



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

July 8, 2014

Mr. William Palmer
3200 North Harrison Avenue
Harrison, MI 48625

SRN: U18070239, Clare County

Dear Mr. Palmer:

SUBJECT: Complaint Response Letter

The Department of Environmental Quality (DEQ), Air Quality Division (AQD), received a complaint regarding unpermitted operation of a body shop at 3200 North Harrison Avenue, Harrison, Clare County, Michigan. Please note that should your activities be large enough it may be in violation of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). The purpose of this letter is to determine if your shop is in compliance with R 336.1201 adopted pursuant to Act 451.

As we discussed during my July 2, 2014 site visit, surface coating facilities below a certain size and meeting certain conditions are not required to obtain a permit to install under R. 336.1201. Based on your reported limited use, I have highlighted the exemption that appears would apply directly to you. Other potential routes for exemption permitting include:

Rule 287. The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:

- (a) An adhesive coating line which has an application rate of less than 2 gallons per day and which has emissions that are released only into the general in-plant environment.
- (b) A surface coating process that uses only hand-held aerosol spray cans, including the puncturing and disposing of the spray cans.
- (c) A surface coating line if all of the following conditions are met:
 - I. The coating use rate is not more than 200 gallons, as applied minus water, per month.
 - II. Any exhaust system that serves only coating spray equipment is supplied with a properly installed and operating particulate control system
 - III. Monthly coating use records are maintained on file for the most recent 2-year period and are made available to the air quality division upon request.
- (d) A powder coating booth that has an appropriately designed and operated particulate control system and associated ovens.
- (e) A silkscreen process.

- (f) Replacement of water wash control in a paint spray booth with dry filter control.
- (g) Adding dry filters to paint spray booths
- (h) Replacement of a coating applicator system with a coating applicator system that has an equivalent or higher design transfer efficiency, unless the change is specifically prohibited by a permit condition.
- (i) Equipment that is used for the application of hot melt adhesive.
- (j) Portable equipment that is used for on-site non production painting.
- (k) Mixing, blending, or metering operations associated with a surface coating line.

As discussed, under the present AQD regulations, a paint/body shop is not required to be permitted should they meet the above exemption(s). The exemption exists, but it is the facilities responsibility to show that they meet the exemption requirements.

There are a number of Federal Regulations that may be applicable to your situation. Some of these regulation "subparts" are specific based on the type of coating and solvent used. During my site visit I provided you with copies of informational packets created to help individuals work their way thru the requirements. As I mentioned, the AQD has not been delegated authority to implement those requirements at this time but we do anticipate receiving that delegation. Please review the packets to determine what requirements you will have to meet under the Federal Regulations.

With respect to your question regarding the "2-vehicle" limit. It appears that the limit of 2-vehicles per year is part of the Federal Regulations under Subpart HHHHHH.

A-3: Does the NESHAP apply to home-based hobbyists that refinish motor vehicles?

A. It depends on the number of vehicles you paint and whether compensation is received. Anyone who spray applies surface coating to more than two motor vehicles or pieces of mobile equipment per year is subject to the NESHAP, regardless of whether compensation is received. If you paint two or less vehicles per year and compensation is received you are also subject to the NESHAP. If you paint two or less vehicles per year without compensation, you are not subject to the NESHAP.

Please note that this only indicates that you need to follow the requirements under the appropriate subpart. It does not indicate whether the State of Michigan considers you a business that requires licensing. To determine that, you would need to contact the Secretary of State who is responsible for licensing. I have enclosed some information to give you a step in that direction. It is also important to determine what the various requirements are locally, as they may vary from the State and Federal Government.

If you have any questions or comments, you may contact me at the number listed below or at leblancs@michigan.gov. We also have the Office of Environmental Assistance who can help by answering a broad range of environmental questions. They can be reached at 517-284-6860.

Sincerely,

A handwritten signature in black ink, reading "Sharon G. LeBlanc". The signature is written in a cursive style with a large initial 'S' and 'L'.

Sharon G. LeBlanc
Environmental Quality Analyst
Air Quality Division
989-894-6212

SGL/ai

cc: Chris Hare, DEQ