



CITY OF PHILADELPHIA

DEPARTMENT OF PUBLIC HEALTH
Donald F. Schwarz, MD, MPH
*Deputy Mayor for Health & Opportunity
Health Commissioner*

Nan Feyler, JD, MPH
Chief of Staff

Air Management Services
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Director

Source Registration
321 University Avenue, 2nd Floor
Philadelphia, PA 19104

Telephone (215) 685-7572
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April 28, 2009

Mr. Mark Charpie
DeVilbiss Automotive Refinishing
11360 South Airfield Road
Swanton, OH 43558

RE: Non-HVLP Spray Guns

Dear Mr. Charpie,

Air Management Services has reviewed your December 11, 2008 request for written approval to allow the use of the following non-HVLP spray guns under Air Management Regulation V, Section XIV(G)(1)(c):

- DeVilbiss CVI Spray Gun with #510 air cap
- Tekna Spray Gun with 7E7 air cap
- DeVilbiss GTI Pro Spray Gun with T2 air cap

Based on the information provided, the following spray guns are considered equivalent to high volume low pressure (HVLP) and electrostatic spray application methods:

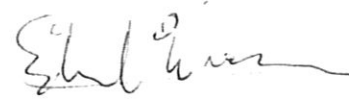
- DeVilbiss CVI Spray Gun with #510 air cap
- Tekna Spray Gun with 7E7 air cap

AMS approves their use under Air Management Regulation V, Section XIV(G)(1)(c) on the condition that they remain approved by the Pennsylvania Department of Environmental Protection (PADEP) and comply with the requirements of the enclosed March 4, 2009 approval letters from PADEP.

AMS has not received a copy of a similar PADEP approval for the DeVilbiss GTI Pro Spray Gun with T2 air cap. As a result, this spray gun is not accepted under Air Management Regulation V, Section XIV(G)(1)(c) at this time. AMS will re-consider this position if this spray gun is approved by PADEP in the future.

If you have any questions, please call me at (215) 685-9426.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Wiener". The signature is fluid and cursive, with the first name "Edward" being more prominent and the last name "Wiener" following in a similar style.

Edward Wiener
Environmental Engineer



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 8468
Harrisburg, PA 17105-8468
March 4, 2009

Bureau of Air Quality

717-787-9702

Mark E. Charpie, Regulatory Manager
DeVilbiss Automotive Refinishing
11360 S. Airfield Road
Swanton, Ohio 43558

CERTIFIED MAIL NO.: 7004 1160 0003 0012

Dear Mr. Charpie:

The Pennsylvania Department of Environmental Protection (DEP) has completed its review of the information submitted with your request for a determination by the DEP that the ITW Tekna Spray Gun model with 7E7 air cap achieves emission reductions equivalent to high volume low pressure (HVLP) or electrostatic spray application methods. Your request was made under 25 *Pa. Code* Section 129.75(e)(10) (relating to application equipment for mobile equipment repair and refinishing). The DEP considered the information included in your letter of December 11, 2008.

Based upon the information you provided, the Department has determined that the ITW Tekna Spray Gun model with 7E7 air cap is capable of achieving emission reductions equivalent to HVLP or electrostatic spray application methods as provided for under 25 *Pa. Code* Section 129.75(e)(10). This determination authorizes the use of the ITW Tekna Spray Gun model with 7E7 air cap for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c), in the Commonwealth of Pennsylvania, subject to the following conditions:

1. DeVilbiss Automotive Refinishing shall supply written notification with each ITW Tekna Spray Gun model with 7E7 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the DEP has determined that the ITW Tekna Spray Gun model with 7E7 air cap is equivalent to HVLP or electrostatic spray application methods only for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75.
2. This authorization is valid only if the air pressure supplied to the ITW Tekna Spray Gun model with 7E7 air cap is equal to or less than 22 psig. De Vilbiss Automotive Refinishing shall supply written notification with each ITW Tekna Spray Gun model with 7E7 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the operation of the ITW Tekna Spray Gun model with 7E7 air cap at an



inlet air pressure greater than 22 psig for application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c) constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).

3. DeVilbiss Automotive Finishing shall supply a 100 psig (full scale) mechanical pressure gauge with markings every 2 psig or a 160 psig (full scale) digital pressure gauge that measures in 1 psig increments with each ITW Tekna Spray Gun model with 7E7 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The required modification shall provide a visual confirmation that the maximum allowed air pressure is 22 psig such as color-coding the gauge to make the area of the gauge at and below 22 psig green and the area of the gauge above 22 psig red or other design approved by the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification with each ITW Tekna Spray Gun model with 7E7 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that failure to have a 100 psig (full scale) mechanical pressure gauge with markings every 2 psig or a 160 psig (full scale) digital pressure gauge that measures in 1 psig increments, modified as described above, attached to the spray gun and in good working condition whenever the spray gun is in operation constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).
4. This authorization does not extend to the use of an ITW Tekna Spray Gun model with 7E7 air cap that is not equipped with a properly operating 100 psig (full scale) mechanical pressure gauge with markings every 2 psig or a 160 psig (full scale) digital pressure gauge that measures in 1 psig increments as described in condition number 3.
5. DeVilbiss Automotive Refinishing shall add a clearly visible permanent label specifying the air cap designation 7E7 and that the inlet air pressure shall not exceed 22 psig to all ITW Tekna Spray Gun models with 7E7 air cap distributed or sold for use within the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification with each ITW Tekna Spray Gun model with 7E7 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that failure to have the permanent label attached to the spray gun whenever the spray gun is in operation constitutes a violation of 25 *Pa. Code* Section 129.75(e)(10).
6. This authorization does not extend to the use of an ITW Tekna Spray Gun model with 7E7 air cap that is not labeled as described in condition number 5.
7. This authorization is valid only for the ITW Tekna Spray Gun model with 7E7 air cap described in the information submitted to the DEP on December 11, 2008.
8. In the event DeVilbiss Automotive Refinishing fails to comply with the conditions set forth in this letter, this authorization shall terminate and DeVilbiss Automotive Refinishing shall immediately discontinue the sale and distribution of the ITW Tekna Spray Gun model with 7E7 air cap for use in the Commonwealth of Pennsylvania for the application of coatings listed in Table III of 25 *Pa. Code* Section 129.75(c).

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions regarding this approval, please contact Scott Kepner by email at skepner@state.pa.us or by telephone at 717-772-2330.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce E. Epps", with a long horizontal flourish extending to the right.

Joyce E. Epps
Director

Mr. Mark E. Charpie

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March 4, 2009

bcc: Ron Davis
Scott Kepner
Jane Greber
Kristen Furlan