

Air Pollution Control Division



APC Contractual
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Canton City Health Department

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

Daniel J. Aleman
APCD Administrator

COPY

FIRST CLASS MAIL

Thursday, January 24, 2008

MURPHY OIL CORPORATION
ATTN: DAN CRAWFORD
ENVIRONMENTAL SUPERVISOR
P.O. BOX 7000
EL DORADO, ARKANSAS 71731-7000

Re: NOTICE OF VIOLATION OF NONCOMPLIANCE WITH THE OHIO ADMINISTRATIVE CODES, 3745-31-02(A); OPERATION OF NON PERMITTED GASOLINE DISPENSING FACILITIES (NO PTI) AND 3745-35-02(A); OPERATION OF NONPERMITTED GASOLINE DISPENSING FACILITIES (NO PTO); ID # 1576051931, MURPHY USA #7163 LOCATED AT 4030 TUSCARAWAS STREET WEST, CANTON, OHIO 44708 IN STARK COUNTY ID # 1576051930, MURPHY USA #7122 LOCATED AT 3220 ATLANTIC BLVD, CANTON, OHIO 44705 IN STARK COUNTY

Dear Mr. Crawford,

A review of Local Air Agency files to update our files and to verify compliance status has disclosed that the PTI (Permit to Install) and PTO (Permit to Operate) for this GDF (Gasoline Dispensing Facility) were never issued and to date; an application has not been completed and submitted to this Agency. As is, the operation of these facilities 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).

This is to notify you that the gas dispensing facilities are 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 2 copies of the *Permit By Rule Notification Form – Gas Dispensing Facility*. Please complete for each facility 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 or the completion of the notification forms, 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, Jan. 2008
- 2) Addressee via First Class Mail