



REGION 1

BOSTON, MA 02109

Clean Air Act Inspection Report

Report Date:

I. Background

Inspection Date: April 10, 2025

Inspection Type: Partial Compliance Evaluation

EPA Inspector: John ("Jack") Melcher, Senior Enforcement Coordinator, Air Compliance Section, Enforcement and Compliance Assurance Division

JOHN MELCHER Digitally signed by JOHN MELCHER
Date: 2025.05.12 12:58:02 -04'00'

EPA Reviewer: Darren Fortescue, Manager, Air Compliance Section

DARREN FORTESCUE Digitally signed by DARREN
FORTESCUE
Date: 2025.05.12 13:32:30 -04'00'

Facility Name: R&A Auto Body

ICIS Air ID#: RI0000004400591033

Facility Location: 914 Main Road; Tiverton, RI 02878

Mailing Address: Same as above.

Disclaimer:

Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.

Small Business Resources Information Sheet:

Without making a determination that the subject business or organization is a small business, EPA is providing this Small Business Resource Information Sheet regarding information that may assist small businesses in identifying and complying with environmental requirements:

<https://www.epa.gov/sites/default/files/2017-06/documents/smallbusinessinfo.pdf>

Inspection Attendees:

Name	Title	Organization
Jack Melcher	Senior Enforcement Coordinator	US EPA
Karen Peltier	Environmental Engineer	US EPA
Rick Oman	Owner	R&A Auto Body

Facility/Process Description:

R&A Auto Body is an auto body repair shop.

EPA's Enforcement and Compliance History Online website contains a Detailed Facility Report with additional information: <https://echo.epa.gov/detailed-facility-report?fid=110004907067>

Potentially Applicable Federal Air Regulations:

The following federal air regulation may be applicable to the Facility:

- 40 CFR Part 63, Subpart HHHHHH – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources ("NESHAP 6H")¹

State Air Regulations:

The following federally-enforcement state air regulation may be applicable to the Facility:

- Rhode Island Air Pollution Control Regulation 30 – Control of Volatile Organic Compounds from Automobile Refinishing Operations ("RI APC Reg. 30")²

Previous Enforcement Actions:

EPA's records do not reflect any Clean Air Act enforcement actions at this facility during the last ten years.

¹ Available at: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-63/subpart-HHHHHH>

² Available at: <https://www.epa.gov/sites/default/files/2017-10/documents/ri-apcr-30-2007-07-19.pdf>

II. Inspection

Inspection was not announced in advance.

Mr. Melcher and Ms. Peltier (“the Inspectors”) arrived at approximately 10:05 a.m.

The weather was clear and calm with temperatures in the 40’s (degrees Fahrenheit).

Mr. Melcher took photographs during the inspection that have been saved to file. Selected photographs are included as an appendix to this report.

A. Opening Conference:

The Inspectors were greeted by Mr. Oman and presented their credentials.

Mr. Melcher explained that EPA was conducting an inspection to collect information regarding compliance with NESHAP 6H, which addresses toxic Hazardous Air Pollutants (“HAPs”) and RI APC Reg. 30, which addresses Volatile Organic Compounds (“VOCs”).

Mr. Oman said that the facility does not work on buses or other heavy-duty vehicles.

Mr. Oman showed the Inspectors his spray gun training certification, dated March 3, 2010. Mr. Oman said that filters installed on the facility’s paint booth capture 99% of materials. Mr. Oman said that the spray booth is configured so that, if appropriate pressure is not maintained in the spray booth, the doors open and spray painting is not performed.

Mr. Oman said that he has been repeatedly harassed by a neighbor and has recently taken out a restraining order against this neighbor.

Mr. Oman said that he has been repeatedly inspected by the Rhode Island Department of Environmental Management (“RI DEM”) and the Town of Tiverton.

Mr. Oman said that he moved his business to the current location approximately three years ago. Mr. Oman said that the building has been an auto body shop since the 1970’s (formerly known as “Sam’s Auto Body”). Mr. Oman said that, immediately before his buying the building, it was not being used for auto body work.

Mr. Oman said that he uses a consultant, Collision Design, to ensure that his paint booth meets specifications. Mr. Oman provided the following description of spray booth operation:

- Outside air is warmed and brought into the booth using an Air Makeup Unit located outside the building,
- Air is introduced into the top of the booth and is exhausted through from the bottom of the booth,
- Filters are installed in the pit below the booth, and
- Air is exhausted through a stack.

