



**City of Cleveland**  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erievue Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL #7012221000005209  
RETURN RECEIPT REQUESTED**

April 29, 2013

Robert Sposit  
Pearl and Bradley Sunoco  
5385 Pearl Road  
Parma, OH 44134

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-45-8365**

**NOTICE OF VIOLATION: Failure to submit a Permit Evaluation Report for the period of June 17, 2011 to March 31, 2012.**

Dear Mr. Sposit:

On April 23, 2013, The Cleveland Division of Air Quality (CDAQ) inspected to Pearl and Bradley Sunoco (Sunoco) located at 5385 Pearl Road in Parma. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

Sunoco has failed to submit a Permit Evaluation Report (PER) for the period of June 17, 2011 to March 31, 2012, for emission units G001: GDF with Stage I and Stage II Vapor Control Systems. The PER was due by May 15, 2012. This is a violation of Ohio Revised Code (ORC) Section 3704.05(C) and Permits-To-Install and Operate (PTIO) # P0095803, Part C.1.e.

Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. CDAQ requests that Sunoco submit a completed PER for the period of June 17, 2011 to March 31, 2012, to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erievue Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Also, the PER for the period of April 1, 2012, to March 31, 2013, is due on May 15, 2013.

PER forms can be found online at the following website:  
<http://epa.ohio.gov/portals/27/permits/PER.pdf>

Please note that in lieu of submitting future annual PERs, facilities can elect to operate legally as an air contaminant source under the permit-by-rule (PBR) exemption for gas stations if the gas station meets the qualifying criteria pursuant to the PBR exemption. Information relating to PBR status and a PBR notification form is included with this letter.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars (\$25,000) or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Pearl and Bradley Sunoco: 13-18-45-8365.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/ak



cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
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encl: PER form and instructions and PBR notification form and instructions