

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

November 4, 2010

RE: GEAUGA COUNTY  
NEWBURY  
SPEEDWAY #3512  
NPDES# 3PR00226\*BD

**NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Ms. Jennifer K. Schoenlein  
Speedway SuperAmerica LLC  
500 Speedway Drive  
Enon, Ohio 45323

Dear Ms. Schoenlein:

Your National Pollutant Discharge Elimination System (NPDES 3PR00226) permit referenced above expired June 10, 2010. To date, our office does not have on file a renewal application that was required to be submitted with the application fee 180 days prior to permit expiration. The NPDES permit is required for a discharge of wastewater to 'waters of the state.' Pursuant to Ohio Revised Code (ORC) Section 6111.04:

*"No person shall cause pollution or place or cause to be placed any sewage, industrial waste, or other wastes in a location where they cause pollution of any waters of the state... except in such cases where the director of environmental protection has issued a valid and unexpired permit..."*

According to our files, a Permit to Install for a sanitary sewer extension was issued to this facility on December 14, 2009. If the facility has connected to a sanitary sewer and is no longer discharging wastewater, the NPDES permit must be terminated. Information regarding NPDES permit termination can be found at <http://www.epa.ohio.gov/dsw/permits/termination.aspx>.

No later than November 22, 2010, please submit a letter requesting to terminate the NPDES permit. This letter must include the following information:

- Name of the permittee.
- Name of the facility.
- Ohio EPA permit number.
- Date that discharge ended.
- Since the discharge ended, where is the wastewater going? (For example, connection to regional sewers, or school closed – no wastewater.)
- Where any residual wastewater or solids were taken.
- Plans for remaining infrastructure, such as tanks. (For example, collapse and fill.)

Ms. Jennifer K. Schoenlein  
Speedway #3512  
November 4, 2010  
Page 2

The letter must be signed as follows:

- In the case of a corporation, by a responsible corporate officer. See paragraph (E)(1) of Ohio Administrative Code 3745-33-03 [PDF] for additional information.
- In the case of a partnership, by a general partner.
- In the case of a sole proprietorship, by the proprietor.
- In the case of a municipal, state or other public facility, by either the principal executive officer, the ranking elected official or other duly authorized employee.

If this facility has continued to discharge wastewater, a renewal NPDES application must be submitted no later than November 22, 2010.

NPDES permit General Form 1 and the appropriate supporting application forms (2A, 2C, 2E, 2F, 2S) may be obtained from our Web page at:

<http://www.epa.state.oh.us/dsw/permits/npdesform.html>

The NPDES permit renewal forms must be submitted with a \$200 application fee, checks made payable to 'Treasurer, State of Ohio'.

Additionally, an Antidegradation Addendum must accompany the application. The aforementioned forms must be signed by principal executive officer, owner, or ranking elected official. An NPDES transfer form or letter indicating the date of purchase, and ownership information must be provided.

Please contact this office at (330) 963-1299 to schedule a time for your meeting on November 12, 2010.

Respectfully,



Laura A. Weber, P.E.  
Environmental Engineer  
Division of Surface Water

LAW/mt

pc: Geauga County Health Department

ec: Dean Stoll, P.E., Ohio EPA, DSW, NEDO

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)            C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Jennifer K. Schoenlein            Speedway SuperAmerica            500 Speedway Drive            Enon, OH 45323</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number            (Transfer from service label) 7010 1060 0000 0089 6660 (C. Weber 11/4/10)</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt Newbury Two 102595-02-M-1540</p>	

US Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

Street, Apt. No.;  
 or PO Box No.

City, State, ZIP+4

PS Form 3800 August 2006 See Reverse for Instructions

7010 1060 0000 0089 6660