Mr. Oman said that some materials in the Air Makeup Unit are degraded and so the Unit is being replaced with similar equipment.

Mr. Oman said that the existing stack is six feet above the roof line but is being extended by an additional three feet. Mr. Oman said that the stack is being moved two to three feet so that it will be at least 25 feet from the property line.

B. Facility Tour

Beginning at approximately 10:25 a.m., Mr. Oman escorted the Inspectors on a tour of the facility.

The group viewed the pressure meter on the outside of the booth (Appendix – Photo 1). The meter indicated a pressure on the positive side of the “paint zone.” Mr. Oman said that this was because the filters in the pit need to be changed. Mr. Oman said that the booth was currently being used for “baking.”

Mr. Melcher showed Mr. Oman the following table from Section 30.7.A.1 of RI APC Reg. 30:

Type of Coating	Emission Limitation (lb. VOC/gallon coating applied minus water)
Pretreatment	6.5
Primer/Primer Surfacer	4.8
Primer Sealer	4.6
Topcoat	5.0
Three or Four Stage Coating	5.2
Specialty Coating	7.0

Mr. Melcher asked Mr. Oman which types of coatings were applied at the facility. Mr. Oman said that the facility applies a basecoat and a clearcoat.

The group visited the paint room. A technician showed the Inspectors the “Mixit” software on a computer. The technician demonstrated how the software is used to generate a list of products, and the amount of each product, to be combined to generate the desired basecoat. In the example basecoat, the majority of the mass was “Basecoat – Metallic Sparkle” with lesser amounts of several tints. Mr. Oman said that all products used are from the Lesonal product line and all are low-VOC.

Mr. Oman showed the Inspectors the spray guns used. A box labeled “Product #5905 Supernova” was observed. A gun marked ANEST IWATA was observed; Mr. Oman provided an information sheet stating that the ANEST IWATA WS400 spray gun complies with EPA NESHAP 40 CFR Part 62 Subpart HHHHHH for the application of coatings.

The technician demonstrated how the spray guns are cleaned at the facility. The technician removed the spray gun tip and poured a small amount of solvent into the tip. Waste solvent fell into a funnel set on a drum. When the cleaning was complete, the technician closed a lid on top of the funnel.

Mr. Oman said that methylene chloride was not used at the facility; no chemical stripping is performed at the facility.

A duct near the bottom, back of the paint booth was observed. Mr. Oman said that this duct did not connect to the stack and was no longer used.

The group visited the outdoor air handling equipment (Appendix – Photo 2). Mr. Oman described how the Air Makeup Unit pulled in air through an elevated intake, heated the air, warmed the air, and sent it into the building. Mr. Oman described how an approximately 18-inch diameter stack exhaust air that has gone through the filters in the pit below the paint booth.

In addition to the main stack, two other stacks were observed on the roof. Mr. Oman said that the stack near the main stack is connected to an outlet duct near the floor of the paint booth that does not flow through the filters. Mr. Oman said that he had never used this outlet duct and did not know what purpose it may have once served. Mr. Oman said that a damper located in the duct prevented discharges to the stack. Mr. Oman said that the second other stack provided exhaust from the paint room.

C. Records Review

At approximately 10:55 a.m., the Inspectors and Mr. Oman began to review compliance records.

1. NESHAP 6H

Mr. Melcher showed Mr. Oman a NESHAP 6H exemption form available on the National Small Business Environmental Assistance Program website.³ The form provides an example petition for an exemption from the surface coating provisions for facilities that can demonstrate that they do not spray apply coatings that contain metal (“target”) HAP.

Mr. Oman provided several binders of Safety Data Sheets for review. One red and one white binder held Safety Data Sheets for various products; a third large binder held Safety Data Sheets for the Lesonal product line.

The Inspectors reviewed the Safety Data Sheets to see if there were any products containing target HAP (as defined in 40 CFR § 63.11180). No target HAP were observed but not every product was reviewed and many Safety Data Sheets did not provide any ingredients that were less than 1% of the product.

Mr. Oman called Aaron Rock, his contact from AkzoNobel (the manufacturer of the Lesonal product line). The Inspectors asked Mr. Rock if any of the coatings sold to R&A Auto Body were “target HAP containing coating[s],” as defined in NESHAP 6H. Mr. Rock said that he would look into the matter and requested that the Inspectors send him an email with the request.

