



State of Ohio Environmental Protection Agency

Southeast District Office

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

July 24, 2009

**Re: Tuscarawas County
Complaint 30000947**

Certified: 70063450000190558195

Mr. Todd Cook
1873 East High Ave.
New Philadelphia, Ohio 44663-3238

Dear Mr. Cook:

I am writing this letter in response to a complaint received by this office on June 22, 2009. The complaint alleges that paint fumes are being emitted from your facility on East High Ave., New Philadelphia.

On July 1, 2009, I investigated this complaint and spoke to you. You paint inside a garage behind your home. As I explained at that time, there are Ohio EPA requirements for this type of facility.

Painting operations are considered air contaminant sources, as defined in Ohio Administrative Code (OAC) rule 3745-31-01(D). The installation of an air contaminant source without obtaining a permit to install is a violation of OAC rule 3745-31-02(A), unless the source is exempted pursuant to OAC rule 3745-31-03(A). The exemption specific to your painting operation includes the following:

- (kk) Coating applicators with properly designed and operated particulate control devices and venting systems that employ less than five gallons of only air-dried coating material in any one day provided that the applicators are:
 - (i) Not located in a nonattainment area for ozone;
 - (ii) Not subject to limits specified in or specifically exempted from rule 3745-21-09 of the Administrative Code;
 - (iii) Not subject to federal standards of performance for new stationary sources; and
 - (iv) Not located at a facility with actual emissions of twenty-five or more tons of volatile organic materials per year and are not subject to a standard under section 112 of the Clean Air Act.

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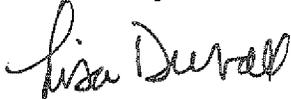
If you wish to demonstrate that you meet the exemption in OAC rule 3745-31-03(A)(1) (kk) and avoid the requirement to obtain a permit, you must do the following:

1. Submit documentation of past coating usage which shows that the operation never used more than five gallons of air-dried coatings per day; and
2. Demonstrate that you are using "properly designed and operated particulate control devices and venting system." This generally consists of exhausting coating booth emissions through filters and through a stack which releases emissions vertically above the roofline, where they can disperse before returning to ground level, reducing the impact on neighbors.

Please submit the coating records and a plan for upgrading the exhaust system within fourteen days of receipt of this letter.

If you have any questions regarding this matter, please contact me at 740-380-5217.

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/ mlm