



State of Ohio Environmental Protection Agency

**Central District Office**

**STREET ADDRESS:**

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898  
www.epa.state.oh.us

**MAILING ADDRESS:**

P.O. Box 1049  
Columbus, OH 43216-1049

**CERTIFIED MAIL # 91 7108 2133 3932 4450 3950**

June 20, 2008

Geraldine Sells  
3324 Gladesend Court  
Dublin, OH 43017

**Re: Notice of Violation: Installation and operation of air contaminant sources without permits required by OAC rules 3745-31-02 and 3745-35-02**

Dear Ms. Sells:

Ohio EPA, Central District Office (CDO) has observed that an unknown party at 908 West Broad Street, Columbus, Ohio, has installed and has been operating air contaminant sources prior to applying for and obtaining an air permit-to-install (PTI) and air permit-to-operate (PTO) from Ohio Environmental Protection Agency (Ohio EPA). Specifically, CDO learned that someone at this location has been operating an auto body paint shop without the necessary permits.

The installation and operation of any stationary air pollution source without first applying for and obtaining a PTI and PTO constitutes violations of OAC rules 3745-31-02 and 3745-35-02, respectively. The Ohio Administrative Code (OAC) rule 3745-31-02 (A) states that *no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTI from the director.* Ohio Administrative Code (OAC) rule 3745-35-02(A) states that *no person may cause, permit, or allow the operation or other use of any air contaminant source without applying for and obtaining a PTO from the director.*

Please submit all necessary permit applications within 30 days of receipt of this letter. The PTI/PTIO application is enclosed. Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio EPA at a later date.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Geraldine Sells  
Page -2-

If at some time in the future, you or the individual currently operating the auto body paint shop plans to install/modify an air contaminant source, please contact CDO at (614) 728-3800 to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA will endeavor to process all applications in an expeditious manner.

If you have any questions, please do not hesitate to contact Natalie Parsons of my staff at (614) 728-3810 or Small Business Assistance (brochure enclosed) at 1-800-329-7518.

Sincerely,



Kelly Toth, Supervisor  
Permits and Compliance Team  
Division of Air Pollution Control  
Central District Office

Attachments: PTI/PTIO application, EAC form(s), Small Business Assistance brochure

c: Adam Ward, DAPC/CDO  
Natalie Parsons, DAPC/CDO  
John Paulian, DAPC/CO