



**Environmental
Protection Agency**

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

May 27, 2011

**Re: Ross County
Complaint 30001839
Certified: 70101060000178962365**

Mr. Randy Rinehart
371 Neal Ave.
Chillicothe, Ohio 45601-3448

Dear Mr. Rinehart:

I am writing this letter in response to complaints received by this office on September 27, 2010 and April 19, 2011. The complaints allege that paint fumes and overspray from painting in your garage are adversely affecting your neighbors.

On October 14, 2010, I investigated the first complaint. There was no one home at the time of my investigation and I did not see any evidence of overspray on your garage or on the neighbor's building that is very close to your garage. On November 1, 2010, I spoke to you in regard to the complaint. You told me that you paint three to four times per year as a hobby and would put a stack on your garage. You cannot paint in this garage until you can demonstrate compliance with the exemptions listed below.

On April 28, 2011, I met with you at your workplace in regard to the second complaint and we arranged to meet and inspect your garage. On May 16, 2011, we inspected your garage. There were no automobiles on site. There was no overspray noted on the outside of the garage. As I explained at that time, if you plan to use this garage to paint in, you must use filters on your exhaust fan, install a vent stack that extends above the roofline of your garage, and use less than five gallons per day of air-dried coatings. You told me that you used fans in the garage windows when you paint.

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 that may apply to your painting operation 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;

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- (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.

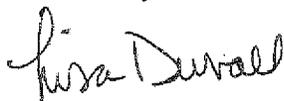
If you wish to demonstrate that you meet the exemption in OAC rule 3745-31-03(A)(1)(kk) and avoid the requirement to obtain a permit, you must do the following:

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 thirty days of receipt of this letter.

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

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm