



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Air Quality

September 29, 2011

William J. Hofert
Controller and Acting Regulatory Manager
DeVilbiss Automotive Refinishing
11360 S. Airfield Road
Swanton, Ohio 43558

CERTIFIED MAIL NO: 7004 1160 0003 8197 0070

Dear Mr. Hofert:

The Pennsylvania Department of Environmental Protection (Department or DEP) has completed its review of your July 26, 2011 submittal concerning with your request for a determination that the TEKNA ProLite Spray Gun model with TE20 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).

Based upon the information you provided, the Department has determined that the TEKNA ProLite Spray Gun model with TE20 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 TEKNA ProLite Spray Gun model with TE20 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 TEKNA ProLite Spray Gun model with TE20 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the Department has determined that the TEKNA ProLite Spray Gun model with TE20 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 TEKNA ProLite Spray Gun model with TE20 air cap is equal to or less than 26 psig. DeVilbiss Automotive Refinishing shall supply written notification with each TEKNA ProLite Spray Gun model with TE20 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the operation of the TEKNA ProLite Spray Gun model with TE20 air cap at an inlet air pressure greater than 26 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 TEKNA ProLite Spray Gun model with TE20 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 26 psig such as color-coding the gauge to make the area of the gauge at and below 26 psig green and the area of the gauge above 26 psig red or other design approved by the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification with each TEKNA ProLite Spray Gun model with TE20 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 a TEKNA ProLite Spray Gun model with TE20 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 TE20 and that the inlet air pressure shall not exceed 26 psig to all TEKNA ProLite Spray Gun model with TE20 air cap sold or distributed for use within the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification to each person purchasing the TEKNA ProLite Spray Gun model with TE20 air cap 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 a TEKNA ProLite Spray Gun model with TE20 air cap that is not labeled as described in condition number 5.
7. This authorization is valid only for the TEKNA ProLite Spray Gun model with TE20 air cap described in the information submitted to the Department on July 26, 2011.
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 TEKNA ProLite Spray Gun model with TE20 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 Mr. Scott Kepner at 717-772-2330.

Sincerely,



Ronald Gray
Environmental Program Manager
Division of Compliance & Enforcement



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Air Quality

September 29, 2011

William J. Hofert
Controller and Acting Regulatory Manager
DeVilbiss Automotive Refinishing
11360 S. Airfield Road
Swanton, Ohio 43558

CERTIFIED MAIL NO: 7004 1160 0003 8197 0087

Dear Mr. Hofert:

The Pennsylvania Department of Environmental Protection (Department or DEP) has completed its review of your July 26, 2011 submittal concerning with your request for a determination that the TEKNA ProLite Spray Gun model with TE10 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).

Based upon the information you provided, the Department has determined that the TEKNA ProLite Spray Gun model with TE10 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 TEKNA ProLite Spray Gun model with TE10 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 TEKNA ProLite Spray Gun model with TE10 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the Department has determined that the TEKNA ProLite Spray Gun model with TE10 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 TEKNA ProLite Spray Gun model with TE10 air cap is equal to or less than 35 psig. De Vilbiss Automotive Refinishing shall supply written notification with each TEKNA ProLite Spray Gun model with TE10 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the operation of the TEKNA ProLite Spray Gun model with TE10 air cap at an inlet air pressure greater than 35 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 TEKNA ProLite Spray Gun model with TE10

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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 35 psig such as color-coding the gauge to make the area of the gauge at and below 35 psig green and the area of the gauge above 35 psig red or other design approved by the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification with each TEKNA ProLite Spray Gun model with TE10 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 a TEKNA ProLite Spray Gun model with TE10 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 TE10 and that the inlet air pressure shall not exceed 35 psig to all TEKNA ProLite Spray Gun model with TE10 air cap sold or distributed for use within the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification to each person purchasing the TEKNA ProLite Spray Gun model with TE10 air cap 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 a TEKNA ProLite Spray Gun model with TE10 air cap that is not labeled as described in condition number 5.
7. This authorization is valid only for the TEKNA ProLite Spray Gun model with TE10 air cap described in the information submitted to the Department on July 26, 2011.
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 TEKNA ProLite Spray Gun model with TE10 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.

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If you have any questions regarding this approval, please contact Mr. Scott Kepner at 717-772-2330.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Gray', with a long horizontal flourish extending to the right.

Ronald Gray
Environmental Program Manager
Division of Compliance & Enforcement



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Air Quality

September 29, 2011

William J. Hofert
Controller and Acting Regulatory Manager
DeVilbiss Automotive Refinishing
11360 S. Airfield Road
Swanton, Ohio 43558

CERTIFIED MAIL NO: 7004 1160 0003 8197 0094

Dear Mr. Hofert:

The Pennsylvania Department of Environmental Protection (Department or DEP) has completed its review of your July 26, 2011 submittal concerning with your request for a determination that the TEKNA Pro Spray Gun model with TE20 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).

Based upon the information you provided, the Department has determined that the TEKNA Pro Spray Gun model with TE20 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 TEKNA Pro Spray Gun model with TE20 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 TEKNA Pro Spray Gun model with TE20 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the Department has determined that the TEKNA Pro Spray Gun model with TE20 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 TEKNA Pro Spray Gun model with TE20 air cap is equal to or less than 26 psig. De Vilbiss Automotive Refinishing shall supply written notification with each TEKNA Pro Spray Gun model with TE20 air cap distributed or sold for use in the Commonwealth of Pennsylvania. The notice shall specify that the operation of the TEKNA Pro Spray Gun model with TE20 air cap at an inlet air pressure greater than 26 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 TEKNA Pro Spray Gun model with TE20

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 26 psig such as color-coding the gauge to make the area of the gauge at and below 26 psig green and the area of the gauge above 26 psig red or other design approved by the Commonwealth of Pennsylvania. DeVilbiss Automotive Refinishing shall supply written notification with each TEKNA Pro Spray Gun model with TE20 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).

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Sincerely,



Ronald Gray
Environmental Program Manager
Division of Compliance & Enforcement



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CERTIFIED MAIL NO: 7004 1160 0003 8197 0100

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Sincerely,



Ronald Gray
Chief
Division of Compliance & Monitoring