



REGION 1

BOSTON, MA 02109

VIA E-MAIL

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

Dated by electronic signature

Rick Oman, Owner
R&A Auto Body
914 Main Road
Tiverton, RI 02878
whataoman@aol.com

Re: Clean Air Act Reporting Requirement

Dear Mr. Oman:

The United States Environmental Protection Agency ("EPA") is evaluating R&A Auto Body (the "Company") is in compliance with the Clean Air Act ("CAA" or "Act") and requirements promulgated under the Act at its facility located at 914 Main Road in Tiverton, Rhode Island (the "Facility"). In particular, EPA is evaluating applicability of and compliance with the National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, found at 40 C.F.R. Part 63, Subpart HHHHHH ("Subpart 6H").^{1, 2}

Subpart 6H addresses emissions of Hazardous Air Pollutants ("HAP"), including cadmium, chromium, lead, nickel, and manganese from automobile coating operations. HAP are associated with a variety of adverse health effects, including chronic health disorders (e.g., central nervous system effects, blood disorders, cancer) and acute health disorders (e.g., irritation of eyes, nose and throat, with long-term impairment of lung function possible at high acute exposures).

¹ Subpart 6H can be accessed at: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-63/subpart-HHHHHH>

² EPA "Collision Repair Campaign to Reduce Air Toxics" webpage contains compliance resources at <https://www.epa.gov/collision-repair-campaign>

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

Within **45 days** of the date of receipt of this letter, provide the information described the items below. Provide all documents electronically via email to EPA at melcher.john@epa.gov.³

General Business Information

1. Describe the ownership and business structure of the Company.
2. Provide the month and year during which the Company began operating at the Facility.

Subpart 6H

Items 3 through 14, below are applicable to “spray-applied coating operations,” as defined in 40 C.F.R. § 11180.⁴

Provide responses to items 3 through 6 if the Company plans to demonstrate compliance by submitting a notification, as described in 40 C.F.R. § 11170(a)(2), that the Company does not spray apply any target HAP-containing coatings, as defined in 40 C.F.R. § 11180. Responses are not requested for these items if, instead, the Company plans to demonstrate compliance by implementing the general requirements referenced in items 7 through 14, below.

3. Provide a list of the spray-applied coatings used at the Facility since January 1, 2021.

³ Note that EPA cannot receive email messages with files larger than 25 MB. Please contact Mr. Melcher if larger files need to be sent.

⁴ *Spray-applied coating operations* means coatings that are applied using a hand-held device that creates an atomized mist of coating and deposits the coating on a substrate. For the purposes of this subpart, spray-applied coatings do not include the following materials or activities:

- (1) Coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces (89 cubic centimeters) for devices that do not use a paint cup liner, or with a paint cup liner capacity that is equal to or less than 3.0 fluid ounces (89 cubic centimeters) for devices that use a paint cup liner. Repeatedly refilling and reusing a 3.0 fluid ounce cup or cup liner or using multiple 3.0 fluid ounce cup liners to complete a single spray applied coating operation as a means of avoiding rule applicability will be considered an attempt to circumvent the requirements of this subpart.
- (2) Surface coating application using powder coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology, including, but not limited to, paint brushes, rollers, hand wiping, flow coating, dip coating, electrodeposition coating, web coating, coil coating, touch-up markers, or marking pens.
- (3) Thermal spray operations (also known as metallizing, flame spray, plasma arc spray, and electric arc spray, among other names) in which solid metallic or non-metallic material is heated to a molten or semi-molten state and propelled to the work piece or substrate by compressed air or other gas, where a bond is produced upon impact.

4. For each spray-applied coating, list the products that comprise the coating as-applied.
5. For each product used in spray-applied coatings, provide the percentage by mass of each of the target HAP (i.e., cadmium, chromium, lead, nickel, and manganese).⁵
6. For each spray-applied coating, calculate the percentage by mass of each of the target HAP in the coating as-applied.

Provide responses to items 7 through 14 if the Company plans to demonstrate compliance by implementing the general requirements in 40 C.F.R. § 11173(e), (f) and (g). Responses are not requested if, instead, the Company plans to demonstrate compliance by submitting the notification of no target HAP referenced in items 3 through 6, above.

7. Provide a list of all painters who apply spray coatings, including the following for each:
 - a. Name,
 - b. Job description,
 - c. Date of hiring,
 - d. Date of initial training, and
 - e. Date the most recent refresher training was completed.
8. For each painter, provide available documentation or certification that the painter's work experience and/or training has resulted in training equivalent to the training required in 40 C.F.R. § 11173(f)(2).
9. Provide documentation of the filter efficiency of the spray booth exhaust filter material.⁶
10. Provide documentation, such as schematics and photographs, of how the duct near the bottom, back of the paint booth is connected to the smaller ("bypass") stack on the roof and the condition of any dampers in the duct.
11. Provide the maximum pressure at which the spray booth is operated, in inches water gauge.
12. If the Facility is recording the spray booth pressure, provide records for the last two years of pressure monitoring.

⁵ You may rely on formulation data provided by the manufacturer or supplier, such as the material safety data sheet (MSDS), as long as it represents each target HAP compound in the material that is present at 0.1 percent by mass or more for cadmium, chromium, lead, and nickel and at 1.0 percent by mass or more for manganese.

⁶ The procedure used to demonstrate filter efficiency must be consistent with the ANSI/ASHRAE Standard 52.2-2017. The filter efficiency shall be based on the difference between the quantity of dust injected and the quantity captured on the final filter with no test device in place. The filter will be challenged with 100 grams of loading dust and the final filter weight will be to the nearest 0.1 gram. EPA Method 319 of appendix A to 40 C.F.R. Part 63 may be used as an alternative to ANSI/ASHRAE Standard 52.2-2017. Owners and operators may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement and are not required to perform this measurement.

13. Provide a list of spray guns used at the Facility, including the make and model name of each.
14. For each spray gun, provide the air atomizing pressure measured dynamically at the center of the air cap and at the air horns.^{7, 8}

Be aware that if the Company does not provide the information required in a timely manner, EPA may order it to comply and may seek monetary penalties under Section 113 of the Act. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

If you have any questions regarding this Reporting Requirement, please contact John ("Jack") Melcher of my staff at (617) 918-1663.

Sincerely,

JAMES CHOW

Digitally signed by JAMES CHOW
Date: 2025.07.09 14:41:00 -04'00'

James Chow, Director
Enforcement and Compliance Assurance Division

By electronic cc: Sean Ziegler, RIDEM Office of Compliance and Inspection
Sean Carney, RIDEM Office of Air Resources

⁷ The procedure used to demonstrate that spray gun transfer efficiency is equivalent to that of an HVLP spray gun must be equivalent to the California South Coast Air Quality Management District's "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989" and "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002."

⁸ EPA has published approvals for spray guns on its website (<https://www.epa.gov/stationary-sources-air-pollution/miscellaneous-surface-coating-operations-area-sources-spray-gun>) that may be useful in responding to this item.