Mr. Oman provided a binder of NESHAP 6H-related materials. Included in the binder were copies of an Initial Notification and a Notification of Compliance Status for R&A Auto Body located at 207 Stafford

³ <https://nationalsbeap.or,g/compliance/petition>

Road in Tiverton, Rhode Island. Mr. Oman said that 207 Stafford Road was the former location of the business and that location is now closed. Mr. Melcher said that EPA's records did not reflect an Initial Notification, a Notification of Compliance Status, nor a petition for exemption from NESHAP 6H, for the current location at 914 Main Road.

The binder of NESHAP 6H-related materials contained a log of spray booth filter changes. The following dates were listed: January 13, 2024; February 12, 2025; and March 7, 2025.

The binder of NESHAP 6H-related materials contained a list of the following spray guns: Iwata LPH-400 0-HVLP, Tekna, and Satajet 3000.

2. RI APC Reg. 30

Mr. Oman showed Mr. Melcher an "Environmental/Occupational Health Compliance Certification Program, Self-Certification Checklist for Auto Body Repair Facilities" published by RI DEM and completed by the facility. In Section C, "Air Pollution, Methylene Chloride, Spray Coatings, and EPA '6H' Regulation," the facility indicated it uses a totally encapsulated spray gun cleaner. Mr. Oman explained that, although he possesses an encapsulated spray gun cleaner, he does not use it because it would require the use of a larger quantity of solvent and generate more solvent waste. Mr. Oman said that the enclosed cleaners are designed to recirculate, but do not contain a filter, and using it would require frequent changes of the bath to avoid introducing contaminants from other coatings into the coating being applied. Mr. Oman said that he did not know of any auto body shop that uses totally encapsulated cleaners, but that he would begin using his encapsulated cleaner.

The Inspectors requested technical data sheets for the coatings used. Mr. Oman provided a technical data sheet for U-Tech 2K HB Primer Surfacer. The technical data sheet provides that the standard mix ratio (by volume) is four parts 2K HB Primer Surfacer with one part 2K HB Activator. The technical data sheet provides that the product has a VOC concentration of 4.2 lb/gal. Mr. Oman said that none of the products used at the facility contain water. Mr. Oman said that the product was used as part of a coating best characterized as a "Primer/Primer Surfacer" in the table in Section 30.7.A.1 of RI APC Reg. 30.

The Inspectors asked if the facility had a record of each basecoat/clearcoat system used, including the weighted average VOC content of the coating, as required by Section 30.9.A.5 of RI APC Reg. 30. Mr. Oman said that he did not, but that he expected that AkzoNobel would. Mr. Oman again called Mr. Rock of AkzoNobel and the Inspectors requested the information. Mr. Rock said that he was not familiar with RI APC Reg. 30, but that he would look into the matter and requested that the email from the Inspectors also include this topic.

The Inspectors asked for information regarding the solvent used to clean spray gun tips. The front desk receptionist found the Safety Data Sheet electronically. Mr. Oman said that he would provide the Safety Data Sheet electronically.

D. Closing Conference

At approximately noon, the Inspector and Mr. Oman held a closing conference.

Mr. Melcher provided Mr. Oman with a copy of the Small Business Resource Information Sheet and the NESHAP 6H exemption form.

Mr. Melcher informed Mr. Oman of the facility's right to claim Confidential Business Information. Mr. Oman said that no information collected was subject.

Mr. Melcher said that he would email Mr. Rock regarding target HAPs and weighted average VOC concentrations of coatings.

Mr. Melcher said that, depending on the information provided by Mr. Rock regarding target HAPs, he may need to return to collect information regarding NESHAP 6H requirements.

The Inspectors departed at approximately 12:20 p.m.

III. Inspection Follow-Up

On April 10, 2025, Mr. Melcher sent an email to Mr. Rock (copying Mr. Oman) requesting information regarding target HAPs in the coatings used at R&A Auto and the amount of VOCs present in the coatings used at R&A Auto.

On April 15, 2025, Mr. Rock emailed Mr. Melcher (copying Mr. Oman) stating that AkzoNobel would provide the requested information once it was available.

On April 16, 2025, Mr. Melcher emailed Mr. Rock (copying Mr. Oman) asking for an estimate of when the information would be available.

As of May 9, 2025, Mr. Melcher had not received further communication from Mr. Rock or Mr. Oman.

Appendix – Inspection Photos

Report Photo Number	File Name	Time Taken	Description
1	IMG_0103.JPG	10:26 AM	Paint booth pressure gauge



Report Photo Number	File Name	Time Taken	Description
2	IMG_0108.JPG	10:49 AM	Air Makeup Unit, main stack, and bypass stack

