



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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

November 16, 2009

**Re: Tuscarawas County Complaint  
30000947  
Certified: 70073020000178847893**

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

Dear Mr. Cook:

In a letter dated July 24, 2009, I informed you of the requirements necessary to demonstrate that your painting operation qualifies for the exemption from the permit requirements under Ohio Administrative Code (OAC) rule 3745-31-03(A). As of November 5, 2009, I have not received any information from you that would demonstrate that you qualify for the exemption.

Painting operations are considered air contaminant sources, as defined in OAC rule 3745-31-01(D). The installation of an air contaminant source without obtaining a permit is a violation of OAC rule 3745-31-02(A), unless the source is exempted pursuant to OAC rule 3745-31-03. If you chose not to demonstrate that your painting operation qualifies for the exemption specified in OAC rule 3745-31-03(A)(1)(kk), then you must notify us that you will be operating the painting operation under our permit-by-rule provisions (information attached) or you will need to apply for and obtain a traditional permit to install and operate for the painting operation.

Please contact me, within 14 days of receipt of this letter, and let me know which approach you prefer. If you have any questions, please call me at 740-380-5217 or 1-800-686-7330.

Sincerely,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/ mlm

Enclosures: PBR fact sheet and rules