



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

November 13, 2008

**Re: Tuscarawas County
Complaint 30000619
Certified: 70063450000190557372**

J & J Insurance Agency
5024 Skyline Blvd.
Cape Coral, Florida 33914

Dear J & J Insurance:

I am writing this letter in response to a complaint received by this office on October 17, 2008. The complaint alleges that paint fumes are being emitted from a building that you own in Uhrichsville, Ohio behind 216 N. Dawson St.

On October 28, 2008, I investigated this complaint. There was no one at the building at the time of my investigation, but I did observe a large exhaust fan covered with paint in a window. I left my business card in the door of the building but have not heard back from anyone.

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. The exemption that may apply to the painting and sandblasting operations in your building is stated below:

- (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.

If you wish to demonstrate that you meet the exemption in OAC rule 3745-31-03(kk) and avoid the requirement to obtain a permit-to-install, 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 within thirty days of receipt of this letter.

Please contact me at 740-380-5217 so that we can discuss this matter.

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm