



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 7012 2210 0000 5209 7525
RETURN RECEIPT REQUESTED**

5/16/13

Mahmoud Sabti
Owner
28021 Miles Rd., LLC, dba Orange Sunoco
28021 Miles Rd.
Orange, OH 44022

FACILITY ID: 13-18-14-7944

**RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Sabti:

On 3/6/13, the Cleveland Division of Air Quality (CDAQ) inspected 28021 Miles Rd., LLC, dba Orange Sunoco (Sunoco) located at 28021 Miles Rd. in Orange. Annual Stage II Vapor Recovery Testing on emissions unit (EU) G001: Stage I and Stage II Gasoline Dispensing Facility, was also witnessed at this time.

The Static Leak (SL), Stage II Vapor Recovery Testing was successful. However, the Stage II Vapor Recovery Testing for Air to Liquid Ratio (A/L) failed on both pumps #3 and #5 due to vacuum motor malfunctions.

On 3/7/13, CDAQ issued a Notice of Violation (NOV) requiring Sunoco to complete necessary repairs to pumps #3 and #5 and conduct A/L Stage II Vapor Recovery Testing and submit copies of passing A/L test results for pumps #3 and #5 to CDAQ.

On 4/2/13, CDAQ issued a second NOV because at the time of inspection, the on duty attendant did not indicate there had been a change in facility ownership. CDAQ did not become aware of the ownership change until the original NOV issued on 3/7/13 was returned to sender with the notations "Refused... Unable to Forward".

The 4/2/13 NOV cited Sunoco's failure to submit a Permit by Rule (PBR) Notification Form for EU G001 since June of 2012 as a violation of the Ohio Revised Code (ORC) rule 3704.03 and the Ohio Administrative Code (OAC) rule 3745-31-02.

In the 4/2/13 NOV, CDAQ requested that Sunoco complete necessary repairs to pumps #3 and #5 and conduct A/L Stage II Vapor Recovery Testing. Copies of passing A/L test results for pumps #3 and #5 and a completed PBR Notification Form were to be submitted to CDAQ within thirty (30) days of your receipt of the NOV letter.

On 4/24/13, CDAQ personnel witnessed successful A/L testing of pumps #3 and #5. And, on 5/15/13, CDAQ received a properly completed PBR Notification Form indicating the new ownership at Sunoco.

The corrective action plan was received and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.



CDAQ issues this letter with Ohio EPA's concurrence and 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for 28021 Miles Rd., LLC, dba Orange Sunoco: 13-18-14-7944.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/ddlx

cc: John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
L:\Data\Facilities\1318147944\2013-3-6 ROV+NEAR.docx



Submission of this form constitutes notice that the party identified in Section I of this form intends to be authorized to install/operate a source of air pollution according to the permit-by-rule provisions of OAC 3745-31-03(A)(4)(a) and (h) or (i). By submitting this form, the applicant agrees to operate and maintain the facility and equipment in accordance with the applicable permit-by-rule provisions. An original signature is needed and forms transmitted by fax will not be accepted. Complete all information as indicated by the instructions.

I. Applicant Information / Mailing Address

Company (Applicant) Name: 28021 miles Rd LLC
 Mailing (Applicant) Address: 28021 miles Rd
 City: Orange State: Ohio Zip Code: 44022
 Contact Person: Sebti Phone: 440.318.1042 Fax: _____ E-mail: _____

II. Facility / Site Location Information

Facility Name: Orange Sunoco
 Facility Address / Location: 28021 miles Rd County: _____
 City: Orange State: Ohio Zip Code: 44022
 Facility Contact: Sebti Phone: 440.318.1042 Fax: _____ E-mail: _____
 Ohio EPA Facility ID Number (10-digit) if known - See Instructions: 13-18-14-7944

III. Reason for Submitting Notification:

- Initial request Equipment modification Ownership change
- Request for revocation of current permit - See Instructions and complete additional information below

Permit to install (PTI) or Permit to operate (PTO) number _____

Emission Unit ID (4-digit) _____

IV. Permit-by-Rule Requested - See Instructions for eligibility by county

- Facility with Stage I controls OAC 3745-31-03(A)(4)(h) Facility with Stage I and II controls OAC 3745-31-03(A)(4)(i)

V. Storage Tank Information

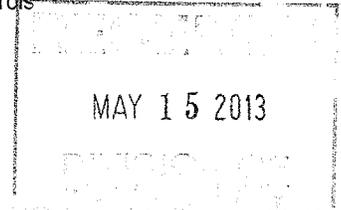
Yes No Are all gasoline tanks equipped with submerged fill pipes?

