



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

September 4, 2013

RE: **RESOLUTION OF VIOLATIONS FOR
CONCORD SUNMART, COOKE'S
SERVICE STATION, AND MUNSON
SUNMART; DAPC FACILITY IDS
0243001266, 0228002011, AND
0228000317**

CERTIFIED MAIL

Rollin Cooke
Station Owner
400 Water Street
Chardon, OH 44024

Dear Mr. Cooke:

This letter is in response to the Notice of Violation (NOV) issued to the above referenced facility on May 14, 2013. In the NOV, it was requested that Stage II testing be scheduled. Testing has since been scheduled and performed with passing results and the appropriate steps were taken to bring the sources into compliance. The following information summarizes the violations cited, and the resolution of each.

Violations included failure to have Stage II testing performed at three stations by the end of March 2013 as required by the Director's Final Findings & Orders (DFF&Os) issued to you on July 26, 2011. These DFF&Os required that Stage II testing be performed in March and August of 2012 and 2013.

The testing has now been performed as follows:

Station	Date of Test	Date Results Submitted	Results
Concord Sunmart	7/29/13	9/4/13	Pass
Cooke's Service Station	7/25/13	8/7/13	Pass
Munson Sunmart	7/25/13	9/4/13	Pass

With the corrective actions taken to bring the source(s) into compliance, as indicated above, the referenced violations are considered resolved. Please note, however, that this does not preclude Ohio EPA's authority from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

MR. ROLLIN COOKE
CONCORD SUNMART, COOKE'S SERVICE STATION, MUNSON SUNMART
SEPTEMBER 4, 2013
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Because the March testing was not completed until the end of July, it would be counterproductive for these stations to be tested again in August as the DFF&Os require (this testing has not been performed to-date). Therefore, this office requests that the final round of testing to be performed under the DFF&Os be done in March of 2014. **Please schedule this testing in March of 2014 for all three of the above-mentioned stations.** Having this testing performed with passing results will satisfy the DFF&Os.

Failure to perform the testing as required above is a violation of the Findings & Orders.

If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1270.

Sincerely,



Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF:bo

ec: Bruce Weinberg, Ohio EPA, DAPC, CO