



# PAINTING

## BENCHMARK

Prevent paint and solvents and spray drift from getting into the intertidal zone, water or air to the maximum extent practicable.

## PAINTING BMPS

Spills and drips of paint or solvents into the water or onto the ground are prohibited, and best management practices should be implemented to eliminate them. Where practicable, painting should be done indoors, or under a roof and over an impervious surface or a drop cloth to facilitate spill or drip clean-up.

### Painting Outdoors

Whenever possible, apply paint with a brush or roller. Use tarps or perform over an impervious surface to facilitate the collection of paint drips and to prevent paint from washing away when it rains. The bottom edges of the tarps and plastic sheeting should be weighted down to keep them in place.

### Spray Painting Booth or Enclosed Spray Area

A spray booth or enclosed spray area should be used to facilitate the capture of any overspray or partially cured or dried particles during spray painting. However, paint fumes may concentrate in a spray booth or spray area and can represent a hazard to the employees. Booths or areas must meet the local building and fire code requirements and must ensure adequate ventilation for people working in them. Access to booths should be limited to employees fitted and trained with proper respiratory protection equipment, as may be required by Occupational Safety and Health (OSHA) standards. Paint guns used in spray booths or areas should be either High Velocity Low Pressure (HVLP) or High Efficiency Low-Pressure (HELP) types, which are rated at least 65% efficient paint transfer. Filters on the exhaust vents help prevent particles from escaping the booth or area. Equipment used inside the booth or area must be explosion proof.



### Boatyard Bob Says . . .

“Using water based or low-risk coatings and solvents with low volatility will avoid many potential hazardous waste and air emissions issues.”

“Use bottom paints that are appropriate to the climate and use of the boat, and recommend that your customers do the same.”

“Carefully control inventory and use small paint pots to minimize waste paint and solvents.”



## Spray Painting Outdoors



If unable to conduct spray painting in a spray booth or spray area, then the boat being worked on should be over an impervious surface to prevent residue from washing or falling into the water, intertidal zone, or soils.

Screens or tarps should be installed around and must completely enclose the work area. The enclosure material should be securely fastened in order to contain the maximum amount of paint possible. The tarps should trap 95 % or more of all emissions. Employees working within the containment area may be required by OSHA to be fitted and trained with proper respiratory protection equipment. On windy days, the painting should either be stopped or be closely monitored to prevent paint from escaping the protected area.

## Painting Over Water

Painting and varnishing of vessels in water should generally be limited to work within the rails, where paint materials and spills can be contained and prevented from entering the water. When painting from open floats, paints should be kept in cans of one quart or less. The paint cans should be kept in drip pans with drop cloths or tarps underneath the drip pans. Paint and solvent mixing, brush cleaning and similar activities should not be conducted over the water, but should be done in an on-shore work area. A drip containment system shall be provided when painting overboard.

## CLEAN-UP AND DISPOSAL

Cleaning paint brushes, rollers or guns has the potential to generate large amounts of hazardous or special wastes. Minimize waste production by using separate cans of cleaner that are graduated in purity and reusing the cleaner in successive steps. By letting the cleaning solvent settle and decanting off the clean solvent, you can re-use the solvent indefinitely. Cleaning of spray guns should be done in an enclosed gun cleaner/solvent recycling machine. Solvent recycling machines must be licensed by the DEP.

### Boatyard Bob Says . . .

“Re-use brush cleaner many times, using progressively cleaner pots of solvents”

“Keep records of the volume and type of wastes generated to help you identify waste.”

Spent painting equipment, rags or other debris may be flammable and can spontaneously ignite. Rags should be stored in an approved ignition suppressive container in a cool dark place until such time as disposal is appropriate.



If the rags are dripping wet with listed hazardous waste, such as listed "F" solvents (e.g. toluene, xylene, MEK, etc.), or unlisted or blended solvents with a flash point of less than 140°f, or are dripping wet with a corrosive compound then the rags are considered hazardous waste. However, if the rags are not saturated with either an "F"



listed waste or an ignitable compound they would be considered to be non-hazardous, assuming no other characteristic is exhibited. Rag management is specifically addressed in Maine DEP's "Solvent Contaminated Wipers Management" guidance, please refer to that document for specific rag handling procedures. The wiper guidance can be found starting on page 3-50 of this manual and on the Brightwork CD.



Separate and store generated wastes in secure, labeled, covered containers and dispose of appropriately. Hazardous waste has special requirements for accumulation, and storage (90- or 180-day limits) and disposal (via a licensed hazardous waste transporter documented by a manifest).

#### CUSTOMER RELATIONS

It is in your interest to clearly communicate the proper management practices to boat owners who work on their own boat through written agreements and/or clear signage. The agreements may specify certain practices, recommend the use of certain products, prohibit the use of hazardous materials, and should clearly state clean-up and disposal requirements. Remember, boatyards and marinas are ultimately responsible for all activities that take place at the yard, including work done on the boats by the boat owners.

