



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 Korteski, Director

December 5, 2007

**Re: Belmont County
Complaint 20070523
Certified: 70063450000190561737**

Mr. Mark Marshall
J and L Auto Body
520 - 33rd Street
Bellaire, Ohio 43906-1649

Dear Mr. Marshall:

I am writing this letter in response to a complaint received by this office on November 5, 2007. The complaint alleges that you are painting without using a paint booth or filters.

On November 30, 2007, I investigated this complaint and spoke to you. During my inspection, I observed a paint booth with filters on the side walls and in the ceiling. I did not witness any evidence of violations.

Painting operations are considered air contaminant sources, as defined in Ohio Administrative Code (OAC) rule 3745-31-01(I). The installation of an air contaminant source without obtaining a permit to install is a violation of OAC rule 3745-31-02(A)(1), unless the source is exempted pursuant to OAC rule 3745-31-03. The exemption specific to your operation includes the following:

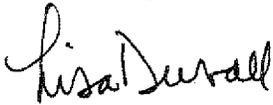
- (kk) Coating applicators with properly designed and operated particulate control devices and venting systems that employ less than five gallons of only air-dried coating material in any one day provided that the applicators are:
 - (i) Not located in a nonattainment area for ozone;
 - (ii) Not subject 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-to-install, you must submit documentation of past coating usage which shows that the operation never used more than five gallons of air-dried coatings per day. Please submit the coating records within thirty days of receipt of this letter.

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

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm