer:** All regions of Indiana face a challenge in attaining the federal air quality standard for ozone set by the U.S. Environmental Protection Agency. Volatile organic compounds (VOCs) contained in many paints and solvents contribute to the formation of ozone. Ozone is most likely to form in the summer from a chemical reaction between VOCs and nitrogen oxides, another regulated air pollutant that takes place when temperatures are hot and the sun is bright. The use of low-VOC paint coatings will prevent the formation of ground level ozone pollution and help maintain good air quality. The expansion of 326 IAC 8-10 from four counties to statewide, along with other pollution-reducing activities, will help decrease emissions of VOCs from automobile refinishing operations in all regions of the state.

**Question:** I rebuild cars as a hobby. Part of that rebuilding may include body work--including painting. Must I comply with 326 IAC 8-10?

**Answer:** No, unless you refinish more than three (3) motor vehicles per calendar year. However, the rule exempts application of aerosol coating products, graphic design, and touch-up coating applications.

Question: I own and operate an auto parts store. May I stock noncompliant coating products for sale to customers who perform refinishing activities but who paint three (3) or fewer motor vehicles per year?

Answer: Yes. You may stock noncompliant coating products, but you must implement procedures to ensure that those noncompliant coatings are not sold to anyone who will paint more than three (3) motor vehicles per year. Furthermore, you must be prepared to prove that the aforementioned sales were for use by someone coating three (3) or fewer motor vehicles per year.

Question: Does 326 IAC 8-10 place restrictions on the sale of paint thinner?

Answer: No. Paint thinner is not a refinishing coating or product and is not affected by 326 IAC 8-10.

Question: Does 326 IAC 8-10 apply to any use of automotive paints such as in manufacturing?

Answer: No. The rule applies only to persons who apply coating products subsequent to the original coating. Manufacturing facilities have different (and usually more stringent) VOC limits.

## **Training:**

Question: May I train my own employees or should I use a third party?

Answer: Rule 326 IAC 8-10 requires the owner or operator of a refinishing facility to “develop a written training program.” The rule specifically allows the use of the manufacturer or of a supplier in the training. So, you may train your employees yourself, you may use staff from the manufacturer or the supplier, or you may use another training provider.

Question: What topics should I cover in the training program?

Answer: Rule 326 IAC 8-10 specifically lays out the topics that must be included during the training in section 5 (d). You should cover, at a minimum, the following:

- Identification of appropriate coatings or surface preparation products,
- Preparation of coatings or surface preparation products according to coating manufacturer, distributor, or owner/operator’s recommendations,

- Application of coatings or surface preparation products or organic solvents using techniques that minimize their use,
- Operation and maintenance of spray gun cleaning equipment to minimize evaporation of organic solvents to the atmosphere,
- Work practice standards in section 5 (c), and
- Procedures to gather, record, monitor, and report data in accordance with section 9.

Question: How often must I conduct employee training?

Answer: Rule 326 IAC 8-10-5 (d) requires an initial training and then annual refresher training prior to May 1<sup>st</sup> of each year.

Question: How do I document that I have conducted the training?

Answer: Rule 326 IAC 8-10-5 (d) requires that the owner/operator keep the following records of the training program:

- The date training was completed,
- A list of persons, by name and activity and the topics in which they have been trained, and
- A statement signed by the trainer certifying each trainee who has satisfactorily completed training.

Question: Some have said that 326 IAC 8-10 does not require hands-on training? Is this true?

Answer: No. Rule 326 IAC 8-10-5 (d) (1) specifically states that the training program must consist of written procedures and hands-on demonstration.

## **Recordkeeping:**

Question: In 326 IAC 8-10-9 (a), must I record the information in subsection 2 (manufacturer's name and identification number, substrate, and VOC content) for each job identified in subsection 1 (batch identification, batch manufacture date, coating category, manufacturer's name and identification number, quantity of coating used and the mix ratio, and the VOC content)?

Answer: Rule 326 IAC 8-10 does not require per job recordkeeping. However, IDEM encourages shops to keep the information in subsection 2 for each job simply for the sake of eliminating

confusion. IDEM understands that many auto refinishers already keep records on a per job basis.

Question: I supply coatings to refinishers in Indiana. Rule 326 IAC 8-10-6 (b) (5) requires a signature of a person purchasing the product. Does this require a signature for **each** shipment, or will a signature on file with their contract suffice?

Answer: Rule 326 IAC 8-10 requires a purchaser signature for **each** shipment. One may comply with this requirement by obtaining a copy of the signed bill of lading or through separate documentation.

Question: Rule 326 IAC 8-10-6 (a) (2) requires the manufacturer to list the date of manufacture. Will listing the Lot Number suffice since that number can be traced back to the manufacture date?

Answer: Yes. IDEM considers the listing of Lot Numbers as satisfactory for this rule provision.

Question: Rule 326 IAC 8-10-6 (a) (4) requires the listing of VOC content in grams per liter and pounds per gallon. Must I calculate both figures or will listing the appropriate figures for the type of container suffice?

Answer: Conversions are not necessary. For U.S. containers, list pounds per gallon; for metric containers, use grams per liter.

Question: As a supplier, must I keep records of the amount of reducer I sell?

Answer: No. Since 326 IAC 8-10 does not define reducer as a coating or surface preparation product, the recordkeeping requirements do not apply. The responsibility to record reducer usage rests with the refinisher.

Question: As a store owner, my question concerns the requirement that I give the refinisher a record of the VOC content data (as packaged or as supplied) for products purchased in my store. What methods should I use to comply with 326 IAC 8-10-6 (b) (4)? Most of my customers use established accounts. May I give the refinisher a copy of the manufacturer's VOC content data sheets that list all compliant coating products instead of providing individual product VOC content data for each and every sale?

Answer: IDEM prefers that you document the VOC content of coating products at the time of sale. However, for account customers, you may provide the customer this information one time at the point of sale and refer to that document for subsequent sales or shipments until such time that the VOC content changes. The refinisher must maintain this record for verification by IDEM staff when needed.

Question: Regarding the compliance certification statement required by 326 IAC 8-10-6 (c), what information should I submit? Where shall I mail the statement?

Answer: Rule 326 IAC 8-10-6 (c) simply requires the submission of a statement signed by a responsible official certifying that the facility has acquired and will continuously employ coatings or surface preparation products meeting the VOC limits of section 4 (a) of this rule. No other information is required. However, IDEM requests that you include other basic information such as facility name, address, telephone number, and e-mail address.

The statement may be mailed to:

Compliance and Enforcement Branch  
Office of Air Quality  
Indiana Department of Environmental Management  
100 North Senate Avenue  
IGCN Room 1003  
Indianapolis, Indiana 46204-2251

Question: Must I submit my training records to IDEM?

Answer: No. You must only submit the aforementioned compliance certification statement.

Question: Rule 326 IAC 8-10-9 (c) requires the maintenance of all records for a minimum of three years. Do I need to physically keep my records on site, or may I send the records to the inspector after I retrieve them from off-site storage?

Answer: Your records must be available for the inspector at the time of the visit. The inspector will make reasonable accommodations should your shop possess an unusually large volume of old records. Recent records should be on site and readily available or accessible.

## Miscellaneous:

Question: Must I own and use a spray booth when painting to comply with the refinishing rule?

Answer: Rule 326 IAC 8-10 does not require the use of a spray booth to determine compliance.

Question: If I use a spray booth, may I use non-compliant coatings?

Answer: No. A spray booth alone does not eliminate or control VOCs.

Question: After I clean a spray gun, even if using an enclosed spray gun cleaner, I must check the spray pattern to ensure that I have removed all dirt from the nozzle. How can I check the cleanness of the gun and still comply with 326 IAC 8-10-5 (c) (5) that prohibits direct spraying of solvents into the atmosphere?

Answer: One may check the spray pattern by spraying solvent into a closeable container or back into the gun washer. The act of spraying into the air – thereby allowing the evaporation of the solvent – is prohibited by 326 IAC 8-10.

Question: May I use non-HVLP spray guns to apply “slime” (a masking aid)?

Answer: Yes. Remember, though, that 326 IAC 8-10 requires the use of an HVLP gun for all coating operations.

Question: Must an enclosed spray gun cleaner use a lid equipped with a gasket?

Answer: Rule 326 IAC 8-10 does not require the use of a lid with a gasket on enclosed spray gun cleaners. Since gaskets help reduce VOC emissions, IDEM recommends their use.

Question: Gun cleaners exist that do not use lids, but the solvent storage containers remain enclosed. Would such a washer comply with 326 IAC 8-10?

Answer: No. An enclosed gun washer must use a lid that remains closed when not in use.

Question: When I mix paint, sometimes I leave the mixed product in a measuring cup without a lid while I paint. I do so because I may need more paint to finish coating the part. Would doing so comply with 326 IAC 8-10?

Answer: No. Rule 326 IAC 8-10-5 (c) (2) specifically prohibits the aforementioned practice. When painting all containers not actively in use must be kept closed. Active use means the time when one directly mixes the paint. When you walk away from the mixing area to paint, you must place a lid over the paint container to keep the paint from evaporating. Remember, 326 IAC 8-10 seeks to limit the amount of VOCs emitted into the atmosphere. Leaving open containers of paint to evaporate defeats the rule's purpose.