VI. Vapor Control System for Tank Filling (Stage I controls):

- Vapor balance, single point Vapor balance, dual point Other, describe _____

VII. Vapor Control System for Vehicle Refueling (Stage II controls): Required in certain counties, see Instructions

Manufacturer Name: Wayne Model Number: Wayne Vac
 CARB Executive Order Number: G-70-153-AD Date installed (month/year) 8/2004



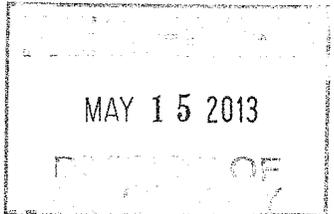
Number of nozzles	Manufacturer	Model Number
<u>6</u>	<u>OP Way</u>	<u>12 VW</u>

VIII. Volume of Gasoline Dispensed: 50,000 gal/month, _____ gal/year

IX. Vapor Control System Exemption Status (check all that apply)

- Stage I controls exemption per OAC 3745-21-09(R)(4) – See Instructions for additional information required to be submitted with this form.
- Stage II controls exemption per OAC 3745-21-09(DDD)(4) – See Instructions for additional information required to be submitted with this form.
- Not applicable

I certify under penalty of law that all statements or assertions of fact made in this notification are true and complete, and shall subject the signatory to liability under state laws forbidding false or misleading statements.	
Applicant Name (Print): <u>mahmoud Sabti</u>	Title: <u>owner</u>
Applicant Signature: <u>Sabti</u>	Date: <u>5-13-13</u>
RETAIN A COPY OF THIS FORM FOR YOUR RECORDS	For Ohio EPA Use Only:
Mail the original signed form to the appropriate Air Permit Review Agency (District Office/Local Air Agency) for your county. (Please refer to the Air Permit Review Agency map in the attached instructions for mailing address).	FAC ID: _____
Rev 12/10	Date received _____





Environmental Compliance Technologies

A/L TEST SUMMARY OF TEST RESULTS

GDF NAME AND ADDRESS
Location #28021
MARATHON-ORANGE
28021 MILES ROAD
ORANGE VILLAGE, OH 44022

TYPE OF DISPENSER	OVATION
TYPE OF VAPOR SYSTEM	VACCUM ASSIT.

TESTING UNIT	TRI TESTER #435697
SERIAL #	0435679
CALIB. DATE	1/24/2013
NEXT CALIB. DATE	1/24/2014

PUMP #	GAS GRADE	NOZZLE MODEL & SERIAL	GASOLINE PUMPED GALLONS	ALLOWABLE FLOW RATE PER MINUTE	FLOW RATE PER MINUTE	FLOWRATE PASS/FAIL	ALLOWABLE A/L RATE RANGE	A/L RATE	A/L RATE PASS/FAIL	PASS/FAIL
3	MID	RICHARDS ASTRO VAC	3	6 - 10	7.98	PASS	0.9 - 1.1	0.96	PASS	PASS
3	PRE	RICHARDS ASTRO VAC	3	6 - 10	8.33	PASS	0.9 - 1.1	0.94	PASS	PASS
3	REG	RICHARDS ASTRO VAC	3	6 - 10	7.28	PASS	0.9 - 1.1	0.99	PASS	PASS
5	MID	RICHARDS ASTRO VAC	3	6 - 10	7.65	PASS	0.9 - 1.1	1.1	PASS	PASS
5	PRE	RICHARDS ASTRO VAC	3	6 - 10	9.04	PASS	0.9 - 1.1	1.05	PASS	PASS
5	REG	RICHARDS ASTRO VAC	3	6 - 10	6.82	PASS	0.9 - 1.1	1.09	PASS	PASS

TESTERS NAME	SIGNATURE	DATE
JOHNNY CARRION		4/24/2013

WITNESSED BY	DAVE DECHANT
--------------	--------------

COMMENTS: