



Rachel Carson State Office Building

P.O. Box 8468

Harrisburg, PA 17105-8468

December 23, 2005

Bureau of Air Quality

717-787-9702

CERTIFIED MAIL NO. P 233 112 004

Ms. Karen M. Brooks
Product Development Specialist
AAD Regulatory and Product Assurance
Automotive Aftermarket Division
3M Company
Building 0251-02-A-09
St. Paul, MN 55144-1000

Dear Ms. Brooks:

The Pennsylvania Department of Environmental Protection (Department) has completed its review of the information submitted with your request for a determination by the Department that the Graco/3M PPS Paint Preparation System Compliant Spray Gun model achieves emission reductions equivalent to high volume low pressure (HVLP) or electrostatic spray application methods. Your request was made pursuant to the provisions of 25 *Pa. Code* Section 129.75(e)(10) (relating to application equipment for mobile equipment repair and refinishing). The Department considered the information included in your original letter of May 20, 2005, and the additional information included in the accompanying CD-ROM and DVD.

Based upon the information you provided, the Department has determined that the Graco/3M PPS Paint Preparation System Compliant Spray Gun model is capable of achieving emission reductions equivalent to HVLP or electrostatic spray application methods as provided for under 25 *Pa. Code* Section 129.75(e)(10). This determination authorizes the use of the Graco/3M PPS Paint Preparation System Compliant Spray Gun model for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c), in the Commonwealth of Pennsylvania, subject to the following conditions:

1. Graco and/or 3M shall supply written notice with each Graco/3M PPS Paint Preparation System Compliant Spray Gun model distributed or sold for use in the Commonwealth of Pennsylvania. The written notice shall specify that the Department has determined that the Graco/3M PPS Paint Preparation System Compliant Spray Gun model is equivalent to HVLP or electrostatic spray application methods only for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c).
2. This authorization is valid only if the air pressure supplied to the Graco/3M PPS Paint Preparation System Compliant Spray Gun model is equal to or less than 29 psig. Graco and/or 3M shall supply written notice with each Graco/3M PPS Paint Preparation System



Compliant Spray Gun model distributed or sold for use in the Commonwealth of Pennsylvania. The written notice shall specify that the operation of the Graco/3M PPS Paint Preparation System Compliant Spray Gun model at an inlet air pressure greater than 29 psig for application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c) constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).

3. Graco and/or 3M shall supply with each Graco/3M PPS Paint Preparation System Compliant Spray Gun model distributed or sold for use in the Commonwealth of Pennsylvania a 3M combination pressure gauge and air inlet valve (part number 16229), or equivalent, that clearly identifies the maximum allowable spray gun inlet air pressure (29 psig). Graco and/or 3M shall supply written notice with each Graco/3M PPS Paint Preparation System Compliant Spray Gun model distributed or sold for use in the Commonwealth of Pennsylvania. The written notice shall specify that failure to have the 3M combination pressure gauge and air inlet valve (part number 16229), or equivalent, attached to the spray gun and in good working condition whenever the spray gun is in operation constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).
4. This authorization does not extend to the use of a Graco/3M PPS Paint Preparation System Compliant Spray Gun model that is not equipped with a properly operating 3M combination pressure gauge and air inlet valve (part number 16229), or equivalent, as described in condition number 3.
5. Graco and/or 3M shall add a clearly visible permanent label specifying that the inlet air pressure shall not exceed 29 psig to all Graco/3M PPS Paint Preparation System Compliant Spray Gun models distributed or sold for use within the Commonwealth of Pennsylvania. Graco and/or 3M shall supply written notice with each Graco/3M PPS Paint Preparation System Compliant Spray Gun model distributed or sold for use in the Commonwealth of Pennsylvania. The written notice shall specify that failure to have the permanent label attached to the spray gun whenever the spray gun is in operation constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).
6. This authorization does not extend to the use of a Graco/3M PPS Paint Preparation System Compliant Spray Gun model that is not labeled as described in condition number 5.
7. This authorization is valid only for the Graco/3M PPS Paint Preparation System Compliant Spray Gun model described in the information submitted to the Department on May 20, 2005.
8. In the event Graco and/or 3M fail to comply with the conditions set forth in this letter, this authorization shall terminate and Graco and 3M shall immediately discontinue the distribution and sale of the Graco/3M PPS Paint Preparation System Compliant Spray Gun model for use in the Commonwealth of Pennsylvania for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c).

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions regarding this approval, please contact Mr. Scott Kepner, Chief of the Compliance Monitoring Section, by e-mail at skepner@state.pa.us or by telephone at 717-772-2330.

Sincerely,



Joyce E. Epps
Director

cc: Mr. Mark Ulrich
Senior Design Engineer
Graco Inc.
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Minneapolis, MN 55413-1894
CERTIFIED MAIL NO: P 233 112 005