Ohio EPA
40 years and moving forward
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Sandusky County
Ole' Skool Auto Body
Notice of Violation (NOV)

March 12, 2013

CERTIFIED MAIL

Mr. Lynn Lachner, Owner
Ole' Skool Auto Body, LLC.
307 West McPherson Highway
Clyde, Ohio 43410

Dear Mr. Lachner:

This letter shall serve as follow-up to the inspection conducted on February 19, 2013 of the above-referenced facility by this writer, on behalf of the Ohio EPA's Division of Air Pollution Control (DAPC) and Mr. Ed Pulido of the Ohio EPA's Division of Materials and Waste Management (DMWM). The purpose of this inspection, regarding DAPC, was to determine the compliance status of all air contaminant emissions units located there. This letter shall speak only to DAPC related issues as they pertain to Ole' Skool Auto Body (OSAB).

Based on my discussions, my observations during the inspection, and a review of the company's files, my findings are as follows:

1. OSAB is a vehicle refinishing and collision repair shop which operates a paint spray booth on the property. The paint spray booth is a separate room on the west side of the building with an exhaust fan installed in the western wall. The fan is of an unknown volumetric flow, is approximately five feet off the ground and vents horizontally approximately 45' from the nearest property line. The exhaust system is not fitted with a dry particulate filter and it was recommended at the time of the inspection that a dry filter be installed immediately.

2. OSAB completes approximately three to four paint jobs per week, most of which do not entail painting an entire vehicle, however, entire vehicles are painted on occasion. A lacquer thinner is used for cleanup operations. OSAB had no MSDSs available for review at the time of the inspection, does not record coating or cleanup material usage and does not calculate daily emissions from coating and cleanup operations. This office recommends that OSAB immediately begin tracking daily usage of all coatings, reducers and cleanup materials and immediately begin calculating daily emissions.

3. Because of some of the physical characteristics of the booth identified in item #1 above, OSAB does not meet the qualifying criteria for the permit-by-rule (PBR) exemption identified in Ohio Administrative Code (OAC) rule 3745-31-03(A)(4)(g). Because of the lack of record keeping, as identified in item #2 above, OSAB cannot show that their daily emissions are below the "de minimis" exemption threshold identified in OAC rule 3754-15-05.

4. Because the PBR exemption identified in item three above is not available to OSAB, the company is required to submit a Permit-to-Install and Operate (PTIO) application, surface coating emissions activity category (EAC) form, and emissions calculations for the paint spray booth. Failure to first obtain a PTIO prior to installation and operation of the source is a violation of both OAC rule 3745-31-02 and Ohio Revised Code 3704.05.

5. Another option available to OSAB may be to qualify the paint spray booth as a "de minims" source, emitting less than 10 pounds per day of any pollutant, per the requirements of OAC rule 3754-15-05. If the company can demonstrate that emissions from coating and cleanup operations have been "de minimis" for the last 12 months, this office will consider the facility to have met the recordkeeping requirement in the exemption and to have returned to compliance. Please note that if the company exceeds, or has exceeded in the last 12 months, the daily allowable threshold of 10 lbs of a criteria pollutant per day, the company will be required to obtain a PTIO.

While PBR may not be available to OSAB, the enclosed information, "Permit-by-Rule User's Guide for Auto Body Refinishing", may assist you in keeping records and estimating emissions from the coating operations.

The company's written response to this letter is requested by April 11, 2013. The response should be submitted to Ohio EPA, Northwest District Office and contain all of the information requested in item 4 above.

As discussed during the inspection, Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) is also available to assist qualifying small businesses in achieving and maintaining compliance with Ohio's environmental regulatory programs. OCAPP will be able to help you with the recordkeeping requirements and emission calculations identified above as well as assist OSAB with the permitting process, should that be the route taken by the company.

More information pertaining to OCAPP is also available on our website at http://epa.ohio.gov/ocapp/ComplianceAssistanceandPollutionPrevention.aspx. Should you choose to contact OCAPP for assistance with issues pertaining to this letter, please contact Ron Nabors, at (419) 373-3147. If you decide to contact OCAPP for assistance, please inform me of that as soon as possible so that a new deadline for information submission can be determined, if needed.

Finally, as a courtesy reminder, the Federal NESHAP rule HHHHHH, for Auto Body Shops, became effective March 2011. If you have questions regarding this requirement, please contact Ron Nabors.

Please note that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case.

If the company has any questions and/or comments concerning this letter, please contact me at the above address, by calling (419) 373-3137, or via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,

Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Thomas C. Cikotte, DAPC-NWDO
Certified Mail Receipt Number 7009 1410 0001 1843 9099

ec: Brian Dickens, US EPA, Region V
Bruce Weinberg, DAPC - CO
Jennifer Jolliff, DAPC - NWDO
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