

Air Pollution Control Division

Canton City Health Department



APC Contractual Representative
Serving All of Stark County

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

James M. Adams, R.S. MPH
Health Commissioner

Daniel J. Aleman
APCD Administrator

COPY

CERTIFIED MAIL

Friday, February 01, 2008

HALL OF FAME MART
ATTN: MR. AYAD ALOMARI
704 SHERRICK RD SE
CANTON, OH 44707

Re: NOTICE OF VIOLATION OF NONCOMPLIANCE WITH THE OHIO ADMINISTRATIVE CODE 3745-35-02(A); OPERATION OF A NONPERMITTED GASOLINE DISPENSING FACILITY ID # 1576051626, HALL OF FAME MART LOCATED AT 704 SHERRICK RD SE, CANTON, OH 44707.

Dear Mr. Ayad Alomari,

A review of Local Air Agency files to update our files and to verify compliance status has disclosed that the PTO (Permit to Operate) for this GDF (Gasoline Dispensing Facility) expired on August 19, 2000 and to date; a renewal application has not been completed and submitted to this Agency. As is, the operation of this GDF is not in compliance with the State of Ohio regulations. Such an operation constitutes a violation of the OAC (Ohio Administrative Code) rule 3745-35-02 (A). A violation of OAC rule 3745-35-02 (A) constitutes a violation of Ohio Revised Code 3704.05(G).

During our discussion, I informed you of the requirement to repair the seals on two of the three tank caps. I will inspect this facility again within 30 days to make sure the repair has been made. If not, a noncompliance order will be issued and a violation can be cited, resulting in possible fines.

This is to notify you that your GDF is qualified for a permit exemption option. A PBR (Permit-By-Rule) is a specific permit exemption in the OAC that applies to certain types of low-emitting air pollution sources including but not limited to GDF's. The PBR is an option you may use to exempt your source from the air permit application process.

A PBR exempts the air pollution source from the PTI and PTO process and functions as both the installation and operating permit for the source. However, the air pollution source must continually meet all of the PBR criteria. If the air pollution source can no longer comply with the conditions of the PBR, you must apply for a traditional PTI and/or PTO.

You may elect to obtain a traditional air permit, but because PBR's are part of OAC 3745-31-03 PTI exemptions, the air pollution sources are exempt from the air permit application process and the associated PTI fees. Additionally, if all air pollution sources at a facility are exempt, the facility is not required to pay annual emission fees.

Since the PBR effectively functions as the permit, Ohio EPA retains the authority to enforce all provisions of the OAC, including, but not limited to, revoking a company's option to operate under a PBR. Sources operating under a PBR can be inspected by Ohio EPA and are subject to the same enforcement provisions as other permitted facilities.

Copies of the PBR requirements, notification form, guidance materials, and other information can be obtained online at www.epa.state.oh.us/dapc/pbr/permitbyrule.html.

I have enclosed a copy of the *Permit By Rule Notification Form – Gas Dispensing Facility*. Please complete and send to:

**Canton City Health Department
Air Pollution Control Division
Attn: Denny Tan
420 Market AVE N
Canton, OH 44702**

Should you have any questions concerning this letter, please contact me at (330) 489-3385.

Sincerely,



Denny Tan

Staff Field Inspector II
Air Pollution Control Division
Canton City Health Department

Enc:

- 1) *Permit by Rule Notification Form – Gasoline Dispensing Facility*
- 2) *Permit by Rule Fact Sheet*

Pc:

- 1) Correspondence file, Feb. 2008
- 2) Addressee via Certified Mail

7006 0810 0004 5529 3351

U.S. Postal Service

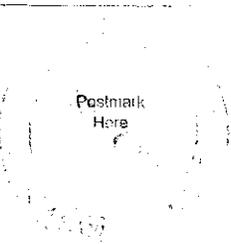
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