## LEGAL REQUIREMENTS

The following summaries of Federal and State laws and regulations are for general reference only and do not represent the laws fully. For a complete review of the pertinent laws and regulations use the references below to find either the complete text of the law or regulation or a detailed and complete summary in Section 2.

### **GENERALLY**

Discharge of Pollutants to Water - 38 M.R.S.A § Section 413

Section 413 prohibits discharging (spilling, leaking, dumping) of pollutants into state waters without a license from the Department of Environmental Protection. See page 3-33 or the Brightwork CD for more detailed regulatory information.

For additional information: Bureau of Land and Water Quality, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333, phone # (207) 287-2111.



## **PAINT APPLICATION**

Antifouling Paint Labels FIFRA Section 12 (a)(2)(G)

Because all antifouling paints are pesticides, their container labels are enforceable legal documents that require general and specific management practices for preparing surfaces, application, storage and disposal of the paint. See page 3-50 or the Brightwork CD for more detailed regulatory information. Contact information below.

Antifouling Paint Application 7 MRSA § 606(2)(B) CMR 01 026 Chapter 22

Specifically, be sure to follow the Board of Pesticides Control drift laws and regulations when spraying antifouling paint or wood preservatives. See page 3-50 or the Brightwork CD for more detailed regulatory information. Contact information below.

Prohibition on the use of Tributyltin 38 M.R.S.A §419-A

The use of tributyltin (TBT) is generally prohibited but boatyards may receive permission to apply it if application is performed by licensed pesticide applicators (see below) on aluminum vessels or other vessels greater than 25 meters in length. See page 3-50 or the Brightwork CD for more detailed regulatory information. Contact information below.

Pesticide Applicator's License - 38 M.R.S.A. §258-A, Sec.1471-D and CMP 01 Chapter 10 & 31.

The application of TBT (tributyltin) paints requires a commercial pesticides applicator license from the Board of Pesticides Control. A record of these applications must be kept according to CMR 01 Chapter 50 and should be kept for a minimum of 2 years. The commercial applicator/operator certification is the license required for individuals that apply TBT antifouling paints. The Board of Pesticides Control has regulations regarding the drift of pesticides (CMR 01 026 Chapter 22) that need to be followed. See page 3-50 or the Brightwork CD for more detailed regulatory information.

For additional information on all pesticide issues issues: Board of Pesticide Control, Department of Agriculture, 28 State House station, Augusta, ME 04333, phone # (207) 287-2731 or [www.thinkfirstspraylast.org](http://www.thinkfirstspraylast.org)

## **PAINT STORAGE**

Unused paint may contain flammable and/or toxic material and should be stored appropriately. Anti-fouling paint is a pesticide and must be stored in accordance to label directions.



## **WASTE PAINT AND MATERIAL DISPOSAL**

Hazardous Wastes Regulations - Maine Hazardous Waste Management Rules Chapters 850-857.

These rules are the State's equivalent to the Federal Resource Conservation and Recovery Act (RCRA) and provide for "cradle to grave" management of hazardous waste. All facilities that generate hazardous wastes (see glossary) must manage any waste identified as "hazardous" in accordance with the rules and standards.

Most cleaners and solvents associated with painting are identified as hazardous either by characteristic, primarily ignitability, or because they are an "F" listed hazardous waste including acetone, toluene, xylene, Methyl Ethyl Ketone (MEK), and ethylbenzene. Some paints contain high amounts of lead or other metals which would trigger the identification of the waste as hazardous by the toxicity characteristic. Waste generated from cleanup after painting, including rags, will be hazardous if it is contaminated with a listed waste or is saturated with another ignitable compound.

However, if the rags are not saturated with either an "F" listed waste or an ignitable compound they would be considered to be non-hazardous, assuming no other characteristic is exhibited. Rag management is specifically addressed in Maine DEP's "Solvent Contaminated Wipers Management" guidance, please refer to that document for specific rag handling procedures. The wiper guidance can be found starting on page 3-50 of this manual and on the Brightwork CD.

For additional information: See page 3-40 or the Brightwork CD for more detailed regulatory information. Contact information below.

Solid Waste Regulations - CMR Chapter 400 (1) III, Hhh, Nnn, and CCcc,

The Solid Waste Regulations classify non-hazardous waste materials and specify their appropriate disposal. Waste materials that are not identified as "hazardous" must be disposed of properly as either special or solid waste. Most wastes resulting from boatyard or marina activity can be classified as solid waste. However, some wastes like non-liquid paint wastes like dried paint residue, clean up materials, and brushes generated during painting or refinishing are specifically identified as special waste.

For additional information: See page 3-40 or the Brightwork CD for more detailed regulatory information. Bureau of Remediation and Waste Management, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333, phone # (207) 287-2651.

*reminded over and over by businesses like yours that clean water is good for business.*

