



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

February 22, 2010

RE: CERTIFIED WARNING LETTER  
ANNUAL STAGE II COMPLIANCE TEST  
PAINESVILLE SUNOCO  
DAPC FACILITY ID 0243111033

CERTIFIED MAIL

Ken Frank  
Painesville Sunoco  
265 East Erie St  
Painesville, OH 44077

Dear Mr. Frank:

Our records indicate that Stage II compliance testing occurred at Painesville Sunoco, 265 East Erie St, Painesville, Ohio on January 9, 2009 (completing the 2008 testing). This annual testing is required to demonstrate compliance with Ohio Administrative Code (OAC) Rule 3745-21-09(DDD).

This office has no record of this station being tested since and the station should have been tested by December of 2009. Failure to test on an annual basis is a violation of OAC Rule 3745-21-09(DDD). Please schedule any necessary repairs and conduct a retest **within 30 days of your receipt of this letter**. I have enclosed a list of testing companies for your convenience.

I have enclosed a Permit by Rule Notification form. **Please complete the form and return it as per the instructions**. This will replace any needed Permit-to-Install and Operate (PTIO) and will mean you no longer have to pay the biannual emission fees.

Failure to comply with this request may result in a referral to the Central Office of Ohio EPA for enforcement action. The completion of the testing does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1270.

Sincerely,

Tim Fischer  
Environmental Supervisor  
Division of Air Pollution Control

TF:bo

enclosures: List of Stage II testing companies  
Permit by Rule form