



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Allen County
Charlie's Auto Repair
Allen County General File
Notice of Violation/non-HPV

December 28, 2011

CERTIFIED MAIL

Mr. Charlton Fuqua, Owner
Charlie's Auto Repair
207 North Watt Avenue
Lima, Ohio 45801

Dear Mr. Fuqua:

This letter shall serve as a follow-up to the inspection conducted on December 15, 2011, of the above referenced facility by Jeffrey Skebba of the Division of Air Pollution Control/Northwest District Office (DAPC/NWDO). The purpose of this inspection was to investigate an anonymous citizen complaint of alleged spray painting of vehicles without a spray booth and filtration system.

Based on discussions and observations during the inspection, my findings are as follows:

1. There was no active spray painting operation at the facility. Electrostatic paint spray guns and small amounts of paint were observed in storage, and there is no enclosed paint spray booth. Thus, it appeared that past operation included painting in the auto repair shop without a booth and filtration system. You stated that no further painting will occur, and the shop will only be used for engine and brake repair work, unless an enclosed booth is purchased.
2. The facility operates a parts washer. Two deficiencies were observed:
 - a. No material safety data sheet was being kept on-site. This is a violation of OAC rule 3745-21-09(O)(5)(c), which requires tracking of the type of solvent used in the parts washer. This information is also needed for DAPC/NWDO to determine whether any regulated halogenated solvents are in the solvent, which would make the parts washer subject to 40 CFR, Part 63, Subpart T – National Emission Standards for Halogenated Solvent Cleaning. Regulated solvents under this rule include methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4),

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trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent.

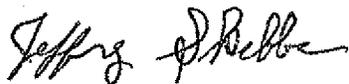
- b. No operator instructions were posted. This is a violation of OAC rule 3745-21-09(O)(2)(d)(i), which requires the facility to provide a permanent, conspicuous, legible label, summarizing the operating requirements of OAC rule 3745-21-09(O)(2)(d)(ii) through 3745-21-09(O)(2)(d)(vi).

Since there is no vehicle painting occurring presently, the complaint about alleged painting is not justified, and no further action will be taken for that portion of the complaint. The Division of Hazardous Waste Management is sending you a separate letter regarding other portions of the complaint, including the hazardous waste handling procedures.

Please submit a written response by January 6, 2012, and provide a material safety data sheet for the parts washer solvent, along with proof that operator instructions consistent with OAC rule 3745-21-09(O)(2)(d)(ii) through 3745-21-09(O)(2)(d)(vi) are posted for the parts washer. Enclosed with this letter is a copy of portions of OAC rule 3745-21-09(O) applicable for solvent cold cleaning operations.

Should you have any questions or comments, feel free to contact me at (419) 373-3128.

Sincerely,



Jeffrey Skebba
Environmental Specialist
Division of Air Pollution Control

/llr

Enclosure

ec: Jennifer Jolliff, DAPC/NWDO
Melissa Boyers, DHWM/NWDO
Certified Mail Receipt Number 7009 1410 0001 1834 1286